



Rochford District Council

**SUPPLEMENTARY
PLANNING DOCUMENTS
COMMITTEE REPORTS
AND CONSULTATION
RESPONSES**

January 2007





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Planning Policy and Transportation Committee 28th November 2006

Agenda

Item 12 – Supplementary planning document consultation responses

Appendix A – Consultation summary and recommended changes

Minutes

ROCHFORD DISTRICT COUNCIL



Planning Policy & Transportation Committee

agenda

Date

28 November 2006

Time

7.30 pm

Place

Council Chamber
Civic Suite
Rayleigh

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Members of the Planning Policy & Transportation Committee

Chairman: Cllr P A Capon

Vice-Chairman: Cllr C A Hungate

Cllr C I Black

Cllr J P Cottis

Cllr T G Cutmore

Cllr A J Humphries

Cllr J R F Mason

Cllr D Merrick

Cllr J M Pullen

Cllr P R Robinson

Cllr Mrs M J Webster

Terms of Reference

To exercise the Council's functions in relation to:-

- Highways
- Planning Policy
- Regeneration
- Transportation
- Local Development Framework
- Building Control Policy
- Economic Development

Including the formulation and implementation of the policy framework and management of the budget in respect of these functions.

The Council's vision is to make Rochford the place of choice in the County to live, work and visit.

The Council's principal aims are to:-

- Provide quality, cost effective services
- Work towards a safer and more caring community
- Promote a green and sustainable environment
- Encourage a thriving local economy
- Improve the quality of life for people in our District
- Maintain and enhance our local heritage

A G E N D A

Page No

- 1 Apologies for Absence**
- 2 Substitutes**
- 3 Non-Members attending**
- 4 Minutes of the Meeting held on 10 October 2006**
- 5 To Receive Declarations of Interest**
- 6 Questions on Notice**
- 7 Motions on Notice**
- 8 Issues arising from Review Committee**
- 9 Progress on Decisions** 9.1-9.7
Schedule attached.
- 10 Highways Local Service Agreement Quarterly Update Report: July to September 2006** 10.1-10.7
To consider the report of the Area Manager, Highways and Transportation Services informing Members of ECC) Highway and Transportation issues in the district in the period from July to September 2006.

SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION RESPONSES

1 SUMMARY

- 1.1 The Planning and Compulsory Purchase Act 2004 states that Local Development Frameworks may include the adoption of Supplementary Planning Documents (SPDs). These documents are largely based upon Supplementary Planning Guidance prepared under the old Local Plan system, but must be updated as Supplementary Planning Documents to comply with the new Act. The adopted Local Development Scheme (LDS) sets out the documents that the Council intends to adopt as part of the Local Development Framework.
- 1.2 Draft versions of eight Supplementary Planning Documents were approved for Regulation 17 Public Consultation by the Planning Policy and Transportation Committee on 12 September 2006. This consultation exercise was conducted over a five week period commencing Friday, 29 September and finishing on Friday 3 November in accordance with the requirements of Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations. This report sets out the results of that consultation, any recommended changes to the documents, and seeks Members' approval for the adoption of the amended documents, copies of which have been circulated to all Members under separate cover.
- 1.3 Whilst the actual nature and form of SPDs is not covered by legislation, the process to adoption is a statutory one.

2 CONSULTATION RESPONSES

- 2.1 In total there were 37 responses to the Regulation 17 Consultation. The table below sets out the number of responses relating to each of the SPDs.

		Number of Responses
	General Comments	5
SPD1	Educational Contributions	4
SPD2	Housing Design	8
SPD3	Playing Pitch Strategy	3
SPD4	Shop Fronts – Security and Design	1
SPD5	Playing Pitch Strategy	9

SPD6	Design guidelines for Conservation Areas	3
SPD7	Design Landscaping and Access Statements	2
SPD8	Rural Settlement Areas	2

- 2.2 In accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2004, a document has been produced setting out summaries of the issues raised in the representations, officer comments on each of the representations and a recommendation of any changes that should be made to the SPDs. A consultation summary and recommended changes are listed in appendix A.
- 2.3 An important issue raised by the Government Office related to the use of the word 'policy' to describe the guidance and standards included in the SPDs. Policies are included in the adopted Local Plan and in due course new policies will be included in the emerging development plan documents that will replace the Local Plan. Adopted policies are subject to different scrutiny from the guidance and standards in SPDs, which are intended to expand and amplify on the policy framework. Therefore, it is considered that the use of the word 'policy' to describe the guidance and standards in the draft SPDs is confusing and that term should be removed in this context and the SPDs revised accordingly. Revised versions of the draft SPDs will be circulated to all Members

3 RISK IMPLICATIONS

3.1 Operational Risk

It is expected that the adoption of the SPDs and the production of any associated documents required under regulations 18 and 19 can be met in house using existing resources.

3.2 Regulatory Risk

The timetable for the preparation, consultation on, and adoption of the SPDs is contained within the adopted LDS. Adoption of SPDs 1-5 is scheduled for November. For SPDs 6-8, adoption is scheduled for January 2007. Failure to meet these deadlines may lead to action being taken against the Council by GO-East. The performance of the SPDs against the LDS may affect awards made through the Planning Delivery Grant scheme.

4 RECOMMENDATION

4.1 It is proposed that the Committee **RESOLVES**

- (1) That Supplementary Planning Documents 1 – 8 be adopted by the Council, subject to the recommended changes set out in appendix A, in line with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.
- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the SPDs to ensure consistency and correctness. Any such amendments, if required, will be reported to the Planning Policy & Transportation Committee.

Shaun Scrutton

Head of Planning and Transportation

Background Papers:-

None.

For further information please contact James Firth on:-

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APPENDIX A

GENERAL COMMENTS

RESPONDENT	COMMENTS
Castle Point Borough Council	I would like to thank you for consulting Castle Point Borough Council on these documents and would advise you that I have no specific comments to make on their policy content. I would however suggest that the SPDs may benefit from the glossary being located after the main body of the document.
OFFICER'S COMMENTS The location of glossary at the end of the document would help make the SPDs more user-friendly.	
RECOMMENDATION See recommendation under representations from the Government Office for the East of England.	
RESPONDENT	COMMENTS
The Theatres Trust	As none of these SPDs are directly relevant to the Trust's remit we have no comment to make but look forward to being consulted on further LDF documents.
OFFICER'S COMMENTS None	
RECOMMENDATION None	
RESPONDENT	COMMENTS
Home Builders Federation	<p>The purpose of Supplementary Planning Documents is to amplify and expand upon the content of policies in an Adopted Local Plan. Therefore, their content must fully accord with the relevant policies in the Council's Adopted Plan to which they relate</p> <p>PPS12 makes clear references as to the role and purpose of Supplementary Planning Documents (SPD):</p> <p>2.42 Where prepared, supplementary planning documents should be included in the local development framework and will form part of the planning framework for the area. They will not be subject to independent examination and will not form part of the statutory development plan. However, they should be subjected to rigorous procedures of community involvement.</p> <p>2.43 Supplementary planning documents may cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a development plan document. They must not however, be used to allocate land. Supplementary planning documents may take the form of design guides, area development briefs, master plan or issue-based documents, which supplement policies in a development plan document. The following principles apply to a supplementary planning document:</p>

	<p>i. it must be consistent with national and regional planning policies as well as the policies set out in the development plan documents contained in the local development framework;</p> <p>ii. it must be clearly cross-referenced to the relevant development plan document policy which it supplements (or, before a relevant development plan document has been adopted, a saved policy);</p> <p>iii. it must be reviewed on a regular basis alongside reviews of the development plan document policies to which it relates; and</p> <p>iv. the process by which it has been prepared must be made clear and a statement of conformity with the statement of community involvement must be published with it.</p> <p>2.44 Supplementary planning documents may contain policies which expands or supplements the policies in development plan documents. However, policies which should be included in a development plan document and subjected to proper independent scrutiny in accordance with the statutory procedures should not be set out in supplementary planning documents (my emphasis).</p> <p>Local Authorities should set out in their Development Plan Documents what specific types of Planning Contributions will be sought. The purpose of SPD is to provide further information and detail. It is not to rewrite policy.</p>
<p>OFFICER'S COMMENTS</p> <p>The Supplementary Planning Documents contain guidance and standards which supplement and expand upon policies contained within the Rochford District Replacement Local Plan. The individual policies to which each of the SPDs relates are shown in the consultation statements which were made available for consultation alongside the SPDs. The Replacement Local Plan policies to which the SPDs relate are also referred to within the SPDs themselves where this is appropriate. The Replacement Local Plan was recently adopted in June 2006 and the policies from which the SPDs 'hang' were subject to public consultation and examination during this process.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Historic Environment Branch (Essex County Council)</p>	<p>Supplementary Planning Document 1-8 Glossaries</p> <p>It is recommended that four extra glossary items are added which provide detail on the historic environment of the District and historic environment reports that have been commissioned by the District.</p> <p>Historic Environment Record</p> <p>The Historic Environment Record (HER) stores and provides access to organised information relating to the historic environment. An HER makes information accessible to all in order to:</p> <ul style="list-style-type: none"> • advance knowledge and understanding of the historic environment;

	<ul style="list-style-type: none"> • inform the care and conservation of the historic environment; • inform public policies and decision-making on land-use planning and management; • contribute to environmental improvement and economic regeneration; • contribute to education and social inclusion; • encourage participation in the exploration, appreciation and enjoyment of the historic environment. <p>The information held can thus provide a starting point for management processes, conservation, fieldwork and research into the historic environment and can also inform local communities about their area.</p> <p>Historic Environment Characterisation of Rochford A document and GIS database, commissioned by Rochford District Council, which provides a framework within which the determination of the broad scale and location of development can be facilitated in a sustainable way. It provides an effective framework for engagement between planners, developers, local communities and other interested parties to discuss the Historic environment.</p> <p>Historic town Assessment Documents assessing the historic towns of Rochford and Rayleigh with a view to enhancing understanding and facilitating better management of the historic environment.</p> <p>Historic settlement assessments Documents assessing the historic settlements of Canewdon, Paglesham, Great Wakering and Ashingdon with a view to enhancing understanding and facilitating better management of the historic environment.</p>
<p>OFFICER'S COMMENTS The inclusion of these extra glossary items would improve the SPDs by providing further detail on the historic environment and associated reports.</p>	
<p>RECOMMENDATION It is proposed that four extra items are added to the glossary:</p> <ul style="list-style-type: none"> • Historic Environment Record • Historic Environment Characterisation of Rochford • Historic town Assessment • Historic settlement assessments 	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>East of England Plan Page 1 – It is not clear what relevance the statement regarding the East of England plan has for each of the SPDs. Furthermore, its inclusion could cause the SPDs to quickly become outdated. We suggest that it is deleted.</p> <p>Glossary We also question the need to reproduce the glossary (which is of considerable length) within each of the SPDs. This repeats the glossary contained in the back of the adopted Replacement Local Plan which forms part of the authorities transitional spatial plan. Whilst we accept that there is merit in the SPDs being self-</p>

	<p>contained documents, the glossary tends to dominate the SPDs and detracts from their important policy amplification content. A more succinct approach might be to provide the glossary separately as a non-statutory note, so that people can have a copy of it or not as they choose. A reference to this glossary and details where it can be obtained could be contained in each SPD.</p>
<p>OFFICER'S COMMENTS</p> <p>Comments on the statement regarding the East of England Plan are noted. The statement regarding the East of England Plan does not relate to the intended purpose of the documents in providing supplementary guidance on local planning policies.</p> <p>It is noted that the glossary in its current form is significantly longer than several of the SPDs. The glossary is incorporated in the Local Plan and there is merit in the suggestion that a separate glossary be prepared and referenced in each of the SPDs. A separate glossary could then be updated on a regular basis without the requirement to reprint each of the SPD documents. This change also reflects the principles of the LDF as a 'folder' of planning policy documents.</p>	
<p>RECOMMENDATION</p> <p>That the statement regarding the East of England Plan is removed.</p> <p>It is proposed that a separate glossary and units of measurement be prepared and referenced in each of the SPD documents and other development plan documents as they are prepared.</p>	

SPD1 EDUCATIONAL CONTRIBUTIONS

RESPONDENT	COMMENTS
RPS Group on behalf of Fairview New Homes Limited	Fairview partly object to policy EC2, which states that ‘where additional land is needed, the developer will also be required to either provide free land, meeting the criteria set out in the Developer Contribution Guidelines, or sufficient funding to acquire it’. Fairview New Homes Ltd. consider developments should be considered on a site-by-site basis depending on the merits and costs associated with each development. It is requested that the paragraph be amended to state that the contributions of developers in relation to the provision of new schools will be assessed on a site-by-site basis.
OFFICER’S COMMENTS The purchase of suitable land can be a significant cost in the provision of additional school facilities. In cases where sufficient suitable land is not already available, it is considered entirely reasonable to expect the contribution of free land or sufficient funding to acquire it.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	The correct April 2006 figures are £8,986 primary and £14,055 secondary. These include the Essex 6% adjustment.
OFFICER’S COMMENTS The figures shown in the SPD were based on estimates prior to official DfES publication. They should be amended to match the official figures provided by ECC Schools Service.	
RECOMMENDATION It is proposed that the cost per place figures listed in appendix B are amended to £8,986 for Primary and £14,055 Secondary.	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>1.2</u> It is stated that ‘<i>education is one of a range of services which local authorities may seek to provide through developers’ contributions</i>’. The HBF would point out that whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, it is neither their role nor responsibility to provide an educational service.</p> <p><u>1.4</u> Whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, the HBF consider that if the Council chooses to refuse planning applications on the basis of a failure by developers to make financial payments (as the wording suggests), it will be acting illegally.</p> <p><u>Policy EC1</u> The wording does not accord to the content of Circular 5/05. It is</p>

	<p>inappropriate to start from the basis that contributions will be sought automatically where there will be a demand for additional school places as a result of a development. Whilst the text goes on to say that existing or potential surplus school places in the area will be taken into account, the text should be amended to state that contributions will only be sought where existing or potential surplus school places in the area will be inadequate to meet the needs generated by new development.</p> <p><u>Policy EC3</u> It is entirely unclear as to why schemes developed entirely as affordable housing should make no educational provision contributions when they themselves might generate as much, or more, additional pupil levels than market housing.</p> <p><u>8.2</u> It would be inappropriate to expect that in most cases contributions will be required before development begins given that the need for new facilities might not actually arise to sometime later, and furthermore, the developer will not have sold any new housing in order to receive financial funding in order to pay for the educational facilities. Instead, funding timing should be negotiated on a site-by-site basis taking full account of local circumstances and site development timescales.</p>
<p>OFFICER'S COMMENTS</p> <p>1.2 – Noted</p> <p>1.4 – Failure to provide contributions towards additional educational provision to meet a properly identified and agreed local need would constitute a valid reason for refusal.</p> <p>Policy EC1 – The wording of the Policy makes clear that the level of existing or any potential surplus permanent school places in a local area will be taken into account. The policy wording ensures that the local circumstances will be considered and allows contributions to be sought where they are required.</p> <p>Policy EC3 – Schemes which are entirely affordable housing and where 100% of the dwellings will be owned by a registered social landlords provide an essential local service and can incur significant costs. For these reasons educational contributions will not be sought in such circumstances.</p> <p>8.2 – Providing additional educational facilities to meet the needs of new developments is a process that can take some time. Contributions are required at the earliest possible stage in order to ensure adequate education provision upon completion.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Government Office for the East of England</p>	<p>Statutory Basis Page 1 – It is not clear what relevance all of the mentioned statute has for the education contributions SPD ie. Listed buildings and conservation areas, biodiversity? It would be better and more accurate to make reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.</p> <p>Section 1 Introduction</p>

	<p>Section 1 Introduction – The SPD should set out how it is intended to work alongside the County SPG (2004) and Essex County Developer Contribution Guidelines ie. Does the SPD replace the County documents, and/or are parts of them still relevant? It would be useful for key relevant sections of the Developer Contribution Guidelines to be appended to this SPD.</p> <p>Regulations The SPD looks to be an exact copy of the County produced Educations Contributions SPG (2004) – The Council seem to be mainly relying on consultation work previously done for this SPG to inform the production of the new SPD. The Council will need to be satisfied it has complied with the necessary regulations for the preparation of this new SPD, including for example the requirements of regulation 17. This includes setting out a summary of the main issues raised in earlier consultation responses and how they have been addressed in the SPD. The regulation 17 notices suggest that the information is contained in the SEA/SA but it could not be readily seen.</p> <p>Section 2 (para 2.2 and 2.3) Section 2 (para 2.2 and 2.3) – The structure plan policies will only be saved until replaced by the RSS (unless they are specifically mentioned as not being replaced by the RSS). The Local Plan policy will eventually be replaced by LDF policies. We suggest that the SPD clarifies the Council’s intentions once the existing saved policies are replaced, ie. The SPD will need to be redrafted and consulted upon to conform and support to new LDF policies.</p> <p>Policy Content Section 2 Policy Content – We suggest that it would be useful to include the relevant Local Plan policy extract, either in this section or as a Appendix to the SPD.</p>
<p>OFFICER’S COMMENTS</p> <p>It is agreed that the inclusion of Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations in the Statutory Basis section would be more relevant in this case.</p> <p>The draft SPDs were all subject to Sustainability Appraisal and Strategic Environmental Assessment. As part of this process scoping consultation was carried out with statutory consultees. Any comments received were fed into the recommendations of the Sustainability Appraisal Environmental Reports. These reports were available for consultation alongside the SPDs and details of this earlier consultation were included within the consultation statements as required by regulation 17.</p> <p>The addition of a reference to the status of the Regional Spatial Strategy to Paragraph 2.2 would help improve the clarity of the document.</p> <p>The inclusion of the Relevant Replacement Local Plan policy extracts would help clarify the policies on which the SPD guidance and standards are based. It is proposed that a reference is included to policies HP5 and HP21.</p>	

RECOMMENDATION

- That the statutory basis section is amended to include a reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.
- It is proposed that paragraph 2.2 is extended by the addition of :

‘.....policies, contained within local plans and other documents. ***It should be noted that the structure plan policies will only be saved until replaced by the Regional Spatial Strategy (unless they are specifically mentioned as not being replaced by the RSS) and that the current Rochford District Replacement Local Plan policies will eventually be replaced by new LDF policies. It may be necessary for the SPD to be redrafted and consulted upon to conform and support new LDF policies.***’

- It is proposed that extracts of Replacement Local Plan policies HP5 (Infrastructure) and HP21 (Planning Obligations) are included at the end of Section 2.

SPD2 HOUSING DESIGN

RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	After reading this Supplementary Planning Document it is clear that the Council has taken consideration on differing Sheltered Housing developments from that of other developments. This I greatly praise, as it is one aspect that other Councils tend to overlook. One area I would like to make comment on is the setting of developments. I feel that it would not be just or sustainable to expect developers to keep the design of Sheltered Housing similar to that for single family dwellings. What I would find more variable would be to ask for an appropriate design to appear as single dwellings using varying pitched roofs.
OFFICER'S COMMENTS Comments noted. The Council expect the design of all forms of residential development to contribute to the quality of the environment in which they are situated. This does not mean that sheltered housing will have to be of the same design as that of single family dwellings, but it should be of a similarly high standard and in keeping with the character of the area.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Rayleigh Civic Society	8.1 – Rooms in the roof The sketch on page 7 titled UNATTRACTIVE FLAT ROOF DORMER should be changed to UNACCEPTABLE FLAT ROOF DORMER. 14 – Backland Development We feel <u>more</u> emphasis should be given to the effect a development would have on neighbours i.e. Noise, disposal of rubbish, road safety.
OFFICER'S COMMENTS The diagrams on page 8.1 are intended to show good practice in the design of dormer rather than prescribe policy on specific types of dormer that would be unacceptable. The likely effects of a proposal on the amenity of an area will always be considered in the determination of a planning application.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Environment Agency	Policy HD2 This section correctly states that existing trees and hedgerows should be retained on site wherever possible. This should be expanded to include other natural features such as ponds and watercourses, which should also be incorporated into the site layout, and may be of significant biodiversity value. Biodiversity is not considered as part of this section. HD2 should make it clear that landscaping should link in with existing habitats and seek to

preserve and enhance the biodiversity value of the site. Native species consistent with the local area should be used for any planting. In addition to requiring this approach, the document should highlight the further guidance that is available to assist developers. A useful source of information is the guidance produced by the Essex Biodiversity Project 'Integrating Biodiversity into development...realising the benefits'. This and other guidance is available on the website: www.essexbiodiversity.org.uk.

Watercourses can play an important role in draining the site, and any proposals that affect the flow of a watercourse (including culverting) will require our written consent so we can consider the biodiversity and flood management implications. Culverting is usually only permitted to allow access due to adverse flooding and ecological impacts.

Landscaping and site layout can help to reduce flood risk, but the current part g) requires amending. For sites within a flood risk area, areas of landscaping or open space should be located in the parts of the site that are most vulnerable to flooding, in preference to built development. This reduces the risk for people and property, and should be informed by the Flood Risk Assessment. For all development types, landscaping should be designed to reduce surface water run-off from the site. This should be by minimizing the amount of impervious surfacing on site (including through the use of porous paving), and through the utilization of Sustainable Drainage Systems (SuDS). More information on SuDS is available on our website www.environment-agency.gov.uk For sites greater than 1 hectare in size, we should be consulted with a Flood Risk Assessment detailing how surface water will be managed and SuDS utilized.

Finally, design techniques that help to reduce the use of resources should also be promoted within the SPD. This should include ensuring that the site layout maximizes opportunities for passive solar gain, and setting criteria for the inclusion of renewable energy generation.

OFFICER'S COMMENTS

Comments on biodiversity are noted. Planning has an important role to play in the preservation and enhancement of biodiversity, as set out in PPS9. Policy HD2 should include comment on biodiversity for the purposes of clarity.

Regarding comments on the use of landscaping to reduce flood risk, the LPA does not wish for the SPD to be overly prescriptive in terms of measures developers should take. It is considered that the current wording of HD2 will allow the LPA to determine applications on a case-by-case basis having regard to flood risk and, where appropriate, a flood risk assessment.

In terms of planning's role in the reduction of resource consumption, design guidance in this respect is expected to be included in the Urban Place Supplement which the Council will shortly consider adopting as an SPD.

RECOMMENDATION Addition to Policy HD2 to read: h) Landscaping schemes should link in with existing habitats to preserve or enhance biodiversity	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy HD1</u></p> <p>The HBF does not consider that it is any longer necessary to specify minimum garden depths, and size thresholds of 100m², given the national planning emphasis on increasing housing densities.</p> <p><u>Policy HD3</u></p> <p>No justification or explanation is given for the suggested minimum site frontages specified.</p>
OFFICER'S COMMENTS The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The Policy details a range of circumstances where an exception to the 100m ² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. Policy HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited. The minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. It is agreed that the inclusion of such a justification for this standard would improve the clarity of the document.	
RECOMMENDATION That paragraph 5.1 is amended to state: "Minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. Policy HD3 also allows for the variation of frontage size where necessary to ensure they are compatible with the existing form and character of the area. Housing development on small vacant frontage plots comprising infilling shall be subject to the following building design criteria:"	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 2 Housing Design</p> <p><i>Section 11: Conservation areas and listed buildings.</i> It is recommended that the title should be changed to include Archaeological sites which would read <i>Conservation areas, listed buildings and archaeological sites</i>. The amended wording will be more consistent with local plan chapter 7.</p> <p>It is recommended that the following word change is made to 11.1. (Additional wording shown in italics)..... within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest <i>and/or areas recorded as being of archaeological interest</i></p>

	<p><i>on the Historic Environment Record, regard will be had.....</i></p> <p>SPD 2 Housing Design: Sustainability Appraisal Report</p> <p>Page 47 Material Assets and Cultural Heritage : This section omits a significant part of Rochford's Districts historic assets and must be made more inclusive. At present within this section only historic buildings and conservation areas are identified. This section should also include the number of records on the Historic Environment Record, reference to the historic town and settlements reports and reference to the overview contained within the Historic Environment Characterisation Project.</p>
<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 11 to include archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that the title of paragraph 11 is amended to: Conservation areas, listed buildings and archaeological sites.</p> <p>It is proposed that paragraph 11.1 is reworded to state:</p> <p>.....within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest and/or areas recorded as being of archaeological interest on the Historic Environment Record, regard will be had.....</p>	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>References to Local Plan Policies</p> <p>Planning Policy Statement 12 – <i>Local Development Frameworks</i> indicates that a SPD must be clearly cross-referenced to a saved policy, before a relevant Development Plan Document is adopted (paragraph 2.43), and we note that the SPD does contain cross references linking the document to the saved policies in Rochford Replacement Local Plan ie. HP6 Housing (para 1.1), HP14 (para 14.1) and HP16 (para 15.1). We feel, however, that the SPD would be greatly improved by the inclusion of the specific text of those policies to which it is linked, either in the main body of the document itself, or in an appendix.</p> <p>Introduction of policies in SPD</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy (in this case it is indicated that as being the Rochford Replacement Local Plan adopted June 2006). This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). PPS12 also indicates that whilst SPDs may contain policies that expand or supplement those policies, SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (Paragraph 2.44).</p> <p>Currently, much of the guidance included in the SPD is overly</p>

prescriptive and as such appears to seek to introduce policy over and above that set out in the Local Plan. This issue is perhaps reinforced by the presentation of the guidance as 'statements' in a format similar to that of local plan policies and also by frequent use of the words 'policy', 'will' and 'shall'.

For example, Section 3 'Minimum Garden Areas' in introducing Policy HD1, states that the Local Authority 'will pursue the following policy with regard to the provision of private garden areas'. Whilst paragraph 3.1 sets out the reasons for the introduction of this policy as being the higher densities resulting in smaller garden sizes than those recommended as the minimum in the Essex Design Guide. In seeking to introduce a threshold in this way the authority is introducing a new policy through SPD that should be introduced through a DPD so that it can be subjected to proper independent scrutiny in accordance with the statutory procedures.

It is important that policy is introduced in the proper manner. Therefore, we request that that authority amend the draft SPD before adoption by removing these policies which seek to introduce thresholds that are in addition to those set out in the Local Plan and the Essex Design Guide. Those policies could then be introduced through a subsequent DPD.

Essex Design Guide and Urban Place Supplement

We note that paragraph 2.1 of the SPD sets out status of the SPD in relation to the Essex Design Guide. We suggest that the SPD should set out in detail how it sits in relation to the emerging Urban Place Supplement which is intended to be adopted across all Essex authorities.

Links to DPD policies

In addition to setting out the SPD's links to saved Local Plan policies it should also set out the intentions for the SPD once new DPD policies are adopted and the saved Local Plan policies are replaced.

OFFICER'S COMMENTS

The inclusion of the relevant Replacement Local Plan policies extracts would help clarify the policies on which the SPD is based. It is proposed that a reference is included to Policy HP6.

The guidance and statements contained within this SPD are largely based on policy HP6 (Design and Layout) of the Replacement Local Plan. This policy states that the Local Planning Authority will require a high standard of design and layout taking into account a range of issues. The SPD seeks to clarify what will normally be considered an appropriately high standard of design and layout by examining these issues in greater depth.

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The Policy details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. It is accepted that references to 'policy' within the SPD should be amended to 'Statement'.

It is agreed that a reference to the Urban Place Supplement within paragraph 2.1 would help improve the clarity of the document.

The inclusion of information on the relationship between the SPD and Local Plan/LDF policies would improve the clarity of the document.

There is a need to consider the use of the terminology for the guidance and standards included in all of the SPDs. The guidance and standards have been called 'policies' in the SPDs and this creates a conflict with the policies included in the Local Plan and those that will in due course be included in the new development plan documents. Policies are prepared under a very different set of rules than SPDs and it is considered that the SPDs should be revised to remove references to policies, with the guidance and standards being part of the main text of the documents and referenced under appropriate headings. Proposed revisions to each SPD to take account of this change are being prepared and will be circulated to Members. In the meantime and to avoid any confusion, references to policies are used in this report.

RECOMMENDATION

It is proposed that an extract of Replacement Local Plan policy HP6 (Design and Layout) is included at the end of section 2 – Policy Background.

That paragraph 3.2 is amended to state:

“The Local Planning Authority will **apply** the following **criteria** when considering the provision of private garden areas.”

That the second line of Policy HD1 be amended to read:

“Exceptions to this requirement will be:”.

That paragraph 2.1 is amended to state:

“The Essex Design Guide for Residential and Mixed Use Areas (2005) has formally been adopted as Supplementary Planning Guidance for the District. ***It is also the Council’s intention to adopt the Essex Design Guide Urban Place Supplement as a Supplementary Planning Document.*** These documents detail the core design advice against which developments within the district will be assessed. Developers and designers will need to consult them in addition to this guidance note.”

It is proposed that a note is added to Section 2 (Policy Background) stating that as the SPD must conform with DPD policies it may be necessary to amend the SPD when other documents within the LDF are adopted.

That the guidance and standards included in all SPDs is not referred to as ‘policy’ and that the SPDs be revised to take account of this change.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Section 3 – Minimum Garden Areas</p> <p>Swan Hill Homes Limited (Swan Hill) considers it is inappropriate to seek to apply minimum garden sizes, particularly given a minimum provision of 100 metres square. Whilst the provision of 100 m² is provided in the Essex Design Guide for Residential and Mixed Use Areas (2005), it is inappropriate and unmanageable to seek such a provision. PPG3: Housing (2000 as amended) seeks to provide density provisions of between 30 and 50 dwellings per hectare, something which looks set to increase in PPS3: Housing. Further, PPG3 sets out that development proposals for new residential developments should make the most efficient use of land, and whilst 100 metres square represents a good target for new residential development, if all new properties are required to provide such a provision, it is unlikely that the density requirements of PPG3 will be achieved.</p> <p>With regard to Policy HD1, Swan Hill considers it is important that new residential developments provide private and communal areas of open space for the residents. However, Swan Hill considers it is important to have regard to the individual merits of each application site, and that the private garden areas of all types of houses should reflect the scale of the proposed dwelling, whilst achieving the recommended density provisions. As such, Swan Hill recommends that the Council removes references to the provision of garden areas for new residential developments, and seek to examine each application individually, having regard to the general character of the area.</p>

In reference to flatted developments, in general terms, purpose built flats do not generally provide private garden space for ground floor flats, merely a ground floor patio area or a ground floor balcony. The provision of 25 m² per flat is considered acceptable, but this should not form an obstacle to residential development. Each development proposal should be considered on its own merits, having regard to its location and proximity to other publicly accessible areas of open space.

In this regard, Swan Hill considers Policy HD1 should be rewritten excluding garden area sizes, stating merely that new housing development should provide areas of private outdoor space that reflect the character and scale of the proposed development and surrounding areas.

Flats should seek to provide, in appropriate locations, balconies of a useable size, and a provision of approximately 25 m² (per flat) for communal use. The Local Planning Authority will also have regard to the proximity of existing areas of open space, which could also be utilised by the potential occupiers.

Section 4.0 – Landscaping

In regard to Policy HD2, Swan Hill considers Part iii (b) be amended as follows:

‘...must be given to the mature size of ~~the~~ **any tree planted** and its effect upon daylighting and underground services.’

In reference to Part iii (e), Swan Hill considers it is unnecessary to set out the statutory duty of the Local Planning Authority to serve Tree Preservation Orders. Swan Hill recommends that this paragraph be re-worded to state that existing healthy trees and new trees planted as part of a residential proposal will be protected through the provision of Conditions in planning consents.

Section 5.0 – Infill Development

Swan Hill is of the opinion that Policy HD3, with the provisions of site frontages is inflexible and should be assessed on a site-by-site basis, with all planning applications assessed on their individual merits. As such, Swan Hill recommends that the statement be re-worded as such:

~~‘New Site frontages shall ordinarily be a minimum of 9.25 metres for detached properties or 15.25 metres for semi-detached pairs of properties or be of such frontages and form compatible with~~ **should have regard to and enhance the** existing form and character of the area within which they are to be sited...’

Section 6.0 – Extensions to Existing Housing

Whilst Swan Hill generally supports in principle the context of Policy HD4, there is some concern regarding the inflexibility of Part (c). Swan Hill considers it should be re-worded to exclude the minimum width of rear extensions of 3.05 metres, and should state:

‘Single-storey rear extensions (including conservatories) to semi-detached and terraced properties **should not detrimentally impact on**

neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing shall not exceed 3.05 metres from the original rear wall of the dwelling,'

Section 7.0 – Separation of Dwellings

Swan Hill generally supports the need to provide appropriate separation distances between new and existing residential developments. However, Swan Hill recommends that the Council should seek to set out that new developments should be assessed on a site-by-site basis with each application being considered on its own merits. As such, separation distances for new developments should seek to reflect and enhance the character and appearance of the existing neighbourhood, as already set out in Policy HD5.

Section 8.0 – Rooms in the Roof/Dormer Windows

Whilst it is important to have regard to the provision of dormer windows, as in many instances, they can be detrimental to the character and appearance of existing buildings. However, Swan Hill considers that it would be sufficient to state that Policy HD6 seeks to ensure that where applications include the provision of dormer windows, that these should be assessed on their own merits, such as impact on the existing dwelling, and that the dormer window be subservient to the original dwelling.

Section 9.0 - Balconies

Swan Hill has concerns regarding the relevance of Policy HD7 and that it should not form part of supplementary planning guidance. However, Swan Hill considers that the statement could be amended as such:

'In order to safeguard neighbouring **amenity** ~~earlages~~ from a loss of privacy and increased level of noise, the Local Planning Authority will, in appropriate cases, impose suitable conditions in any planning permission for new dwellings and extensions to existing properties, restricting or prohibiting as the case may be, the provision of balconies, **where justifiable in planning terms.**'

Section 12.0 – Additional Design Policies primarily relating to Estate Development

Swan Hill considers it is inappropriate that Policy HD8 sets out that surfacing finishes are a material consideration for planning applications. The working of this bullet point should be incorporated into relevant Decision Notices as a Condition of planning consent, where appropriate, and should therefore be deleted from Policy HD8.

With regard to the use of Mews Courted development proposals, if the Council are seeking to include provision of an adopted road type, it should be set out in the SPD. Furthermore, it is unnecessary for the Council to attempt to dictate the type of road layout within residential developments, and each development should be considered by the Council on its own merits.

Swan Hill recommends that if the Council seeks to rely on the provisions of the Essex Design Guide in this matter, it should not seek to include further policy guidance contrary to the provisions of the Adopted

standard.

Section 13.0 – Children’s Play Space

Whilst Swan Hill generally support the requirement to provide publicly accessible play space in new residential development. However, it considers that the District Council should set out in Policy HD9 a threshold for which new residential developments will be required to provide children’s play space, either through on-site provision or through planning contributions. It is acknowledged that the Adopted Local Plan states that the Plan area has adequate provision for younger children; however, the District Council should undertake an up-to-date Open Space Assessment, which would then provide an existing up-to-date provision, from which a threshold for young people and children’s play space could be calculated.

Section 14.0 – Backland Development: Access

Swan Hill generally supports the context of Policy HD10, under Part (c), the word ‘detrimentally’ should be inserted between the words ‘...existing dwellings and would **detrimentally** affect the visual and residential amenity of those dwellings...’

With regard to 14.3 – Tandem Relationship, Swan Hill considers that the District Council should seek to apply separation distances between properties, rather than rely on the provision of garden areas. This could overcome potential overlooking and privacy problems, whilst being more flexible to meet PPG3 density requirements.

Section 15.0 – Sub-division of Single Dwelling Houses within Residential Areas

With regard to paragraph 15.5 (Overlooking and Privacy), Swan Hill considers the second sentence should be re-worded as follows:

‘In this respect, the location of living rooms on any upper floor **should seek to minimise** ~~must not directly overlooking of~~ the private garden areas of adjoining properties’.

The existing sentence fails to allow for a degree of flexibility in the design of residential conversions, and whilst developers should seek to minimise overlooking, in many instances of town centre residential conversions, this is not entirely possible in a scheme which would otherwise be acceptable. Therefore, a degree of flexibility should be included within the consideration of such planning applications.

Section 18.0 – Purpose Built Flats

Swan Hill generally supports the approach taken by the District Council, although, as highlighted above, paragraph 18.3 (Overlooking) should be re-worded to allow for a degree of flexibility. In all flatted developments, there will be a degree of overlooking, and paragraph 18.3 should be re-worded to reflect this, as follows:

‘No scheme should give rise to **unacceptable** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors’.

OFFICER'S COMMENTS**Section 3 – Minimum Garden Areas**

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.

Section 4 – Landscape

Part iii. (b) of Policy HD2 sets out the factors which must be taken into account when deciding upon the location of a tree. No changes to this section are considered necessary. The SPD is intended to provide detailed guidance and the inclusion of a reference to Tree Preservation Orders improves the completeness of the document.

Section 5 – Infill Development

The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. Policy HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited.

Section 6 – Extensions to Existing Housing

A more flexible approach to extension size would allow for applications to be assessed on their likely impacts on neighbouring properties. It is recommended that this change be made.

Section 7 – Separation of Dwellings

The requirements for separation are important in ensuring the maintenance of the appearance and character of residential areas, and a good overall appearance of new estates. The statement indicates that in all cases building separation will be required to be compatible with the location of the residential development and the character of the existing neighbourhood.

Section 8 – Rooms in the Roof/Dormer Windows

As the SPD is intended to provide detailed guidance it is considered appropriate for the design details of dormer windows to be included within this statement.

Section 9 – Balconies

As the role of SPD is to provide detailed design guidance it is considered appropriate for details of likely planning conditions to be included.

Section 12 – Additional Design Policies primarily relating to Estate Development

As the SPD intends to set out detailed design guidance information the consideration of surface finishes and access treatments is considered helpful.

The Mews Court road type is set out in the Essex Design Guide on the pages referenced in this statement. It accepted in the statement that the character of neighbourhoods may justify a density and type of development where alternatives can be considered.

Section 13 – Children’s Play Space

Comments noted. Policy HD9 allows for the need for the provision of children’s play space to be assessed on a case by case basis.

Section 14 – Backland Development: Access

Comments noted. The insertion of ‘detrimentally’ would add clarity to the statement.

Section 15 – Sub-division of Single Dwelling Houses within Residential Areas

Section 15.5 allows for some degree of flexibility given that it states proposals must not result in *unreasonable* loss of privacy to adjoining properties. The location of living rooms on upper floors that directly overlook private garden areas would result in overlooking and loss of privacy and as such would be considered unacceptable.

Section 18.0 – Purpose Built Flats

The addition of the word ‘unacceptable’ in section 18.3 would allow for an appropriate degree of flexibility in the statement.

RECOMMENDATION

That Policy HD4 (c) is amended to state: Single-storey rear extensions (including conservatories) to semi-detached and terraced properties ***should not detrimentally impact on neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing.***

That the word ‘detrimentally’ is added to Policy HD10 (c) to state:

‘...existing dwellings and would ***detrimentally*** affect the visual and residential amenity of those dwellings...’

That the word ‘unacceptable’ be added to section 18.3 to state:

‘No scheme should give rise to ***unacceptable*** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors.’

RESPONDENT	COMMENTS
<p>Christopher Wickham Associates on behalf of Inner London Developments (Stambridge) Ltd.</p>	<p>Policy HD1</p> <p>The minimum garden area requirements set out in Standard HD1 are considered to be excessive and inflexible. They do not reflect to the flexibility sought by Planning Policy Guidance Note 3.</p> <p>For houses, the circumstances in which a private zone garden area of less than 100 square metres may be acceptable should be revised. Specifically, criterion (ii) should also include dwellings which are located in close proximity to publicly accessible open countryside. In relation to criteria (iii), a target figure of 25 square metres is considered to be more appropriate for one and two bedroom dwellings. It is considered that small dwellings of this kind are generally occupied by households which do not include children, and the target figure should therefore be lower than that for three bedroom terraced houses for which criterion (iv) seeks a minimum area of 50 square metres.</p> <p>For flats, the general format of the policy which offers an alternative between the approach set in a) and that set in b) is supported. A minimum balcony size of 5 square metres is also considered to be reasonable. However, the requirement for a 50 square metre minimum patio garden for ground floor units is considered to be excessive, and could unduly constrain the design and layout of schemes including the inter-relationship between private and communal areas. An overall target figure of 25 square metres is considered to be reasonable in the context of flatted development.</p> <p>It is considered that Policy HD1 should make it clear that the amenity area target figures will be applied flexibly having regard to a site's context and constraints.</p>
<p>OFFICER'S COMMENTS</p> <p>The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made allowing for flexibility based upon site specific circumstances. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD3 PLAYING PITCH STRATEGY

RESPONDENT	COMMENTS
Home Builders Federation	<p data-bbox="453 264 600 297"><u>Policy PP8</u></p> <p data-bbox="453 331 1398 533">Whilst developers might reasonably be expected to contribute towards improved pitch drainage where new developments will put pressure on existing facilities, any sums sought should be in direct proportion to the developments in question. Developers should not be expected to pay to rectify existing deficiencies in order to primarily benefit the existing wider population.</p> <p data-bbox="453 566 600 600"><u>Policy PP9</u></p> <p data-bbox="453 633 1406 734">The statement is in clear breach of national planning guidance as set out in Circular 5/05. It seeks financial contributions regardless of existing levels of facilities or provision.</p> <p data-bbox="453 768 1401 969">This policy applies to all developments that result in a net gain of dwellings. Thus it applies even to single dwelling developments. Whilst it is acknowledged that there may be a marginal cumulative impact on existing facilities through a number of small developments it is also the case that the individual impact on existing facilities from single dwelling developments is negligible.</p> <p data-bbox="453 1003 1409 1507">Circular 5/05 states that development should only be required to make provision for those facilities that are necessary as a direct result of new development and which fairly and reasonably relate in scale and kind to the development proposed. Given the negligible impact from very small developments it has to be questionable whether a requirement for recreation provision from all developments does meet this requirement of 5/05. Clearly in the case of very small developments the vast majority of the overall open space requirement, apart from perhaps amenity open space, would be expected to be provided off-site or via contributions in lieu of direct provision. In order for such contributions to comply with 5/05 there has to be some reasonable prospect of the money being spent within a reasonable period for the purpose for which the contribution was sought and within a reasonable proximity of the development from which it was sought. Again, for very small developments this is going to be very difficult to achieve.</p> <p data-bbox="453 1541 1409 1877">It will also require a great deal of resources and effort to implement and administer such a scheme effectively and within the confines of the requirements of 5/05 i.e. each contribution should be directly accountable and traceable. All of these factors suggest that applying the requirement to all development is not a satisfactory way forward, regardless of the nature of existing open space provision in the District. Instead it should only be applied to developments over a certain threshold of 10 dwellings at the very least in order that these practical difficulties can be overcome. There does not appear to be any Adopted Local Plan policy that justifies the statement in the SPD.</p> <p data-bbox="453 1910 1409 1977">Furthermore, it is noted that the Council's Assessment of Playing Pitches is now over 4 years old, and can no longer be considered up to date.</p>

OFFICER'S COMMENTS

Policy PP8 – The addition of a sentence stating that contributions required will be in direct proportion to the developments in question would help clarify that contributions will be required to improve pitches when new development would result in increased demand.

Policy PP9 – It would be appropriate for Policy PP9 to be amended to include a reference to the generation of playing pitch demand. This would clarify that contributions will be sort where a development scheme will result in addition playing pitch demand and would be used to provide additional facilities or improve existing ones.

RECOMMENDATION

That the following sentence is added to the end of Policy PP8:

'Contributions will be required where new developments will put pressure on existing facilities and any sums sought should be in direct proportion to the developments in question.'

That the start of Policy PP9 is amended to state:

'**Where a development scheme will result in additional playing pitch demand**, the LPA will require contributions.....'

RESPONDENT	COMMENTS
<p>Savills Commercial Ltd on behalf of Southend United Football Club</p>	<p>The SPD 3 Playing Pitch Strategy has not been prepared in accordance with the LDF principles. The new planning system advocated by the Planning & Compulsory Purchase Act 2004, requires SPD's to be simple, concise and easy to use, supported by the RSS and other national policy guidance. The SPD should be redrafted to remove the research documentary evidence and make reference to this document as the evidence base for the LDF and SPDs. The SPD is therefore unwieldy and difficult to use. The SPD should be re-organised to contain just the Policies PP1 – PP9 and the supporting text.</p> <p>Policy PP6 refers that sports pitches may be considered an appropriate land use within the Green Belt and sets out maximum support facilities associated with each type of sports pitch. The Statement does not envisage the type of sports proposals currently the subject of a planning application by Southend United Football Club (SUFC) on land designated as Green Belt at Smithers Farm, which will bring with them substantial benefits for both SEBC and RDC. Equally, the Statement refers that parking areas will not be supported in relation to such uses. It is however, unrealistic to provide new sporting facilities without the required infrastructure such as parking and sports halls as inadequate provision of related facilities can cause negative impacts on surrounding residents. PP6 must therefore recognise that adequate infrastructure may be an associated requirement for new sports facilities and consider the preparation of a very special circumstances policy related to need, sequentially available sites and associated community benefits.</p> <p>A new Statement should be drafted to support the provision of</p>

playing pitches associated with SUFC's new Stadium adjacent to Fossetts Farm at Smithers Farm, as playing fields are acceptable development within the Green Belt. The Statement could identify the criteria for addressing PPG2 very special circumstances related to the proposed new SUFC Stadium, the need for related playing pitches and ATP and proven need for additional car parking associated with the Stadium development. The need for the playing fields arises directly from the new Stadium, the sequential assessment of alternative sites, the safeguarding of the Fossetts Farm land for a Stadium as assessed by a Local Plan Inspector and need for training grounds close to the Stadium which can be served by public transport.

OFFICER'S COMMENTS

The SPD's evidence base is included as an Annex.

PP6 has been drafted having regard to PPG2 and Policy R1 of the recently adopted Rochford District Replacement Local Plan.

PPG2 states that essential facilities for outdoor sport and recreation are not inappropriate development in the Green Belt. PPG2 expands on this in paragraph 3.5 which states:

"Essential facilities....should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation."

Policy R1 of the Rochford District Replacement Local Plan lists the types of development which may be appropriate in the Green Belt. This includes:

"Essential small-scale facilities for outdoor sport and outdoor recreation in accordance with PPG2".

The amendments which this representation proposes would be contrary to national policy on the Green Belt and to the Council's Replacement Local Plan Policy R1, which has recently been tested and found to sound during the Local Plan inquiry.

The standards outlined in PP6 are taken from Sport England guidelines and represent a balance between the need to preserve the openness of the Green Belt and the need to provide for recreational activities.

RECOMMENDATION

That no changes are made to the SPD with respect to this representation.

RESPONDENT	COMMENTS
<p>Sport England</p>	<p>Sport England supports the general principle of producing a Supplementary Planning Document to cover playing pitch provision within the District.</p> <p>However, we believe the approach taken is flawed for the following main reason:</p> <ul style="list-style-type: none"> • The principal evidence base used is a playing pitch assessment carried out in 2002 and adopted in October 2002, and is therefore four years old. Sport England would normally recommend that a playing pitch strategy/assessment is updated every three years and would therefore argue that a four year old assessment does not constitute a credible or robust evidence base on which to prepare an SPD. <p>We also have concerns relating to the detail of the SPD with regard to the following areas:</p> <ul style="list-style-type: none"> • We would question the need to have separate Policy Statements relating to recommended pitch sizes for the individual pitch sports. We would recommend a single policy statement suggesting that pitch provision should meet minimum standards for sizes and layouts in accordance with details contained within Appendix... • Policy PP7- we support the need for new facilities to be accessible by public transport, but would suggest that such a policy should be contained within a general Development Control policy document or the Core Strategy, with the SPD concentrating on establishing a framework for securing contributions towards new on-site and off-site provision. • Policy PP8- the wording of this statement is rather vague and gives little indication to developers regarding which developments will be expected to contribute towards off-site drainage improvements, or how such a contribution would be calculated. • Policy PP9 –this seeks contributions towards playing pitch provision but does not specify a formula for calculating contributions per dwelling. It also fails to require contributions for future maintenance and management for either on-site or off-site provision. • Para 3.5 –Sport England supports the principle of securing community use of new pitches via a legal agreement. Sport England can supply templates for such agreements which should assist the local authority in their preparation. These are available under the ‘Planning Contributions’ section of the Sport England website: www.sportengland.org • The SPD should specify which facilities are to be covered by the document. Does it cover just pitches, or also facilities such as tennis courts, bowling greens and athletics tracks? Sport England advocates that any SPD should also seek to secure contributions towards built community sports facilities such as swimming pools and sports halls and we have developed the ‘Sports Facility Calculator’ to help assess the level of contribution required. This is available on the website: www.sportengland.org • The SPD should make clear the threshold to be adopted for requiring contributions towards sports pitches. Eg, Mid Devon DC have adopted a contributions policy based on a one dwelling threshold. • The SPD should give guidance on where the usual cut off point

	<p>will be for providing on-site provision as opposed to contributing towards off-site facilities.</p> <p>Sport England has published more detailed advice on securing contributions via an SPD relating to Sport and Recreation. This advice can be downloaded from the Sport England website.</p> <p>In summary therefore Sport England supports the principle of preparing an SPD relating to Sport and Recreation but are of the opinion that the current approach is flawed due to the out of date evidence base being used, whilst there is also insufficient detail relating to the methodology to be used to calculate and secure contributions for on-site and off-site facilities.</p>
<p>OFFICER'S COMMENTS</p> <p>There has been little extensive development within the district since the time of the 2002 study. Therefore the assessment still provides a useful study of playing pitch provision within the district and a further review has not been carried out at this stage.</p> <p>It was judged that having individual policy statements provided a greater level of detail and made the document more usable than if this information was located within an appendix.</p> <p>The SPD was intended to provide detailed guidance on all issues relating to Playing Pitches. As playing pitches are a use that may often be located outside of existing development it was judged that ensuring sustainable access was particularly important.</p> <p>The comments relating to Policy PP9 and paragraph 3.5 are noted. It is suggested that a sentence is added to Policy PP9 stating that where contributions towards playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required in the case of both on-site and off-site provision.</p> <p>The SPD allows for a flexible approach by stating that the level of contribution required will be dependant on the level of additional playing pitch demand generated, together with the current costs of providing such playing pitches at the time of application.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that a sentence is added to the end of Policy PP9 stating:</p> <p>'Where contributions towards on-site or off-site playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required.'</p>	

SPD4 SHOP FRONTS – SECURITY AND DESIGN

RESPONDENT	COMMENTS
Rayleigh Civic Society	We fully support section 4, History. Paragraph 2.8 is particularly poignant we only hope designers will read this section and act upon it! We fully support all other sections in this SPD4.
OFFICER'S COMMENTS Comments noted.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	

SPD5 VEHICLE PARKING STANDARDS

RESPONDENT	COMMENTS
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 11 Food Retail Parking Standards</p> <p>Wm. Morrison Supermarkets plc consider that the base maximum standard for car parking associated with new food retail developments over 2,500 sq.m. should reflect recent Government guidance set out in PPG13.</p> <p>Whilst PPG13 sets out at Annex D the maximum car parking standards (for food retail of 1,000 sq.m. gross floorspace and above the standard is one space per 14 sq.m.), para. 56 of the PPG notes that a balance has to be struck between encouraging new investment in town centres by providing adequate levels of parking, and potentially increasing traffic congestion caused by too many cars. It is noted that where retail and leisure developments are located in a town centre, or on a 'edge-of-centre' site as defined by PPS6, Local Planning Authorities should consider allowing parking additional to the relevant maximum standards provided the Local Authority is satisfied that the parking facilities will genuinely serve the town centre as a whole and that agreement to this has been secured before planning permission has been granted.</p> <p>Wm Morrison Supermarket plc support the broad approach set out within PPS6 of directing new retail development to town centres in the first instance, in order to sustain and enhance their vitality and viability. The Company consider, however, that this approach will work in practice only if these centres can be developed in a manner which allows that development to be truly competitive with existing retail provision. Very often this would involve being competitive with existing foodstores which have larger car parks.</p> <p>Most existing foodstores are constructed with large car parks, so as to be attractive to car-borne shoppers. This means that in circumstances where a new store is to be proposed or development it must be sufficient scale, and must be sufficiently attractive to the bulk-food shopping public in order to be competitive.</p> <p>The way in which people shop determines which a store should be made competitive. A number of fundamental shopping habits underlie this:</p> <ol style="list-style-type: none"> a) the weekly bulk food shopping trip has become the norm. Its availability is expected by the shopping public. As the shopping trip is done in bulk, this can only be realistically undertaken by car. The volume of shopping is otherwise incapable of being transported in bulk. b) The only alternative is to make many more trips by other modes, on each occasion carrying less shopping. To expect people to shop in this fashion is both unrealistic and probably undeliverable given the work pattern of people in modern society. c) This situation is very different from that of the journey to work, where a modal shift typically involves the daily journey being made by bus or train instead of the car. A modal shift for shopping is likely to involve a single weekly car trip being replaced by three of four bus trips.

	<p>In broad terms, therefore, to fulfil the objectives of PPS6, it is necessary for town centre retailing to be competitive. To achieve this it must provide sufficient car parking to make the store as attractive as other existing stores in the area, and to ensure that foodstore facilities operate efficiently without adverse effects on the highway network.</p> <p>Car parks associated with food retail developments in or on the edge of town centres can also provide short term car parking facilities for shoppers and visitors to the centre which can serve the centre as a whole. The provision of such spaces could enhance the vitality and viability of town centres.</p>
<p>OFFICER'S COMMENTS</p> <p>The common use of the car for bulk shopping trips is taken into account in Policy PS4. The statement allows, where necessary, for a higher level of parking provision than would otherwise be permitted for retail developments. It states that an absolute maximum standard of 1 space per 14m² may be applied to food retail developments in accordance with PPG13 Annex D. Policy PS1 deals with the application of the parking standards and notes that there are locations where the guidelines may need to be varied.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 20 Cycle Parking Standards</p> <p>Wm. Morrison Supermarkets consider cycle standards should not be set unnecessarily high levels, as they will result in the provision of spaces far in excess of the likely demand associated with food superstore development. This is likely to result in the inefficient use of land.</p> <p>Our client considers that the base minimum standards for long and short-term cycle parking associated with new food retails developments over 2,500 sq.m. should be:</p> <p>One short-term space per 500 sq.m. GFA plus One long-term space per 20 maximum staff on site at any one time.</p> <p>It is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their good when undertaking such trips.</p>

OFFICER'S COMMENTS	
<p>Whilst it is acknowledged that car is commonly used for bulk shopping trips to food retail developments, it is also necessary to consider those who do not have access to a car and those who make more frequent smaller shopping trips. Food retail developments are not only used for bulk shopping trips but also provide an important amenity for local people who often make frequent and smaller shopping trips that could easily be undertaken by sustainable transport. It is also important that provision is made for users of sustainable transport who choose to cycle to and from work or other locations who may wish to combine such trips with visits to local amenities such as food stores. The provision of dedicated cycle parking located close to the store entrance is an important method of encouraging the use of sustainable transport.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Peacock and Smith on behalf of WM Morrison Supermarkets Plc	<p>Paragraph 22 Motorcycle Parking Standards</p> <p>With reference to the provision for motorcycle parking it is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their goods when undertaking such trips. It is suggested that the proposed car parking bays or appropriately designed cycle stands could accommodate the limited amount of demand for motorcycle parking that may arise.</p>
OFFICER'S COMMENTS	
<p>The use of powered two-wheeled vehicles (PTW) for regular short journeys creates significant benefits such as reduced congestion and land-use for parking. As such minimum standards have been used to reflect the advantages PTWs have over the car. As has been stated with respect to cycle parking provision it is important to consider those who do not have access to a private car, or those who wish to combine travelling to work with visits to local amenities such as food stores. Food retail developments also provide an important amenity for local people who often make frequent and smaller shopping trips. These trips can often be undertaken by more sustainable forms of transport such as PTWs. The provision of dedicated motorcycle/moped parking located close to the store entrance is an important method of encouraging the use of these methods of transport and represents a more efficient use of land than if such users were required to park in standard car parking bays.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy PS12</u></p> <p>The HBF considers it highly important that the Council implements maximum parking standards in a flexible way, taking full account of local circumstances. Indeed, such a localised approach (rather than rigid blanket restrictions) is now being advocated by national government. It must be recognised that not all urban areas are the same, or enjoy the same levels of facilities and services.</p>

OFFICER'S COMMENTS	
It is recognised that different areas have varying levels of access to facilities and public transport services. For this reason Policy PS12 recognises that standards may need to be varied for different areas. Policy PS1 covers the application of parking standards and accepts that there are locations where the guidelines may need to be varied.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	<p>Although I have congratulated your involvement of a separate Sheltered Housing development design, I am a little disappointed to see it is overlooked in this SPD. In respect of Sheltered Housing, the Residential Care Home policy will have to assist in making a plausible judgement on provision of parking.</p> <p>In this case, there is an indication of 1 space per staff member and 1 space per 3 daily visitors. From looking at previous McCarthy and Stone developments and other Council's Parking Policies, it is likely that this figure could be changed to 1:4, making the proposed development sites more sustainable. There is also no indication of proposed parking provisions for residents. I do feel that there needs to be an additional policy designed around Sheltered Housing developments as found in the Design SPD.</p>
OFFICER'S COMMENTS	
Policy PS11 sets out the Parking Standards for Residential Institutions. For residential care homes there is a maximum standard of 1 space per resident member of staff, and 1 space per 3 bed spaces / dwelling units. Any parking for residents would need to be provided within this figure.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Highways Agency	<p>Policy PS1</p> <p>Whilst we appreciate that in rural areas the use of the car is sometimes the only realistic means of transport, we would encourage the Council to, where possible, explore the provision of enhanced public transport provision as an alternative to the provision of greater levels of parking. Contributions to increased or enhanced public transport provision can not only reduce the amount of parking required for a particular development, but also have benefits to the larger community and lead to a reduction in overall car use.</p>

OFFICER'S COMMENTS	
Replacement Local Plan Policy HP5 (Infrastructure) allows the LPA to explore all means at their disposal, including planning gain contributions, to secure transportation infrastructure (particularly for buses and cycling).	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	<p>Can I request a minor change which we have agreed Corporately to bring Highways policy in line with Schools Service practice:-</p> <p>Page 15 Policy PS13 - Maximum Parking Standards for class D1: Schools ... Please re-word second sentence to read- '<i>Consideration also to be given to public / school transport waiting facilities if appropriate</i>'.</p> <p>I also noticed on page 30 (TABLE 3 - SUMMARY OF CAR PARKING STANDARDS POLICY PS24) that Schools appear twice with a different standard. I think again this may have been an error on the original ECC document and that the second reference should relate to Colleges.</p>
OFFICER'S COMMENTS	
The change to Policy PS13 would add greater clarity on highway safety issues to the document.	
The second reference to Schools in the Summary table is indeed an error. This should refer to Further and Higher Education.	
RECOMMENDATION	
<ul style="list-style-type: none"> That under Policy PS13 the Schools standard is amended so the second sentence reads: '<i>Consideration also to be given to public / school transport waiting facilities if appropriate.</i>' That the summary table on page 30 is amended so that the second reference to schools refers to Colleges (Further and Higher Education). 	
RESPONDENT	COMMENTS
Government Office for the East of England	<p>Conflict with National and Replacement Local Plan Policy</p> <p>Paragraph 2.43(i) in PPS12 – <i>Local Development Frameworks</i> indicates that SPDs must be consistent with, amongst other matters, national planning policies.</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy. This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). The draft SPD indicates the relevant policies as being TP1, TP5, TP6, TP8 and TP9 in the Rochford District Replacement Local Plan adopted in June 2006.</p> <p>PPS12 also indicates that whilst SPDs contain policies which expand or</p>

supplement those policies, those SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (paragraph 2.44).

At paragraph 52 of PPG13 - *Transport* it is indicated that there 'should be no minimum standards for development, other than parking for disabled people'. Policy TP8, which includes the standards applicable by the Use Class and which are repeated in the draft SPD are expressed as maximums in line with national policy. However, at paragraph 11.2 of the draft SPD it is indicated 'a minimum standard will be applied for residential developments in rural or suburban areas due to the poor public transport provision in these areas'. This is repeated in Policy PS12.

The inclusion of minimum standards for dwellings in rural or suburban locations is inconsistent with national policy and in direct conflict with Policy TP8 in the Rochford District Replacement Local Plan. As such, the SPD should be amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential) and reinstate the standards as maximums in line with national policy and the Replacement Local Plan.

Requirements for Transport Assessments

In a number of the statements relating to car parking standards, it is indicated that for certain sizes of developments a Transport Assessment (TA) is required eg. Policies PS7, PS8, and PS9. The Rochford District Replacement Local Plan includes no policy provisions relating to requirements for TAs.

Whilst we do not object to identifying which developments will require a TA, the current wording is highly prescriptive and inflexible, setting thresholds over which TAs will be required relative to certain uses. The authority, in indicating the thresholds at which TAs are required should satisfy itself that there is robust and credible evidence for the thresholds identified.

We also request that consideration is given to using alternative wording to allow flexibility in requiring TAs reflecting, for instance, particular locations of development eg. Where development is proposed on an allocated site or an area designated for particular uses and where the principle of the use and scale of development has already been established. Further clarifying information could be included relating to the requirement for a TA relative to the particular issues that need to be addressed in the TA e.g. a TA would be required where there was a need to establish acceptability of the use and scale of development relative to network capacity etc.

OFFICER'S COMMENTS

The minimum standards used in Policy PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

Comments regarding transport assessment are noted. Policy TP8 of the Replacement Local Plan states that the requirements associated for vehicle parking are shown more fully in the Supplementary Planning Documents.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Policy PS12 – Vehicle Parking Standards: Use Class C3 (Residential)</p> <p>With regard to Policy PS12, whilst Swan Hill generally supports the approach taken by the District Council towards setting residential parking standards, in that the Council has recognised that in the suburban areas, even with some access to public transport, the majority of residents will rely on the use of private cars. However, Swan Hill has concerns over the failure of the District Council to comply with the provisions of PPG13: Transport (2001) which sets out that Local Planning Authorities should not set minimum standards for car parking.</p> <p>Further, it has become common practice for Local Planning Authorities to set out car parking standards for residential development based on accessibility assessments of their administrative area. This would set out levels of services and facilities within the District's settlement, and the proximity of areas to public transport and cycling corridors. This would help to specifically identify those areas of high, medium and low accessibility, through which levels of car parking provision for new and extended residential developments could be assessed.</p> <p>As such, Swan Hill recommends that such an accessibility assessment be undertaken, through which car parking standards could then be developed for residential developments.</p>

OFFICER'S COMMENTS

Comments noted. The minimum standards used in Policy PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

SPD6 DESIGN GUIDELINES FOR CONSERVATION AREAS

RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy CA1</u></p> <p>Again, the HBF considers that the Council needs to be flexible in its approach. Whilst it may be the case that 2 storey buildings currently predominate, good quality higher storey buildings may well be capable of being blended into their neighbouring environment.</p>
<p>OFFICER'S COMMENTS</p> <p>As this SPD deals with Conservation areas it is especially important that buildings are in keeping with the existing character of the area. Paragraph 3.2 accepts that whilst in areas of uniform building height it would not be appropriate to introduce variations in building height, in some other locations irregular building height might be accepted.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 6: Design guidelines for Conservation Areas</p> <p>The conservation areas within Rochford largely represent the cores of historic settlements. They therefore contain a range of sensitive below ground archaeological deposits which are a finite and non-renewable resource.</p> <p>Within the Introduction in paragraph 1.2 it is recommended that a sentence be added to reflect this. The following wording is recommended:</p> <p><i>Careful consideration needs to be given to below ground archaeological deposits.</i></p> <p>SPD 6: Design guidelines for Conservation Areas : Sustainability Appraisal Report</p> <p>Historic environment issues are not well integrated nor as fully considered as they need to be. The conservation areas within Rochford largely represent the cores of historic settlements. In particular the effects of development on below ground archaeological deposits, which are a finite and non-renewable resource, must be carefully managed if development is to be truly sustainable. Architects and designers will often be more aware and able to immediately appreciate the more obvious above ground elements of the historic environment, therefore it will be necessary to specifically highlight potential impacts on below ground remains.</p> <p>Page 41 : This section would benefit from the inclusion of a reference to the Rochford Historic Environment characterisation assessment and the historic town and settlement assessments that have been commissioned by Rochford District. It is also recommended that there should be additional maps included showing which towns and villages have been assessed as well as a copy of the overall Historic Environment Characterisation map.</p>

<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 1.2 to include consideration of archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>That the following sentence is added to paragraph 1.2:</p> <p>Careful consideration needs to be given to below ground archaeological deposits.</p>	
RESPONDENT	COMMENTS
<p>Rayleigh Civic Society</p>	<p>Policy CA1</p> <p>Whilst we fully support CA1 we would like to see the paragraphs under SCALE made more forceful.</p> <p>Policy CA12 - Conservatories</p> <p>We fully support this statement. Unfortunately there are many instances in the district where <u>very large</u> conservatories have been allowed which dwarf the parent building and are totally out of keeping not only with the parent home but also houses adjacent in the road or around.</p>
<p>OFFICER'S COMMENTS</p> <p>Comments noted. The purpose of the SPD is to provide detailed design guidance. It is considered that Policy CA1 provides sufficient requirements for new buildings to be in keeping with the character of existing areas.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD7 DESIGN LANDSCAPING AND ACCESS STATEMENTS

RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>Policy DLA3</p> <p>Within the bullet points in Policy DL3A, on page 5, an assessment of the historic environment constraints and opportunities should be included either in the second or third bullet point.</p> <p>SPD 7 Landscaping and access statements: Sustainability Appraisal Report</p> <p>Page 53 : This section would benefit from the inclusion of information on the Historic Environment characterisation assessment. It is recommended that there should be an additional map showing the overall Historic Environment Characterisation mapping.</p> <p>Within the table on page 62 PPG 16 Archaeology and Planning should be included as guidance for the archaeological heritage.</p> <p>Annex 1: Page 113 : PPG 16: Second column. The wording in the second column is incorrect and should be changed. The second column is recommended to read: <i>Useful source for baseline data, Historic Environment Record held at Essex County Council. Also add a target of Loss or damage to nationally and regionally important historic sites and features. Maintenance or enhancement of historic environment character as expressed in the Rochford Historic Environment Characterisation Project.</i></p> <p>The Third column should read: <i>Early consultation and careful consideration will be need to ensure preservation and/or mitigation of adverse impacts on historic environment assets</i></p>
<p>OFFICER'S COMMENTS</p> <p>The inclusion of a reference to historic environment constraints and opportunities would help ensure they are considered at an early stage within design statements.</p> <p>The comments relating to the Sustainability Appraisal Report are noted. The Rochford Historic Environment characterisation assessment forms part of the Local Development Framework evidence base which is considered in the production and sustainability appraisal of LDF documents.</p>	
<p>RECOMMENDATION</p> <p>That Policy DLA3 is amended so that the second bullet point reads:</p> <ul style="list-style-type: none"> • An explanation of the constraints and opportunities the site has in terms of its design, eg. Features worthy of retention or protection, <i>an assessment of historic environment constraints and opportunities, any</i> features which are detrimental and need to be addressed; and 	
RESPONDENT	COMMENTS
Charles Planning Associates Ltd.	<p>Swan Hill has several serious concerns regarding this SPD, particularly that whilst the District Council have had regard to the provisions of Commission for Architecture and the Built Environment (CABE) advice on the preparation</p>

<p>on behalf of Swan Hill Homes Ltd.</p>	<p>of Design and Access Statements, they appear to have failed to have regard to the provisions of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).</p> <p>The GDPO sets out clear statutory guidelines on what planning applications require the submission of Design and Access Statements, and Swan Hill considers it is important that this is highlighted in the SPD.</p> <p>Further, Swan Hill supports, in principle the context of this SPD, but have serious concerns that the District Council has overcomplicated the matter regarding the submission of such supporting documents. It is clear in the GDPO and the CABI guidance that only those applications specified need submit a Design and Access Statement, within which provision is made for the inclusion of landscaping information on the development proposal.</p> <p>Swan Hill recognises the importance of landscaping schemes for medium to large planning applications, however, under the provisions of the GDPO all the necessary information for landscaping can be incorporated into the all-in-one Design and Access Statement. With regard to the provisions of Policy DLA1, Swan Hill understands the constraints of development in the countryside in Rochford District, and considers it is important to highlight sensitive areas in this SPD. However, sensitive landscaping designations would be highlighted within a Design and Access Statement, for which, in most cases (as specified in the GDPO), new development proposals will be required to submit a Design and Access Statement. Furthermore, Swan Hill considers 'Residential Areas' should be removed from the list within Policy DLA1.</p> <p>With regard the Access Statements outlined in Section 5.0, it is important to highlight that this should form part of the whole Design and Access Statement, and is therefore subject to the advice in the GDPO, and is not required for all planning application submissions. Swan Hill recognises the importance of providing access for disabled people in new developments, and all their developments conform to the requirements of Building Regulations 2000. However, the GDPO clearly sets out that access for disabled people only forms part of the access consideration in Design and Access Statements, and should be included in such Statements, in addition to the other requirements of the GDPO.</p> <p>In summary, Swan Hill considers that the District Council should revisit this SPD, and set out the requirements of Design and Access Statements in accordance with the requirements of the GDPO and the CABI guidance. Swan Hill acknowledges the overall content of this SPD is correct, however, the Document appears confusing and disjointed, something the Government (through the amendments to the GDPO) sought to overcome by establishing these guidelines on Design and Access Statements for development proposals.</p>
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OFFICER'S COMMENTS

Since the drafting of this SPD there are now new requirements concerning design and access statements as a result of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).

For this reason it is necessary to change section 2 which outlines when design, landscaping and access schemes will be required, and make a number of other minor changes to the document.

RECOMMENDATION

- That a reference to access statements is added to the end of paragraph 1.1 to state: 'For these reasons certain types of planning application are required to be accompanied by a design, **landscaping and access** statements.'
- That a sentence is added to paragraph 1.3 stating making clear that the requirements for design, landscaping and access can all be incorporated into one statement.
- It is proposed the start of Policy DLA9 is reworded as follows to conform with the new requirements:

POLICY DLA9

'At its very simplest, an access statement might simply record that the intention of the client, designeretc.

- As a result of the new requirements for design and access statements it is proposed that section 2 is reworded to state:

2.**WHEN DESIGN, LANDSCAPING AND ACCESS STATEMENTS ARE REQUIRED****2.1**

From 10 August 2006, all planning applications not included in the categories listed below must be accompanied by a Design and Access Statement, incorporating landscaping information on the proposal.

2.2

The purpose of the statement is to explain and justify the design and access principles and concepts on which a development proposal is based, and how these will be reflected in individual aspects of the scheme.

POLICY DLA1

Design and Access Statements, incorporating Landscaping information, are required for all planning applications not included in the categories below.

Categories of development not included in this requirement are:

- **engineering and mining operations;**

- **development of an existing house or development within the curtilage for any purpose incidental to the enjoyment of the dwelling-house (except for dwelling-houses in a conservation area);**
- **a material change of use of land or buildings.**

Design and landscaping statements will also be required for any sites considered complex or sensitive by the Local Planning Authority or in the case of any major development sites as defined in Policies HP4 and EB5 of the Replacement Local Plan. The Local Planning Authority defines sensitive sites as those lying within or having an impact upon to following (as defined by law or no the local plan proposals maps):

- **Metropolitan Green Belt**
- **Coastal Protection Belt**
- **Special Landscape Areas**
- **Areas of Historic Landscape Value**
- **Sites of nature conservation importance (including, but not limited to, SSSIs, SACs and SPAs)**
- **Residential areas, and**
- **Public open space and green spaces**

Where an applicant is unsure if a site is considered sensitive they should contact the local planning authority to discuss the matter.

- **It is proposed that section 2.3 remains unchanged.**

SPD8 RURAL SETTLEMENT AREAS

RESPONDENT	COMMENTS
Mr. Brian Byford	After wading through this series of documents online I eventually came upon section SPD8, Rural Settlement Areas and was very surprised indeed to find that my property, number 46 High Road Hockley, was not included in the adjoining rural settlement whilst all my neighbours enjoy this privilege. May I ask you why this is?
OFFICER'S COMMENTS	
Reply sent by letter explaining that 46 High Road, Hockley, is set back from the road and separated from the other development by Home Farm. It has not been included within the rural settlement area as it is functionally separate from the main ribbon of development along the High Road.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Government Office for the East of England	Having looked through the Rural Settlement Areas SPD, it is our understanding that it clarifies those properties to which policy R2 applies. Therefore, we have no comments to make.
OFFICER'S COMMENTS	
None.	
RECOMMENDATION	
None.	

Planning Policy & Transportation Committee – 28 November 2006

Minutes of the meeting of the **Planning Policy & Transportation Committee** held on **28 November 2006** when there were present:-

Chairman: Cllr P A Capon

Cllr C I Black
Cllr J P Cottis
Cllr T G Cutmore

Cllr A J Humphries
Cllr J M Pullen
Cllr Mrs M J Webster

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C A Hungate, J R F Mason and D Merrick.

OFFICERS PRESENT

S Scrutton - Head of Planning and Transportation
A Meddle - Team Leader (Local Plans)
S Worthington - Committee Administrator

COUNTY COUNCIL OFFICERS PRESENT

P Grimwood - District Manager

404 MINUTES

The Minutes of the meeting held on 10 October 2006 were approved as a correct record and signed by the Chairman.

405 DECLARATIONS OF INTEREST

Cllr Mrs M J Webster declared a personal interest in item 14 of the agenda, relating to the Rural Community Council of Essex (RCCE), by virtue of being a trustee of the RCCE and did not take part or vote in the debate. Cllr T G Cutmore also declared a personal interest in that same item by virtue of being a member of the RCCE Local Committee.

406 PROGRESS ON DECISIONS

The Committee reviewed the progress on decisions schedule.

Quys Lane, Rochford (Minute 273/05)

Members expressed their satisfaction that the works to Quys Lane were now completed, including the lighting. The end result was very pleasing.

Planning Policy & Transportation Committee – 28 November 2006

407 HIGHWAYS LOCAL SERVICE AGREEMENT QUARTERLY UPDATE REPORT: JULY TO SEPTEMBER 2006

The Committee considered the report of the Area Manager, Highways and Transportation Services informing Members of County Highway and Transportation issues in the Rochford District in the period from July to September 2006.

County officers advised:-

- The Main Road/junction with Folly Lane junction improvement scheme within the locally determined budget could not be progressed; County Highways was accordingly looking at alternative schemes that might replace this one within the current year's budget.
- The Hullbridge Road, Rayleigh fencing improvement scheme had now been completed.
- Temporary speed indicators were being rolled out around the District; initial feedback was positive.
- Response from the Parish Councils on planned parish visits had been disappointing.
- The resurfacing of the A129 in the vicinity of the Carpenters Arms had still to be completed; site investigations were currently being conducted.
- Work on the joints and overlay of the A1245 from the Carpenters Arms to Bedloes was still to be completed; suitable material for overlaying repairs to the concrete bays was being investigated.
- The road condition of Rectory Road, Hawkwell, at its junction with Main Road, was bad and would need to be deep planed and re-laid.
- A specialist contractor would be required to address the surface of Folly Lane, in the Aldermans Hill to Church Road section; work would take place in February/March 2007.
- The widening of Bradley Way Cycleway would be done in conjunction with the Rochford re-lighting scheme, as part of the Rochford regeneration programme.

County officers noted Member concern relating to a large black spot in the vicinity of Rectory Road/Hall Road, which Members perceived would benefit from extra lighting.

County officers noted Member concern relating to the recent re-surfacing of Trinity Wood Road, which was supposed to be a public right of way and bridle. Rainwater was collecting on the new road surface and not draining

Planning Policy & Transportation Committee – 28 November 2006

away.

Members remarked that there could be merit in considering expanding the temporary speed sign scheme next year.

Officers noted a Member request to monitor Upmans Park Road, where parents continued to park on pavements and in the road, causing a hazard for other road users.

In response to Member concerns and enquiries, the following was noted:-

- The overall locally determined budget was £50,000.
- Flooding/drainage problems in the Anne Boleyn roundabout section of Sutton Road was being investigated.
- An area of bumpy surface on the A130 in the vicinity of the Carpenters Arms would be addressed.
- Varying speed limits on the A129 on the other side of the Carpenters Arms roundabout would be examined in detail by officers.
- Officers would examine the section of footpath from Stambridge Primary School to the back end of the Stambridge Memorial Hall.
- Passenger Transport officers at the County Council were reviewing the programme of bus stops and bus shelters, which would take account of the new, bendy buses which were, of course, longer than current buses within the county.

Resolved

That the Highways Local Service Agreement update report July to September 2006 be noted. (County Highways)

408 THE FORMATION OF NATURAL ENGLAND

The Committee considered the report of the Head of Planning and Transportation informing Members of the formation of Natural England, a new and powerful Government agency that had been created to champion the natural environment.

During debate, Members expressed dissatisfaction with the creation of this new Government body, and were unclear as to whether its aim was to achieve savings by amalgamating 4 different agencies into one body, or to try and quash any opposition to further plans for development.

On a motion moved by Cllr Mrs M J Webster and seconded by Cllr T G Cutmore it was:-

Planning Policy & Transportation Committee – 28 November 2006

Resolved

- (1) That the creation of Natural England as the new Government body intended to champion the protection of the natural environment be noted.
- (2) That a letter be sent to the relevant Government Minister expressing this Council's concern that this new body will not be as effective as its current 4 constituent parts. There is likely to be a conflict of interest within the body because of competing priorities, and the Government has, at a stroke, reduced any opposition to its development plans from 4 to 1. (HPT)

409 SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION RESPONSES

The Committee considered the report of the Head of Planning and Transportation setting out the results of the public consultation on eight supplementary planning documents, and seeking Members' approval for the adoption of the amended documents.

Members observed that there appeared to be a number of changes within the supplementary planning documents, which warranted further discussion. There was a general consensus that a meeting of the Planning Policy Sub-Committee should be scheduled for that purpose. An item should be included in the Members' Bulletin requesting Members to take these supplementary planning documents along to the Sub-Committee meeting.

On a motion moved by Cllr P A Capon and seconded by Cllr T G Cutmore, it was:-

Resolved

That the Planning Policy Sub-Committee should give detailed consideration to supplementary planning documents 1 to 8 and report back to this Committee with its recommendations. (HPT)

410 PLANNING DELIVERY GRANT 2006/07 – UPDATE

The Committee considered the report of the Head of Planning and Transportation updating Members on planning delivery grant expenditure in the current financial year, as requested by the Policy, Finance & Strategic Performance Committee (Minute 186/06).

Resolved

That progress on the various planning delivery grant initiatives be noted. (HPT)

Planning Policy & Transportation Committee – 28 November 2006

411 REQUEST FOR FINANCIAL SUPPORT FROM THE RURAL COMMUNITY COUNCIL OF ESSEX

(Note: Cllr P A Capon declared a personal interest in this item by virtue of membership of Stambridge Parish Council.)

The Committee considered the report of the Head of Planning and Transportation regarding a request received from the Rural Community Council of Essex (RCCE) for financial support for a Rochford District Field Officer post.

While mindful of the fact that the Council might wish to follow up on actions identified within parish plans in developing its main development plan documents, Members nevertheless considered that the Parish Councils should precept for their parish plans.

On a motion moved by Cllr T G Cutmore and seconded by Cllr P A Capon it was:-

Resolved

That financial assistance should not be provided to the Rural Community Council of Essex to fund a field worker for Rochford District in 2007/08, but that this should be included within Parish Council precepts. (HPT)

The meeting closed at 8.15 pm.

Chairman

Date

Planning Policy Sub-Committee 14th December 2006

Agenda

Item 6 – Supplementary planning document consultation responses

Appendix A – Consultation summary and recommended changes

Minutes

ROCHFORD DISTRICT COUNCIL



Planning Policy Sub-Committee

agenda

Date

14 December 2006

Time

7.30 pm

Place

Committee Room 4
Civic Suite
Rayleigh

Contact

Sonia Worthington

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Members of the Planning Policy Sub-Committee

Chairman: Cllr P A Capon

Cllr C I Black

Cllr J P Cottis

Cllr T G Cutmore

Cllr A J Humphries

Cllr J R F Mason

Cllr J M Pullen

Cllr P R Robinson

Cllr Mrs M J Webster

Terms of Reference

To consider in detail the educational contributions, housing design, playing pitch strategy, shop fronts security and design, vehicle parking standards, design guidelines for conservation areas, design, landscaping and access statements and rural settlement areas supplementary planning documents, the suggested changes to the Rayleigh Conservation Area Appraisal and Management Plan and the draft Regulation 25 Core Strategy document and make appropriate recommendations to the Planning Policy & Transportation Committee in September 2006.

The Council's vision is to make Rochford the place of choice in the County to live, work and visit.

The Council's principal aims are to:-

- Provide quality, cost effective services
- Work towards a safer and more caring community
- Promote a green and sustainable environment
- Encourage a thriving local economy
- Improve the quality of life for people in our District
- Maintain and enhance our local heritage

A G E N D A

Page No

1 Apologies for Absence

2 Substitutes

3 Non-Members Attending

4 To Receive Declarations of Interest

5 Minutes of the meetings held on 4 August 2006 and 10 August 2006 (previously circulated)

6 Supplementary Planning Documents

6.1-6.45

To consider the report of the Head of Planning and Transportation, originally presented to the Planning Policy and Transportation Committee, seeking Members' views on recommended changes to eight Supplementary Planning Documents, following public consultation.

Members are requested to bring their copies of the supplementary planning documents (previously circulated) to the meeting.

A handwritten signature in black ink, appearing to read 'Paul Warren', with a large, stylized initial 'P'.

Paul Warren
Chief Executive

SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION RESPONSES

1 SUMMARY

- 1.1 The Planning and Compulsory Purchase Act 2004 states that Local Development Frameworks may include the adoption of Supplementary Planning Documents (SPDs). These documents are largely based upon Supplementary Planning Guidance prepared under the old Local Plan system, but must be updated as Supplementary Planning Documents to comply with the new Act. The adopted Local Development Scheme (LDS) sets out the documents that the Council intends to adopt as part of the Local Development Framework.
- 1.2 Draft versions of eight Supplementary Planning Documents were approved for Regulation 17 Public Consultation by the Planning Policy and Transportation Committee on 12 September 2006. This consultation exercise was conducted over a five week period commencing Friday, 29 September and finishing on Friday 3 November in accordance with the requirements of Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations. This report sets out the results of that consultation, any recommended changes to the documents, and seeks Members' approval for the adoption of the amended documents, copies of which have been circulated to all Members under separate cover.
- 1.3 Whilst the actual nature and form of SPDs is not covered by legislation, the process to adoption is a statutory one.

2 CONSULTATION RESPONSES

- 2.1 In total there were 37 responses to the Regulation 17 Consultation. The table below sets out the number of responses relating to each of the SPDs.

		Number of Responses
	General Comments	5
SPD1	Educational Contributions	4
SPD2	Housing Design	8
SPD3	Playing Pitch Strategy	3
SPD4	Shop Fronts – Security and Design	1
SPD5	Playing Pitch Strategy	9

SPD6	Design guidelines for Conservation Areas	3
SPD7	Design Landscaping and Access Statements	2
SPD8	Rural Settlement Areas	2

- 2.2 In accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2004, a document has been produced setting out summaries of the issues raised in the representations, officer comments on each of the representations and a recommendation of any changes that should be made to the SPDs. A consultation summary and recommended changes are listed in appendix A.
- 2.3 An important issue raised by the Government Office related to the use of the word 'policy' to describe the guidance and standards included in the SPDs. Policies are included in the adopted Local Plan and in due course new policies will be included in the emerging development plan documents that will replace the Local Plan. Adopted policies are subject to different scrutiny from the guidance and standards in SPDs, which are intended to expand and amplify on the policy framework. Therefore, it is considered that the use of the word 'policy' to describe the guidance and standards in the draft SPDs is confusing and that term should be removed in this context and the SPDs revised accordingly. Revised versions of the draft SPDs will be circulated to all Members

3 RISK IMPLICATIONS

3.1 Operational Risk

It is expected that the adoption of the SPDs and the production of any associated documents required under regulations 18 and 19 can be met in house using existing resources.

3.2 Regulatory Risk

The timetable for the preparation, consultation on, and adoption of the SPDs is contained within the adopted LDS. Adoption of SPDs 1-5 is scheduled for November. For SPDs 6-8, adoption is scheduled for January 2007. Failure to meet these deadlines may lead to action being taken against the Council by GO-East. The performance of the SPDs against the LDS may affect awards made through the Planning Delivery Grant scheme.

4 RECOMMENDATION

4.1 It is proposed that the Committee **RESOLVES**

- (1) That Supplementary Planning Documents 1 – 8 be adopted by the Council, subject to the recommended changes set out in appendix A, in line with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.
- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the SPDs to ensure consistency and correctness. Any such amendments, if required, will be reported to the Planning Policy & Transportation Committee.

Shaun Scrutton

Head of Planning and Transportation

Background Papers:-

None.

For further information please contact James Firth on:-

Tel:- 01702 318101
E-Mail:- james.firth@rochford.gov.uk

APPENDIX A

GENERAL COMMENTS

RESPONDENT	COMMENTS
Castle Point Borough Council	I would like to thank you for consulting Castle Point Borough Council on these documents and would advise you that I have no specific comments to make on their policy content. I would however suggest that the SPDs may benefit from the glossary being located after the main body of the document.
OFFICER'S COMMENTS The location of glossary at the end of the document would help make the SPDs more user-friendly.	
RECOMMENDATION See recommendation under representations from the Government Office for the East of England.	
RESPONDENT	COMMENTS
The Theatres Trust	As none of these SPDs are directly relevant to the Trust's remit we have no comment to make but look forward to being consulted on further LDF documents.
OFFICER'S COMMENTS None	
RECOMMENDATION None	
RESPONDENT	COMMENTS
Home Builders Federation	<p>The purpose of Supplementary Planning Documents is to amplify and expand upon the content of policies in an Adopted Local Plan. Therefore, their content must fully accord with the relevant policies in the Council's Adopted Plan to which they relate</p> <p>PPS12 makes clear references as to the role and purpose of Supplementary Planning Documents (SPD):</p> <p>2.42 Where prepared, supplementary planning documents should be included in the local development framework and will form part of the planning framework for the area. They will not be subject to independent examination and will not form part of the statutory development plan. However, they should be subjected to rigorous procedures of community involvement.</p> <p>2.43 Supplementary planning documents may cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a development plan document. They must not however, be used to allocate land. Supplementary planning documents may take the form of design guides, area development briefs, master plan or issue-based documents, which supplement policies in a development plan document. The following principles apply to a supplementary planning document:</p>

	<p>i. it must be consistent with national and regional planning policies as well as the policies set out in the development plan documents contained in the local development framework;</p> <p>ii. it must be clearly cross-referenced to the relevant development plan document policy which it supplements (or, before a relevant development plan document has been adopted, a saved policy);</p> <p>iii. it must be reviewed on a regular basis alongside reviews of the development plan document policies to which it relates; and</p> <p>iv. the process by which it has been prepared must be made clear and a statement of conformity with the statement of community involvement must be published with it.</p> <p>2.44 Supplementary planning documents may contain policies which expands or supplements the policies in development plan documents. However, policies which should be included in a development plan document and subjected to proper independent scrutiny in accordance with the statutory procedures should not be set out in supplementary planning documents (my emphasis).</p> <p>Local Authorities should set out in their Development Plan Documents what specific types of Planning Contributions will be sought. The purpose of SPD is to provide further information and detail. It is not to rewrite policy.</p>
<p>OFFICER'S COMMENTS</p> <p>The Supplementary Planning Documents contain guidance and standards which supplement and expand upon policies contained within the Rochford District Replacement Local Plan. The individual policies to which each of the SPDs relates are shown in the consultation statements which were made available for consultation alongside the SPDs. The Replacement Local Plan policies to which the SPDs relate are also referred to within the SPDs themselves where this is appropriate. The Replacement Local Plan was recently adopted in June 2006 and the policies from which the SPDs 'hang' were subject to public consultation and examination during this process.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Historic Environment Branch (Essex County Council)</p>	<p>Supplementary Planning Document 1-8 Glossaries</p> <p>It is recommended that four extra glossary items are added which provide detail on the historic environment of the District and historic environment reports that have been commissioned by the District.</p> <p>Historic Environment Record</p> <p>The Historic Environment Record (HER) stores and provides access to organised information relating to the historic environment. An HER makes information accessible to all in order to:</p> <ul style="list-style-type: none"> • advance knowledge and understanding of the historic environment;

	<ul style="list-style-type: none"> • inform the care and conservation of the historic environment; • inform public policies and decision-making on land-use planning and management; • contribute to environmental improvement and economic regeneration; • contribute to education and social inclusion; • encourage participation in the exploration, appreciation and enjoyment of the historic environment. <p>The information held can thus provide a starting point for management processes, conservation, fieldwork and research into the historic environment and can also inform local communities about their area.</p> <p>Historic Environment Characterisation of Rochford A document and GIS database, commissioned by Rochford District Council, which provides a framework within which the determination of the broad scale and location of development can be facilitated in a sustainable way. It provides an effective framework for engagement between planners, developers, local communities and other interested parties to discuss the Historic environment.</p> <p>Historic town Assessment Documents assessing the historic towns of Rochford and Rayleigh with a view to enhancing understanding and facilitating better management of the historic environment.</p> <p>Historic settlement assessments Documents assessing the historic settlements of Canewdon, Paglesham, Great Wakering and Ashingdon with a view to enhancing understanding and facilitating better management of the historic environment.</p>
<p>OFFICER'S COMMENTS The inclusion of these extra glossary items would improve the SPDs by providing further detail on the historic environment and associated reports.</p>	
<p>RECOMMENDATION It is proposed that four extra items are added to the glossary:</p> <ul style="list-style-type: none"> • Historic Environment Record • Historic Environment Characterisation of Rochford • Historic town Assessment • Historic settlement assessments 	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>East of England Plan Page 1 – It is not clear what relevance the statement regarding the East of England plan has for each of the SPDs. Furthermore, it's inclusion could cause the SPDs to quickly become outdated. We suggest that it is deleted.</p> <p>Glossary We also question the need to reproduce the glossary (which is of considerable length) within each of the SPDs. This repeats the glossary contained in the back of the adopted Replacement Local Plan which forms part of the authorities transitional spatial plan. Whilst we accept that there is merit in the SPDs being self-</p>

	<p>contained documents, the glossary tends to dominate the SPDs and detracts from their important policy amplification content. A more succinct approach might be to provide the glossary separately as a non-statutory note, so that people can have a copy of it or not as they choose. A reference to this glossary and details where it can be obtained could be contained in each SPD.</p>
<p>OFFICER'S COMMENTS</p> <p>Comments on the statement regarding the East of England Plan are noted. The statement regarding the East of England Plan does not relate to the intended purpose of the documents in providing supplementary guidance on local planning policies.</p> <p>It is noted that the glossary in its current form is significantly longer than several of the SPDs. The glossary is incorporated in the Local Plan and there is merit in the suggestion that a separate glossary be prepared and referenced in each of the SPDs. A separate glossary could then be updated on a regular basis without the requirement to reprint each of the SPD documents. This change also reflects the principles of the LDF as a 'folder' of planning policy documents.</p>	
<p>RECOMMENDATION</p> <p>That the statement regarding the East of England Plan is removed.</p> <p>It is proposed that a separate glossary and units of measurement be prepared and referenced in each of the SPD documents and other development plan documents as they are prepared.</p>	

SPD1 EDUCATIONAL CONTRIBUTIONS

RESPONDENT	COMMENTS
RPS Group on behalf of Fairview New Homes Limited	<p>Fairview partly object to policy EC2, which states that ‘where additional land is needed, the developer will also be required to either provide free land, meeting the criteria set out in the Developer Contribution Guidelines, or sufficient funding to acquire it’. Fairview New Homes Ltd. consider developments should be considered on a site-by-site basis depending on the merits and costs associated with each development. It is requested that the paragraph be amended to state that the contributions of developers in relation to the provision of new schools will be assessed on a site-by-site basis.</p>
<p>OFFICER’S COMMENTS The purchase of suitable land can be a significant cost in the provision of additional school facilities. In cases where sufficient suitable land is not already available, it is considered entirely reasonable to expect the contribution of free land or sufficient funding to acquire it.</p>	
<p>RECOMMENDATION That no changes are made to the SPD with respect to this representation.</p>	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	<p>The correct April 2006 figures are £8,986 primary and £14,055 secondary. These include the Essex 6% adjustment.</p>
<p>OFFICER’S COMMENTS The figures shown in the SPD were based on estimates prior to official DfES publication. They should be amended to match the official figures provided by ECC Schools Service.</p>	
<p>RECOMMENDATION It is proposed that the cost per place figures listed in appendix B are amended to £8,986 for Primary and £14,055 Secondary.</p>	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>1.2</u> It is stated that ‘education is one of a range of services which local authorities may seek to provide through developers’ contributions’. The HBF would point out that whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, it is neither their role nor responsibility to provide an educational service.</p> <p><u>1.4</u> Whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, the HBF consider that if the Council chooses to refuse planning applications on the basis of a failure by developers to make financial payments (as the wording suggests), it will be acting illegally.</p> <p><u>Policy EC1</u> The wording does not accord to the content of Circular 5/05. It is</p>

	<p>inappropriate to start from the basis that contributions will be sought automatically where there will be a demand for additional school places as a result of a development. Whilst the text goes on to say that existing or potential surplus school places in the area will be taken into account, the text should be amended to state that contributions will only be sought where existing or potential surplus school places in the area will be inadequate to meet the needs generated by new development.</p> <p><u>Policy EC3</u> It is entirely unclear as to why schemes developed entirely as affordable housing should make no educational provision contributions when they themselves might generate as much, or more, additional pupil levels than market housing.</p> <p><u>8.2</u> It would be inappropriate to expect that in most cases contributions will be required before development begins given that the need for new facilities might not actually arise to sometime later, and furthermore, the developer will not have sold any new housing in order to receive financial funding in order to pay for the educational facilities. Instead, funding timing should be negotiated on a site-by-site basis taking full account of local circumstances and site development timescales.</p>
<p>OFFICER'S COMMENTS</p> <p>1.2 – Noted</p> <p>1.4 – Failure to provide contributions towards additional educational provision to meet a properly identified and agreed local need would constitute a valid reason for refusal.</p> <p>Policy EC1 – The wording of the Policy makes clear that the level of existing or any potential surplus permanent school places in a local area will be taken into account. The policy wording ensures that the local circumstances will be considered and allows contributions to be sought where they are required.</p> <p>Policy EC3 – Schemes which are entirely affordable housing and where 100% of the dwellings will be owned by a registered social landlords provide an essential local service and can incur significant costs. For these reasons educational contributions will not be sought in such circumstances.</p> <p>8.2 – Providing additional educational facilities to meet the needs of new developments is a process that can take some time. Contributions are required at the earliest possible stage in order to ensure adequate education provision upon completion.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Government Office for the East of England</p>	<p>Statutory Basis Page 1 – It is not clear what relevance all of the mentioned statute has for the education contributions SPD ie. Listed buildings and conservation areas, biodiversity? It would be better and more accurate to make reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.</p> <p>Section 1 Introduction</p>

Section 1 Introduction – The SPD should set out how it is intended to work alongside the County SPG (2004) and Essex County Developer Contribution Guidelines ie. Does the SPD replace the County documents, and/or are parts of them still relevant? It would be useful for key relevant sections of the Developer Contribution Guidelines to be appended to this SPD.

Regulations

The SPD looks to be an exact copy of the County produced Educations Contributions SPG (2004) – The Council seem to be mainly relying on consultation work previously done for this SPG to inform the production of the new SPD. The Council will need to be satisfied it has complied with the necessary regulations for the preparation of this new SPD, including for example the requirements of regulation 17. This includes setting out a summary of the main issues raised in earlier consultation responses and how they have been addressed in the SPD. The regulation 17 notices suggest that the information is contained in the SEA/SA but it could not be readily seen.

Section 2 (para 2.2 and 2.3)

Section 2 (para 2.2 and 2.3) – The structure plan policies will only be saved until replaced by the RSS (unless they are specifically mentioned as not being replaced by the RSS). The Local Plan policy will eventually be replaced by LDF policies. We suggest that the SPD clarifies the Council's intentions once the existing saved policies are replaced, ie. The SPD will need to be redrafted and consulted upon to conform and support to new LDF policies.

Policy Content

Section 2 Policy Content – We suggest that it would be useful to include the relevant Local Plan policy extract, either in this section or as a Appendix to the SPD.

OFFICER'S COMMENTS

It is agreed that the inclusion of Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations in the Statutory Basis section would be more relevant in this case.

The draft SPDs were all subject to Sustainability Appraisal and Strategic Environmental Assessment. As part of this process scoping consultation was carried out with statutory consultees. Any comments received were fed into the recommendations of the Sustainability Appraisal Environmental Reports. These reports were available for consultation alongside the SPDs and details of this earlier consultation were included within the consultation statements as required by regulation 17.

The addition of a reference to the status of the Regional Spatial Strategy to Paragraph 2.2 would help improve the clarity of the document.

The inclusion of the Relevant Replacement Local Plan policy extracts would help clarify the policies on which the SPD guidance and standards are based. It is proposed that a reference is included to policies HP5 and HP21.

RECOMMENDATION

- That the statutory basis section is amended to include a reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.
- It is proposed that paragraph 2.2 is extended by the addition of :

‘.....policies, contained within local plans and other documents. ***It should be noted that the structure plan policies will only be saved until replaced by the Regional Spatial Strategy (unless they are specifically mentioned as not being replaced by the RSS) and that the current Rochford District Replacement Local Plan policies will eventually be replaced by new LDF policies. It may be necessary for the SPD to be redrafted and consulted upon to conform and support new LDF policies.***’

- It is proposed that extracts of Replacement Local Plan policies HP5 (Infrastructure) and HP21 (Planning Obligations) are included at the end of Section 2.

SPD2 HOUSING DESIGN

RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	After reading this Supplementary Planning Document it is clear that the Council has taken consideration on differing Sheltered Housing developments from that of other developments. This I greatly praise, as it is one aspect that other Councils tend to overlook. One area I would like to make comment on is the setting of developments. I feel that it would not be just or sustainable to expect developers to keep the design of Sheltered Housing similar to that for single family dwellings. What I would find more variable would be to ask for an appropriate design to appear as single dwellings using varying pitched roofs.
OFFICER'S COMMENTS Comments noted. The Council expect the design of all forms of residential development to contribute to the quality of the environment in which they are situated. This does not mean that sheltered housing will have to be of the same design as that of single family dwellings, but it should be of a similarly high standard and in keeping with the character of the area.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Rayleigh Civic Society	8.1 – Rooms in the roof The sketch on page 7 titled UNATTRACTIVE FLAT ROOF DORMER should be changed to UNACCEPTABLE FLAT ROOF DORMER. 14 – Backland Development We feel <u>more</u> emphasis should be given to the effect a development would have on neighbours i.e. Noise, disposal of rubbish, road safety.
OFFICER'S COMMENTS The diagrams on page 8.1 are intended to show good practice in the design of dormer rather than prescribe policy on specific types of dormer that would be unacceptable. The likely effects of a proposal on the amenity of an area will always be considered in the determination of a planning application.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Environment Agency	Policy HD2 This section correctly states that existing trees and hedgerows should be retained on site wherever possible. This should be expanded to include other natural features such as ponds and watercourses, which should also be incorporated into the site layout, and may be of significant biodiversity value. Biodiversity is not considered as part of this section. HD2 should make it clear that landscaping should link in with existing habitats and seek to

preserve and enhance the biodiversity value of the site. Native species consistent with the local area should be used for any planting. In addition to requiring this approach, the document should highlight the further guidance that is available to assist developers. A useful source of information is the guidance produced by the Essex Biodiversity Project 'Integrating Biodiversity into development...realising the benefits'. This and other guidance is available on the website: www.essexbiodiversity.org.uk.

Watercourses can play an important role in draining the site, and any proposals that affect the flow of a watercourse (including culverting) will require our written consent so we can consider the biodiversity and flood management implications. Culverting is usually only permitted to allow access due to adverse flooding and ecological impacts.

Landscaping and site layout can help to reduce flood risk, but the current part g) requires amending. For sites within a flood risk area, areas of landscaping or open space should be located in the parts of the site that are most vulnerable to flooding, in preference to built development. This reduces the risk for people and property, and should be informed by the Flood Risk Assessment. For all development types, landscaping should be designed to reduce surface water run-off from the site. This should be by minimizing the amount of impervious surfacing on site (including through the use of porous paving), and through the utilization of Sustainable Drainage Systems (SuDS). More information on SuDS is available on our website www.environment-agency.gov.uk For sites greater than 1 hectare in size, we should be consulted with a Flood Risk Assessment detailing how surface water will be managed and SuDS utilized.

Finally, design techniques that help to reduce the use of resources should also be promoted within the SPD. This should include ensuring that the site layout maximizes opportunities for passive solar gain, and setting criteria for the inclusion of renewable energy generation.

OFFICER'S COMMENTS

Comments on biodiversity are noted. Planning has an important role to play in the preservation and enhancement of biodiversity, as set out in PPS9. Policy HD2 should include comment on biodiversity for the purposes of clarity.

Regarding comments on the use of landscaping to reduce flood risk, the LPA does not wish for the SPD to be overly prescriptive in terms of measures developers should take. It is considered that the current wording of HD2 will allow the LPA to determine applications on a case-by-case basis having regard to flood risk and, where appropriate, a flood risk assessment.

In terms of planning's role in the reduction of resource consumption, design guidance in this respect is expected to be included in the Urban Place Supplement which the Council will shortly consider adopting as an SPD.

RECOMMENDATION Addition to Policy HD2 to read: h) Landscaping schemes should link in with existing habitats to preserve or enhance biodiversity	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy HD1</u></p> <p>The HBF does not consider that it is any longer necessary to specify minimum garden depths, and size thresholds of 100m², given the national planning emphasis on increasing housing densities.</p> <p><u>Policy HD3</u></p> <p>No justification or explanation is given for the suggested minimum site frontages specified.</p>
OFFICER'S COMMENTS The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The Policy details a range of circumstances where an exception to the 100m ² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. Policy HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited. The minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. It is agreed that the inclusion of such a justification for this standard would improve the clarity of the document.	
RECOMMENDATION That paragraph 5.1 is amended to state: "Minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. Policy HD3 also allows for the variation of frontage size where necessary to ensure they are compatible with the existing form and character of the area. Housing development on small vacant frontage plots comprising infilling shall be subject to the following building design criteria:"	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 2 Housing Design</p> <p><i>Section 11: Conservation areas and listed buildings.</i> It is recommended that the title should be changed to include Archaeological sites which would read <i>Conservation areas, listed buildings and archaeological sites</i>. The amended wording will be more consistent with local plan chapter 7.</p> <p>It is recommended that the following word change is made to 11.1. (Additional wording shown in italics)..... within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest <i>and/or areas recorded as being of archaeological interest</i></p>

	<p><i>on the Historic Environment Record, regard will be had.....</i></p> <p>SPD 2 Housing Design: Sustainability Appraisal Report</p> <p>Page 47 Material Assets and Cultural Heritage : This section omits a significant part of Rochford's Districts historic assets and must be made more inclusive. At present within this section only historic buildings and conservation areas are identified. This section should also include the number of records on the Historic Environment Record, reference to the historic town and settlements reports and reference to the overview contained within the Historic Environment Characterisation Project.</p>
<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 11 to include archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that the title of paragraph 11 is amended to: Conservation areas, listed buildings and archaeological sites.</p> <p>It is proposed that paragraph 11.1 is reworded to state:</p> <p>.....within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest and/or areas recorded as being of archaeological interest on the Historic Environment Record, regard will be had.....</p>	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>References to Local Plan Policies</p> <p>Planning Policy Statement 12 – <i>Local Development Frameworks</i> indicates that a SPD must be clearly cross-referenced to a saved policy, before a relevant Development Plan Document is adopted (paragraph 2.43), and we note that the SPD does contain cross references linking the document to the saved policies in Rochford Replacement Local Plan ie. HP6 Housing (para 1.1), HP14 (para 14.1) and HP16 (para 15.1). We feel, however, that the SPD would be greatly improved by the inclusion of the specific text of those policies to which it is linked, either in the main body of the document itself, or in an appendix.</p> <p>Introduction of policies in SPD</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy (in this case it is indicated that as being the Rochford Replacement Local Plan adopted June 2006). This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). PPS12 also indicates that whilst SPDs may contain policies that expand or supplement those policies, SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (Paragraph 2.44).</p> <p>Currently, much of the guidance included in the SPD is overly</p>

prescriptive and as such appears to seek to introduce policy over and above that set out in the Local Plan. This issue is perhaps reinforced by the presentation of the guidance as 'statements' in a format similar to that of local plan policies and also by frequent use of the words 'policy', 'will' and 'shall'.

For example, Section 3 'Minimum Garden Areas' in introducing Policy HD1, states that the Local Authority 'will pursue the following policy with regard to the provision of private garden areas'. Whilst paragraph 3.1 sets out the reasons for the introduction of this policy as being the higher densities resulting in smaller garden sizes than those recommended as the minimum in the Essex Design Guide. In seeking to introduce a threshold in this way the authority is introducing a new policy through SPD that should be introduced through a DPD so that it can be subjected to proper independent scrutiny in accordance with the statutory procedures.

It is important that policy is introduced in the proper manner. Therefore, we request that that authority amend the draft SPD before adoption by removing these policies which seek to introduce thresholds that are in addition to those set out in the Local Plan and the Essex Design Guide. Those policies could then be introduced through a subsequent DPD.

Essex Design Guide and Urban Place Supplement

We note that paragraph 2.1 of the SPD sets out status of the SPD in relation to the Essex Design Guide. We suggest that the SPD should set out in detail how it sits in relation to the emerging Urban Place Supplement which is intended to be adopted across all Essex authorities.

Links to DPD policies

In addition to setting out the SPD's links to saved Local Plan policies it should also set out the intentions for the SPD once new DPD policies are adopted and the saved Local Plan policies are replaced.

OFFICER'S COMMENTS

The inclusion of the relevant Replacement Local Plan policies extracts would help clarify the policies on which the SPD is based. It is proposed that a reference is included to Policy HP6.

The guidance and statements contained within this SPD are largely based on policy HP6 (Design and Layout) of the Replacement Local Plan. This policy states that the Local Planning Authority will require a high standard of design and layout taking into account a range of issues. The SPD seeks to clarify what will normally be considered an appropriately high standard of design and layout by examining these issues in greater depth.

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The Policy details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. It is accepted that references to 'policy' within the SPD should be amended to 'Statement'.

It is agreed that a reference to the Urban Place Supplement within paragraph 2.1 would help improve the clarity of the document.

The inclusion of information on the relationship between the SPD and Local Plan/LDF policies would improve the clarity of the document.

There is a need to consider the use of the terminology for the guidance and standards included in all of the SPDs. The guidance and standards have been called 'policies' in the SPDs and this creates a conflict with the policies included in the Local Plan and those that will in due course be included in the new development plan documents. Policies are prepared under a very different set of rules than SPDs and it is considered that the SPDs should be revised to remove references to policies, with the guidance and standards being part of the main text of the documents and referenced under appropriate headings. Proposed revisions to each SPD to take account of this change are being prepared and will be circulated to Members. In the meantime and to avoid any confusion, references to policies are used in this report.

RECOMMENDATION

It is proposed that an extract of Replacement Local Plan policy HP6 (Design and Layout) is included at the end of section 2 – Policy Background.

That paragraph 3.2 is amended to state:

“The Local Planning Authority will **apply** the following **criteria** when considering the provision of private garden areas.”

That the second line of Policy HD1 be amended to read:

“Exceptions to this requirement will be:”.

That paragraph 2.1 is amended to state:

“The Essex Design Guide for Residential and Mixed Use Areas (2005) has formally been adopted as Supplementary Planning Guidance for the District. ***It is also the Council’s intention to adopt the Essex Design Guide Urban Place Supplement as a Supplementary Planning Document.*** These documents detail the core design advice against which developments within the district will be assessed. Developers and designers will need to consult them in addition to this guidance note.”

It is proposed that a note is added to Section 2 (Policy Background) stating that as the SPD must conform with DPD policies it may be necessary to amend the SPD when other documents within the LDF are adopted.

That the guidance and standards included in all SPDs is not referred to as ‘policy’ and that the SPDs be revised to take account of this change.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Section 3 – Minimum Garden Areas</p> <p>Swan Hill Homes Limited (Swan Hill) considers it is inappropriate to seek to apply minimum garden sizes, particularly given a minimum provision of 100 metres square. Whilst the provision of 100 m² is provided in the Essex Design Guide for Residential and Mixed Use Areas (2005), it is inappropriate and unmanageable to seek such a provision. PPG3: Housing (2000 as amended) seeks to provide density provisions of between 30 and 50 dwellings per hectare, something which looks set to increase in PPS3: Housing. Further, PPG3 sets out that development proposals for new residential developments should make the most efficient use of land, and whilst 100 metres square represents a good target for new residential development, if all new properties are required to provide such a provision, it is unlikely that the density requirements of PPG3 will be achieved.</p> <p>With regard to Policy HD1, Swan Hill considers it is important that new residential developments provide private and communal areas of open space for the residents. However, Swan Hill considers it is important to have regard to the individual merits of each application site, and that the private garden areas of all types of houses should reflect the scale of the proposed dwelling, whilst achieving the recommended density provisions. As such, Swan Hill recommends that the Council removes references to the provision of garden areas for new residential developments, and seek to examine each application individually, having regard to the general character of the area.</p>

In reference to flatted developments, in general terms, purpose built flats do not generally provide private garden space for ground floor flats, merely a ground floor patio area or a ground floor balcony. The provision of 25 m² per flat is considered acceptable, but this should not form an obstacle to residential development. Each development proposal should be considered on its own merits, having regard to its location and proximity to other publicly accessible areas of open space.

In this regard, Swan Hill considers Policy HD1 should be rewritten excluding garden area sizes, stating merely that new housing development should provide areas of private outdoor space that reflect the character and scale of the proposed development and surrounding areas.

Flats should seek to provide, in appropriate locations, balconies of a useable size, and a provision of approximately 25 m² (per flat) for communal use. The Local Planning Authority will also have regard to the proximity of existing areas of open space, which could also be utilised by the potential occupiers.

Section 4.0 – Landscaping

In regard to Policy HD2, Swan Hill considers Part iii (b) be amended as follows:

‘...must be given to the mature size of ~~the~~ **any** tree **planted** and its effect upon daylighting and underground services.’

In reference to Part iii (e), Swan Hill considers it is unnecessary to set out the statutory duty of the Local Planning Authority to serve Tree Preservation Orders. Swan Hill recommends that this paragraph be re-worded to state that existing healthy trees and new trees planted as part of a residential proposal will be protected through the provision of Conditions in planning consents.

Section 5.0 – Infill Development

Swan Hill is of the opinion that Policy HD3, with the provisions of site frontages is inflexible and should be assessed on a site-by-site basis, with all planning applications assessed on their individual merits. As such, Swan Hill recommends that the statement be re-worded as such:

~~‘**New** Site frontages shall ordinarily be a minimum of 9.25 metres for detached properties or 15.25 metres for semi-detached pairs of properties or be of such frontages and form compatible with~~ **should have regard to and enhance the** existing form and character of the area within which they are to be sited...’

Section 6.0 – Extensions to Existing Housing

Whilst Swan Hill generally supports in principle the context of Policy HD4, there is some concern regarding the inflexibility of Part (c). Swan Hill considers it should be re-worded to exclude the minimum width of rear extensions of 3.05 metres, and should state:

‘Single-storey rear extensions (including conservatories) to semi-detached and terraced properties **should not detrimentally impact on**

neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing shall not exceed 3.05 metres from the original rear wall of the dwelling.’

Section 7.0 – Separation of Dwellings

Swan Hill generally supports the need to provide appropriate separation distances between new and existing residential developments. However, Swan Hill recommends that the Council should seek to set out that new developments should be assessed on a site-by-site basis with each application being considered on its own merits. As such, separation distances for new developments should seek to reflect and enhance the character and appearance of the existing neighbourhood, as already set out in Policy HD5.

Section 8.0 – Rooms in the Roof/Dormer Windows

Whilst it is important to have regard to the provision of dormer windows, as in many instances, they can be detrimental to the character and appearance of existing buildings. However, Swan Hill considers that it would be sufficient to state that Policy HD6 seeks to ensure that where applications include the provision of dormer windows, that these should be assessed on their own merits, such as impact on the existing dwelling, and that the dormer window be subservient to the original dwelling.

Section 9.0 - Balconies

Swan Hill has concerns regarding the relevance of Policy HD7 and that it should not form part of supplementary planning guidance. However, Swan Hill considers that the statement could be amended as such:

‘In order to safeguard neighbouring **amenity** ~~earthen~~ from a loss of privacy and increased level of noise, the Local Planning Authority will, in appropriate cases, impose suitable conditions in any planning permission for new dwellings and extensions to existing properties, restricting or prohibiting as the case may be, the provision of balconies, **where justifiable in planning terms.**’

Section 12.0 – Additional Design Policies primarily relating to Estate Development

Swan Hill considers it is inappropriate that Policy HD8 sets out that surfacing finishes are a material consideration for planning applications. The working of this bullet point should be incorporated into relevant Decision Notices as a Condition of planning consent, where appropriate, and should therefore be deleted from Policy HD8.

With regard to the use of Mews Courted development proposals, if the Council are seeking to include provision of an adopted road type, it should be set out in the SPD. Furthermore, it is unnecessary for the Council to attempt to dictate the type of road layout within residential developments, and each development should be considered by the Council on its own merits.

Swan Hill recommends that if the Council seeks to rely on the provisions of the Essex Design Guide in this matter, it should not seek to include further policy guidance contrary to the provisions of the Adopted

standard.

Section 13.0 – Children’s Play Space

Whilst Swan Hill generally support the requirement to provide publicly accessible play space in new residential development. However, it considers that the District Council should set out in Policy HD9 a threshold for which new residential developments will be required to provide children’s play space, either through on-site provision or through planning contributions. It is acknowledged that the Adopted Local Plan states that the Plan area has adequate provision for younger children; however, the District Council should undertake an up-to-date Open Space Assessment, which would then provide an existing up-to-date provision, from which a threshold for young people and children’s play space could be calculated.

Section 14.0 – Backland Development: Access

Swan Hill generally supports the context of Policy HD10, under Part (c), the word ‘detrimentally’ should be inserted between the words ‘...existing dwellings and would **detrimentally** affect the visual and residential amenity of those dwellings...’

With regard to 14.3 – Tandem Relationship, Swan Hill considers that the District Council should seek to apply separation distances between properties, rather than rely on the provision of garden areas. This could overcome potential overlooking and privacy problems, whilst being more flexible to meet PPG3 density requirements.

Section 15.0 – Sub-division of Single Dwelling Houses within Residential Areas

With regard to paragraph 15.5 (Overlooking and Privacy), Swan Hill considers the second sentence should be re-worded as follows:

‘In this respect, the location of living rooms on any upper floor **should seek to minimise** ~~must not directly overlooking of~~ the private garden areas of adjoining properties’.

The existing sentence fails to allow for a degree of flexibility in the design of residential conversions, and whilst developers should seek to minimise overlooking, in many instances of town centre residential conversions, this is not entirely possible in a scheme which would otherwise be acceptable. Therefore, a degree of flexibility should be included within the consideration of such planning applications.

Section 18.0 – Purpose Built Flats

Swan Hill generally supports the approach taken by the District Council, although, as highlighted above, paragraph 18.3 (Overlooking) should be re-worded to allow for a degree of flexibility. In all flatted developments, there will be a degree of overlooking, and paragraph 18.3 should be re-worded to reflect this, as follows:

‘No scheme should give rise to **unacceptable** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors’.

OFFICER'S COMMENTS**Section 3 – Minimum Garden Areas**

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.

Section 4 – Landscape

Part iii. (b) of Policy HD2 sets out the factors which must be taken into account when deciding upon the location of a tree. No changes to this section are considered necessary. The SPD is intended to provide detailed guidance and the inclusion of a reference to Tree Preservation Orders improves the completeness of the document.

Section 5 – Infill Development

The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. Policy HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited.

Section 6 – Extensions to Existing Housing

A more flexible approach to extension size would allow for applications to be assessed on their likely impacts on neighbouring properties. It is recommended that this change be made.

Section 7 – Separation of Dwellings

The requirements for separation are important in ensuring the maintenance of the appearance and character of residential areas, and a good overall appearance of new estates. The statement indicates that in all cases building separation will be required to be compatible with the location of the residential development and the character of the existing neighbourhood.

Section 8 – Rooms in the Roof/Dormer Windows

As the SPD is intended to provide detailed guidance it is considered appropriate for the design details of dormer windows to be included within this statement.

Section 9 – Balconies

As the role of SPD is to provide detailed design guidance it is considered appropriate for details of likely planning conditions to be included.

Section 12 – Additional Design Policies primarily relating to Estate Development

As the SPD intends to set out detailed design guidance information the consideration of surface finishes and access treatments is considered helpful.

The Mews Court road type is set out in the Essex Design Guide on the pages referenced in this statement. It accepted in the statement that the character of neighbourhoods may justify a density and type of development where alternatives can be considered.

Section 13 – Children’s Play Space

Comments noted. Policy HD9 allows for the need for the provision of children’s play space to be assessed on a case by case basis.

Section 14 – Backland Development: Access

Comments noted. The insertion of ‘detrimentally’ would add clarity to the statement.

Section 15 – Sub-division of Single Dwelling Houses within Residential Areas

Section 15.5 allows for some degree of flexibility given that it states proposals must not result in *unreasonable* loss of privacy to adjoining properties. The location of living rooms on upper floors that directly overlook private garden areas would result in overlooking and loss of privacy and as such would be considered unacceptable.

Section 18.0 – Purpose Built Flats

The addition of the word ‘unacceptable’ in section 18.3 would allow for an appropriate degree of flexibility in the statement.

RECOMMENDATION

That Policy HD4 (c) is amended to state: Single-storey rear extensions (including conservatories) to semi-detached and terraced properties ***should not detrimentally impact on neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing.***

That the word ‘detrimentally’ is added to Policy HD10 (c) to state:

‘...existing dwellings and would ***detrimentally*** affect the visual and residential amenity of those dwellings...’

That the word ‘unacceptable’ be added to section 18.3 to state:

‘No scheme should give rise to ***unacceptable*** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors.’

RESPONDENT	COMMENTS
<p>Christopher Wickham Associates on behalf of Inner London Developments (Stambridge) Ltd.</p>	<p>Policy HD1</p> <p>The minimum garden area requirements set out in Standard HD1 are considered to be excessive and inflexible. They do not reflect to the flexibility sought by Planning Policy Guidance Note 3.</p> <p>For houses, the circumstances in which a private zone garden area of less than 100 square metres may be acceptable should be revised. Specifically, criterion (ii) should also include dwellings which are located in close proximity to publicly accessible open countryside. In relation to criteria (iii), a target figure of 25 square metres is considered to be more appropriate for one and two bedroom dwellings. It is considered that small dwellings of this kind are generally occupied by households which do not include children, and the target figure should therefore be lower than that for three bedroom terraced houses for which criterion (iv) seeks a minimum area of 50 square metres.</p> <p>For flats, the general format of the policy which offers an alternative between the approach set in a) and that set in b) is supported. A minimum balcony size of 5 square metres is also considered to be reasonable. However, the requirement for a 50 square metre minimum patio garden for ground floor units is considered to be excessive, and could unduly constrain the design and layout of schemes including the inter-relationship between private and communal areas. An overall target figure of 25 square metres is considered to be reasonable in the context of flatted development.</p> <p>It is considered that Policy HD1 should make it clear that the amenity area target figures will be applied flexibly having regard to a site's context and constraints.</p>
<p>OFFICER'S COMMENTS</p> <p>The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made allowing for flexibility based upon site specific circumstances. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD3 PLAYING PITCH STRATEGY

RESPONDENT	COMMENTS
Home Builders Federation	<p data-bbox="456 264 600 297"><u>Policy PP8</u></p> <p data-bbox="456 331 1401 533">Whilst developers might reasonably be expected to contribute towards improved pitch drainage where new developments will put pressure on existing facilities, any sums sought should be in direct proportion to the developments in question. Developers should not be expected to pay to rectify existing deficiencies in order to primarily benefit the existing wider population.</p> <p data-bbox="456 566 600 600"><u>Policy PP9</u></p> <p data-bbox="456 633 1406 734">The statement is in clear breach of national planning guidance as set out in Circular 5/05. It seeks financial contributions regardless of existing levels of facilities or provision.</p> <p data-bbox="456 768 1401 969">This policy applies to all developments that result in a net gain of dwellings. Thus it applies even to single dwelling developments. Whilst it is acknowledged that there may be a marginal cumulative impact on existing facilities through a number of small developments it is also the case that the individual impact on existing facilities from single dwelling developments is negligible.</p> <p data-bbox="456 1003 1410 1507">Circular 5/05 states that development should only be required to make provision for those facilities that are necessary as a direct result of new development and which fairly and reasonably relate in scale and kind to the development proposed. Given the negligible impact from very small developments it has to be questionable whether a requirement for recreation provision from all developments does meet this requirement of 5/05. Clearly in the case of very small developments the vast majority of the overall open space requirement, apart from perhaps amenity open space, would be expected to be provided off-site or via contributions in lieu of direct provision. In order for such contributions to comply with 5/05 there has to be some reasonable prospect of the money being spent within a reasonable period for the purpose for which the contribution was sought and within a reasonable proximity of the development from which it was sought. Again, for very small developments this is going to be very difficult to achieve.</p> <p data-bbox="456 1541 1410 1877">It will also require a great deal of resources and effort to implement and administer such a scheme effectively and within the confines of the requirements of 5/05 i.e. each contribution should be directly accountable and traceable. All of these factors suggest that applying the requirement to all development is not a satisfactory way forward, regardless of the nature of existing open space provision in the District. Instead it should only be applied to developments over a certain threshold of 10 dwellings at the very least in order that these practical difficulties can be overcome. There does not appear to be any Adopted Local Plan policy that justifies the statement in the SPD.</p> <p data-bbox="456 1910 1406 1977">Furthermore, it is noted that the Council's Assessment of Playing Pitches is now over 4 years old, and can no longer be considered up to date.</p>

OFFICER'S COMMENTS

Policy PP8 – The addition of a sentence stating that contributions required will be in direct proportion to the developments in question would help clarify that contributions will be required to improve pitches when new development would result in increased demand.

Policy PP9 – It would be appropriate for Policy PP9 to be amended to include a reference to the generation of playing pitch demand. This would clarify that contributions will be sort where a development scheme will result in addition playing pitch demand and would be used to provide additional facilities or improve existing ones.

RECOMMENDATION

That the following sentence is added to the end of Policy PP8:

‘Contributions will be required where new developments will put pressure on existing facilities and any sums sought should be in direct proportion to the developments in question.’

That the start of Policy PP9 is amended to state:

‘**Where a development scheme will result in additional playing pitch demand**, the LPA will require contributions.....’

RESPONDENT	COMMENTS
<p>Savills Commercial Ltd on behalf of Southend United Football Club</p>	<p>The SPD 3 Playing Pitch Strategy has not been prepared in accordance with the LDF principles. The new planning system advocated by the Planning & Compulsory Purchase Act 2004, requires SPD's to be simple, concise and easy to use, supported by the RSS and other national policy guidance. The SPD should be redrafted to remove the research documentary evidence and make reference to this document as the evidence base for the LDF and SPDs. The SPD is therefore unwieldy and difficult to use. The SPD should be re-organised to contain just the Policies PP1 – PP9 and the supporting text.</p> <p>Policy PP6 refers that sports pitches may be considered an appropriate land use within the Green Belt and sets out maximum support facilities associated with each type of sports pitch. The Statement does not envisage the type of sports proposals currently the subject of a planning application by Southend United Football Club (SUFC) on land designated as Green Belt at Smithers Farm, which will bring with them substantial benefits for both SEBC and RDC. Equally, the Statement refers that parking areas will not be supported in relation to such uses. It is however, unrealistic to provide new sporting facilities without the required infrastructure such as parking and sports halls as inadequate provision of related facilities can cause negative impacts on surrounding residents. PP6 must therefore recognise that adequate infrastructure may be an associated requirement for new sports facilities and consider the preparation of a very special circumstances policy related to need, sequentially available sites and associated community benefits.</p> <p>A new Statement should be drafted to support the provision of</p>

playing pitches associated with SUFC's new Stadium adjacent to Fossetts Farm at Smithers Farm, as playing fields are acceptable development within the Green Belt. The Statement could identify the criteria for addressing PPG2 very special circumstances related to the proposed new SUFC Stadium, the need for related playing pitches and ATP and proven need for additional car parking associated with the Stadium development. The need for the playing fields arises directly from the new Stadium, the sequential assessment of alternative sites, the safeguarding of the Fossetts Farm land for a Stadium as assessed by a Local Plan Inspector and need for training grounds close to the Stadium which can be served by public transport.

OFFICER'S COMMENTS

The SPD's evidence base is included as an Annex.

PP6 has been drafted having regard to PPG2 and Policy R1 of the recently adopted Rochford District Replacement Local Plan.

PPG2 states that essential facilities for outdoor sport and recreation are not inappropriate development in the Green Belt. PPG2 expands on this in paragraph 3.5 which states:

"Essential facilities....should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation."

Policy R1 of the Rochford District Replacement Local Plan lists the types of development which may be appropriate in the Green Belt. This includes:

"Essential small-scale facilities for outdoor sport and outdoor recreation in accordance with PPG2".

The amendments which this representation proposes would be contrary to national policy on the Green Belt and to the Council's Replacement Local Plan Policy R1, which has recently been tested and found to sound during the Local Plan inquiry.

The standards outlined in PP6 are taken from Sport England guidelines and represent a balance between the need to preserve the openness of the Green Belt and the need to provide for recreational activities.

RECOMMENDATION

That no changes are made to the SPD with respect to this representation.

RESPONDENT	COMMENTS
<p>Sport England</p>	<p>Sport England supports the general principle of producing a Supplementary Planning Document to cover playing pitch provision within the District.</p> <p>However, we believe the approach taken is flawed for the following main reason:</p> <ul style="list-style-type: none"> • The principal evidence base used is a playing pitch assessment carried out in 2002 and adopted in October 2002, and is therefore four years old. Sport England would normally recommend that a playing pitch strategy/assessment is updated every three years and would therefore argue that a four year old assessment does not constitute a credible or robust evidence base on which to prepare an SPD. <p>We also have concerns relating to the detail of the SPD with regard to the following areas:</p> <ul style="list-style-type: none"> • We would question the need to have separate Policy Statements relating to recommended pitch sizes for the individual pitch sports. We would recommend a single policy statement suggesting that pitch provision should meet minimum standards for sizes and layouts in accordance with details contained within Appendix... • Policy PP7- we support the need for new facilities to be accessible by public transport, but would suggest that such a policy should be contained within a general Development Control policy document or the Core Strategy, with the SPD concentrating on establishing a framework for securing contributions towards new on-site and off-site provision. • Policy PP8- the wording of this statement is rather vague and gives little indication to developers regarding which developments will be expected to contribute towards off-site drainage improvements, or how such a contribution would be calculated. • Policy PP9 –this seeks contributions towards playing pitch provision but does not specify a formula for calculating contributions per dwelling. It also fails to require contributions for future maintenance and management for either on-site or off-site provision. • Para 3.5 –Sport England supports the principle of securing community use of new pitches via a legal agreement. Sport England can supply templates for such agreements which should assist the local authority in their preparation. These are available under the ‘Planning Contributions’ section of the Sport England website: www.sportengland.org • The SPD should specify which facilities are to be covered by the document. Does it cover just pitches, or also facilities such as tennis courts, bowling greens and athletics tracks? Sport England advocates that any SPD should also seek to secure contributions towards built community sports facilities such as swimming pools and sports halls and we have developed the ‘Sports Facility Calculator’ to help assess the level of contribution required. This is available on the website: www.sportengland.org • The SPD should make clear the threshold to be adopted for requiring contributions towards sports pitches. Eg, Mid Devon DC have adopted a contributions policy based on a one dwelling threshold. • The SPD should give guidance on where the usual cut off point

	<p>will be for providing on-site provision as opposed to contributing towards off-site facilities.</p> <p>Sport England has published more detailed advice on securing contributions via an SPD relating to Sport and Recreation. This advice can be downloaded from the Sport England website.</p> <p>In summary therefore Sport England supports the principle of preparing an SPD relating to Sport and Recreation but are of the opinion that the current approach is flawed due to the out of date evidence base being used, whilst there is also insufficient detail relating to the methodology to be used to calculate and secure contributions for on-site and off-site facilities.</p>
<p>OFFICER'S COMMENTS</p> <p>There has been little extensive development within the district since the time of the 2002 study. Therefore the assessment still provides a useful study of playing pitch provision within the district and a further review has not been carried out at this stage.</p> <p>It was judged that having individual policy statements provided a greater level of detail and made the document more usable than if this information was located within an appendix.</p> <p>The SPD was intended to provide detailed guidance on all issues relating to Playing Pitches. As playing pitches are a use that may often be located outside of existing development it was judged that ensuring sustainable access was particularly important.</p> <p>The comments relating to Policy PP9 and paragraph 3.5 are noted. It is suggested that a sentence is added to Policy PP9 stating that where contributions towards playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required in the case of both on-site and off-site provision.</p> <p>The SPD allows for a flexible approach by stating that the level of contribution required will be dependant on the level of additional playing pitch demand generated, together with the current costs of providing such playing pitches at the time of application.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that a sentence is added to the end of Policy PP9 stating:</p> <p>'Where contributions towards on-site or off-site playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required.'</p>	

SPD4 SHOP FRONTS – SECURITY AND DESIGN

RESPONDENT	COMMENTS
Rayleigh Civic Society	We fully support section 4, History. Paragraph 2.8 is particularly poignant we only hope designers will read this section and act upon it! We fully support all other sections in this SPD4.
OFFICER'S COMMENTS Comments noted.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	

SPD5 VEHICLE PARKING STANDARDS

RESPONDENT	COMMENTS
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 11 Food Retail Parking Standards</p> <p>Wm. Morrison Supermarkets plc consider that the base maximum standard for car parking associated with new food retail developments over 2,500 sq.m. should reflect recent Government guidance set out in PPG13.</p> <p>Whilst PPG13 sets out at Annex D the maximum car parking standards (for food retail of 1,000 sq.m. gross floorspace and above the standard is one space per 14 sq.m.), para. 56 of the PPG notes that a balance has to be struck between encouraging new investment in town centres by providing adequate levels of parking, and potentially increasing traffic congestion caused by too many cars. It is noted that where retail and leisure developments are located in a town centre, or on a 'edge-of-centre' site as defined by PPS6, Local Planning Authorities should consider allowing parking additional to the relevant maximum standards provided the Local Authority is satisfied that the parking facilities will genuinely serve the town centre as a whole and that agreement to this has been secured before planning permission has been granted.</p> <p>Wm Morrison Supermarket plc support the broad approach set out within PPS6 of directing new retail development to town centres in the first instance, in order to sustain and enhance their vitality and viability. The Company consider, however, that this approach will work in practice only if these centres can be developed in a manner which allows that development to be truly competitive with existing retail provision. Very often this would involve being competitive with existing foodstores which have larger car parks.</p> <p>Most existing foodstores are constructed with large car parks, so as to be attractive to car-borne shoppers. This means that in circumstances where a new store is to be proposed or development it must be sufficient scale, and must be sufficiently attractive to the bulk-food shopping public in order to be competitive.</p> <p>The way in which people shop determines which a store should be made competitive. A number of fundamental shopping habits underlie this:</p> <ol style="list-style-type: none"> a) the weekly bulk food shopping trip has become the norm. Its availability is expected by the shopping public. As the shopping trip is done in bulk, this can only be realistically undertaken by car. The volume of shopping is otherwise incapable of being transported in bulk. b) The only alternative is to make many more trips by other modes, on each occasion carrying less shopping. To expect people to shop in this fashion is both unrealistic and probably undeliverable given the work pattern of people in modern society. c) This situation is very different from that of the journey to work, where a modal shift typically involves the daily journey being made by bus or train instead of the car. A modal shift for shopping is likely to involve a single weekly car trip being replaced by three of four bus trips.

	<p>In broad terms, therefore, to fulfil the objectives of PPS6, it is necessary for town centre retailing to be competitive. To achieve this it must provide sufficient car parking to make the store as attractive as other existing stores in the area, and to ensure that foodstore facilities operate efficiently without adverse effects on the highway network.</p> <p>Car parks associated with food retail developments in or on the edge of town centres can also provide short term car parking facilities for shoppers and visitors to the centre which can serve the centre as a whole. The provision of such spaces could enhance the vitality and viability of town centres.</p>
<p>OFFICER'S COMMENTS The common use of the car for bulk shopping trips is taken into account in Policy PS4. The statement allows, where necessary, for a higher level of parking provision than would otherwise be permitted for retail developments. It states that an absolute maximum standard of 1 space per 14m² may be applied to food retail developments in accordance with PPG13 Annex D. Policy PS1 deals with the application of the parking standards and notes that there are locations where the guidelines may need to be varied.</p>	
<p>RECOMMENDATION That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 20 Cycle Parking Standards</p> <p>Wm. Morrison Supermarkets consider cycle standards should not be set unnecessarily high levels, as they will result in the provision of spaces far in excess of the likely demand associated with food superstore development. This is likely to result in the inefficient use of land.</p> <p>Our client considers that the base minimum standards for long and short-term cycle parking associated with new food retails developments over 2,500 sq.m. should be:</p> <p>One short-term space per 500 sq.m. GFA plus One long-term space per 20 maximum staff on site at any one time.</p> <p>It is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their good when undertaking such trips.</p>

OFFICER'S COMMENTS	
<p>Whilst it is acknowledged that car is commonly used for bulk shopping trips to food retail developments, it is also necessary to consider those who do not have access to a car and those who make more frequent smaller shopping trips. Food retail developments are not only used for bulk shopping trips but also provide an important amenity for local people who often make frequent and smaller shopping trips that could easily be undertaken by sustainable transport. It is also important that provision is made for users of sustainable transport who choose to cycle to and from work or other locations who may wish to combine such trips with visits to local amenities such as food stores. The provision of dedicated cycle parking located close to the store entrance is an important method of encouraging the use of sustainable transport.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Peacock and Smith on behalf of WM Morrison Supermarkets Plc	<p>Paragraph 22 Motorcycle Parking Standards</p> <p>With reference to the provision for motorcycle parking it is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their goods when undertaking such trips. It is suggested that the proposed car parking bays or appropriately designed cycle stands could accommodate the limited amount of demand for motorcycle parking that may arise.</p>
OFFICER'S COMMENTS	
<p>The use of powered two-wheeled vehicles (PTW) for regular short journeys creates significant benefits such as reduced congestion and land-use for parking. As such minimum standards have been used to reflect the advantages PTWs have over the car. As has been stated with respect to cycle parking provision it is important to consider those who do not have access to a private car, or those who wish to combine travelling to work with visits to local amenities such as food stores. Food retail developments also provide an important amenity for local people who often make frequent and smaller shopping trips. These trips can often be undertaken by more sustainable forms of transport such as PTWs. The provision of dedicated motorcycle/moped parking located close to the store entrance is an important method of encouraging the use of these methods of transport and represents a more efficient use of land than if such users were required to park in standard car parking bays.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy PS12</u></p> <p>The HBF considers it highly important that the Council implements maximum parking standards in a flexible way, taking full account of local circumstances. Indeed, such a localised approach (rather than rigid blanket restrictions) is now being advocated by national government. It must be recognised that not all urban areas are the same, or enjoy the same levels of facilities and services.</p>

OFFICER'S COMMENTS	
It is recognised that different areas have varying levels of access to facilities and public transport services. For this reason Policy PS12 recognises that standards may need to be varied for different areas. Policy PS1 covers the application of parking standards and accepts that there are locations where the guidelines may need to be varied.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	<p>Although I have congratulated your involvement of a separate Sheltered Housing development design, I am a little disappointed to see it is overlooked in this SPD. In respect of Sheltered Housing, the Residential Care Home policy will have to assist in making a plausible judgement on provision of parking.</p> <p>In this case, there is an indication of 1 space per staff member and 1 space per 3 daily visitors. From looking at previous McCarthy and Stone developments and other Council's Parking Policies, it is likely that this figure could be changed to 1:4, making the proposed development sites more sustainable. There is also no indication of proposed parking provisions for residents. I do feel that there needs to be an additional policy designed around Sheltered Housing developments as found in the Design SPD.</p>
OFFICER'S COMMENTS	
Policy PS11 sets out the Parking Standards for Residential Institutions. For residential care homes there is a maximum standard of 1 space per resident member of staff, and 1 space per 3 bed spaces / dwelling units. Any parking for residents would need to be provided within this figure.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Highways Agency	<p>Policy PS1</p> <p>Whilst we appreciate that in rural areas the use of the car is sometimes the only realistic means of transport, we would encourage the Council to, where possible, explore the provision of enhanced public transport provision as an alternative to the provision of greater levels of parking. Contributions to increased or enhanced public transport provision can not only reduce the amount of parking required for a particular development, but also have benefits to the larger community and lead to a reduction in overall car use.</p>

OFFICER'S COMMENTS	
Replacement Local Plan Policy HP5 (Infrastructure) allows the LPA to explore all means at their disposal, including planning gain contributions, to secure transportation infrastructure (particularly for buses and cycling).	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	<p>Can I request a minor change which we have agreed Corporately to bring Highways policy in line with Schools Service practice:-</p> <p>Page 15 Policy PS13 - Maximum Parking Standards for class D1: Schools ... Please re-word second sentence to read- '<i>Consideration also to be given to public / school transport waiting facilities if appropriate</i>'.</p> <p>I also noticed on page 30 (TABLE 3 - SUMMARY OF CAR PARKING STANDARDS POLICY PS24) that Schools appear twice with a different standard. I think again this may have been an error on the original ECC document and that the second reference should relate to Colleges.</p>
OFFICER'S COMMENTS	
The change to Policy PS13 would add greater clarity on highway safety issues to the document.	
The second reference to Schools in the Summary table is indeed an error. This should refer to Further and Higher Education.	
RECOMMENDATION	
<ul style="list-style-type: none"> That under Policy PS13 the Schools standard is amended so the second sentence reads: '<i>Consideration also to be given to public / school transport waiting facilities if appropriate.</i>' That the summary table on page 30 is amended so that the second reference to schools refers to Colleges (Further and Higher Education). 	
RESPONDENT	COMMENTS
Government Office for the East of England	<p>Conflict with National and Replacement Local Plan Policy</p> <p>Paragraph 2.43(i) in PPS12 – <i>Local Development Frameworks</i> indicates that SPDs must be consistent with, amongst other matters, national planning policies.</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy. This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). The draft SPD indicates the relevant policies as being TP1, TP5, TP6, TP8 and TP9 in the Rochford District Replacement Local Plan adopted in June 2006.</p> <p>PPS12 also indicates that whilst SPDs contain policies which expand or</p>

supplement those policies, those SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (paragraph 2.44).

At paragraph 52 of PPG13 - *Transport* it is indicated that there 'should be no minimum standards for development, other than parking for disabled people'. Policy TP8, which includes the standards applicable by the Use Class and which are repeated in the draft SPD are expressed as maximums in line with national policy. However, at paragraph 11.2 of the draft SPD it is indicated 'a minimum standard will be applied for residential developments in rural or suburban areas due to the poor public transport provision in these areas'. This is repeated in Policy PS12.

The inclusion of minimum standards for dwellings in rural or suburban locations is inconsistent with national policy and in direct conflict with Policy TP8 in the Rochford District Replacement Local Plan. As such, the SPD should be amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential) and reinstate the standards as maximums in line with national policy and the Replacement Local Plan.

Requirements for Transport Assessments

In a number of the statements relating to car parking standards, it is indicated that for certain sizes of developments a Transport Assessment (TA) is required eg. Policies PS7, PS8, and PS9. The Rochford District Replacement Local Plan includes no policy provisions relating to requirements for TAs.

Whilst we do not object to identifying which developments will require a TA, the current wording is highly prescriptive and inflexible, setting thresholds over which TAs will be required relative to certain uses. The authority, in indicating the thresholds at which TAs are required should satisfy itself that there is robust and credible evidence for the thresholds identified.

We also request that consideration is given to using alternative wording to allow flexibility in requiring TAs reflecting, for instance, particular locations of development eg. Where development is proposed on an allocated site or an area designated for particular uses and where the principle of the use and scale of development has already been established. Further clarifying information could be included relating to the requirement for a TA relative to the particular issues that need to be addressed in the TA e.g. a TA would be required where there was a need to establish acceptability of the use and scale of development relative to network capacity etc.

OFFICER'S COMMENTS

The minimum standards used in Policy PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

Comments regarding transport assessment are noted. Policy TP8 of the Replacement Local Plan states that the requirements associated for vehicle parking are shown more fully in the Supplementary Planning Documents.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Policy PS12 – Vehicle Parking Standards: Use Class C3 (Residential)</p> <p>With regard to Policy PS12, whilst Swan Hill generally supports the approach taken by the District Council towards setting residential parking standards, in that the Council has recognised that in the suburban areas, even with some access to public transport, the majority of residents will rely on the use of private cars. However, Swan Hill has concerns over the failure of the District Council to comply with the provisions of PPG13: Transport (2001) which sets out that Local Planning Authorities should not set minimum standards for car parking.</p> <p>Further, it has become common practice for Local Planning Authorities to set out car parking standards for residential development based on accessibility assessments of their administrative area. This would set out levels of services and facilities within the District's settlement, and the proximity of areas to public transport and cycling corridors. This would help to specifically identify those areas of high, medium and low accessibility, through which levels of car parking provision for new and extended residential developments could be assessed.</p> <p>As such, Swan Hill recommends that such an accessibility assessment be undertaken, through which car parking standards could then be developed for residential developments.</p>

OFFICER'S COMMENTS

Comments noted. The minimum standards used in Policy PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

SPD6 DESIGN GUIDELINES FOR CONSERVATION AREAS

RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Policy CA1</u></p> <p>Again, the HBF considers that the Council needs to be flexible in its approach. Whilst it may be the case that 2 storey buildings currently predominate, good quality higher storey buildings may well be capable of being blended into their neighbouring environment.</p>
<p>OFFICER'S COMMENTS</p> <p>As this SPD deals with Conservation areas it is especially important that buildings are in keeping with the existing character of the area. Paragraph 3.2 accepts that whilst in areas of uniform building height it would not be appropriate to introduce variations in building height, in some other locations irregular building height might be accepted.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 6: Design guidelines for Conservation Areas</p> <p>The conservation areas within Rochford largely represent the cores of historic settlements. They therefore contain a range of sensitive below ground archaeological deposits which are a finite and non-renewable resource.</p> <p>Within the Introduction in paragraph 1.2 it is recommended that a sentence be added to reflect this. The following wording is recommended:</p> <p><i>Careful consideration needs to be given to below ground archaeological deposits.</i></p> <p>SPD 6: Design guidelines for Conservation Areas : Sustainability Appraisal Report</p> <p>Historic environment issues are not well integrated nor as fully considered as they need to be. The conservation areas within Rochford largely represent the cores of historic settlements. In particular the effects of development on below ground archaeological deposits, which are a finite and non-renewable resource, must be carefully managed if development is to be truly sustainable. Architects and designers will often be more aware and able to immediately appreciate the more obvious above ground elements of the historic environment, therefore it will be necessary to specifically highlight potential impacts on below ground remains.</p> <p>Page 41 : This section would benefit from the inclusion of a reference to the Rochford Historic Environment characterisation assessment and the historic town and settlement assessments that have been commissioned by Rochford District. It is also recommended that there should be additional maps included showing which towns and villages have been assessed as well as a copy of the overall Historic Environment Characterisation map.</p>

<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 1.2 to include consideration of archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>That the following sentence is added to paragraph 1.2:</p> <p>Careful consideration needs to be given to below ground archaeological deposits.</p>	
RESPONDENT	COMMENTS
<p>Rayleigh Civic Society</p>	<p>Policy CA1</p> <p>Whilst we fully support CA1 we would like to see the paragraphs under SCALE made more forceful.</p> <p>Policy CA12 - Conservatories</p> <p>We fully support this statement. Unfortunately there are many instances in the district where <u>very large</u> conservatories have been allowed which dwarf the parent building and are totally out of keeping not only with the parent home but also houses adjacent in the road or around.</p>
<p>OFFICER'S COMMENTS</p> <p>Comments noted. The purpose of the SPD is to provide detailed design guidance. It is considered that Policy CA1 provides sufficient requirements for new buildings to be in keeping with the character of existing areas.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD7 DESIGN LANDSCAPING AND ACCESS STATEMENTS

RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>Policy DLA3</p> <p>Within the bullet points in Policy DL3A, on page 5, an assessment of the historic environment constraints and opportunities should be included either in the second or third bullet point.</p> <p>SPD 7 Landscaping and access statements: Sustainability Appraisal Report</p> <p>Page 53 : This section would benefit from the inclusion of information on the Historic Environment characterisation assessment. It is recommended that there should be an additional map showing the overall Historic Environment Characterisation mapping.</p> <p>Within the table on page 62 PPG 16 Archaeology and Planning should be included as guidance for the archaeological heritage.</p> <p>Annex 1: Page 113 : PPG 16: Second column. The wording in the second column is incorrect and should be changed. The second column is recommended to read: <i>Useful source for baseline data, Historic Environment Record held at Essex County Council. Also add a target of Loss or damage to nationally and regionally important historic sites and features. Maintenance or enhancement of historic environment character as expressed in the Rochford Historic Environment Characterisation Project.</i></p> <p>The Third column should read: <i>Early consultation and careful consideration will be need to ensure preservation and/or mitigation of adverse impacts on historic environment assets</i></p>
<p>OFFICER'S COMMENTS</p> <p>The inclusion of a reference to historic environment constraints and opportunities would help ensure they are considered at an early stage within design statements.</p> <p>The comments relating to the Sustainability Appraisal Report are noted. The Rochford Historic Environment characterisation assessment forms part of the Local Development Framework evidence base which is considered in the production and sustainability appraisal of LDF documents.</p>	
<p>RECOMMENDATION</p> <p>That Policy DLA3 is amended so that the second bullet point reads:</p> <ul style="list-style-type: none"> • An explanation of the constraints and opportunities the site has in terms of its design, eg. Features worthy of retention or protection, <i>an assessment of historic environment constraints and opportunities, any</i> features which are detrimental and need to be addressed; and 	
RESPONDENT	COMMENTS
Charles Planning Associates Ltd.	<p>Swan Hill has several serious concerns regarding this SPD, particularly that whilst the District Council have had regard to the provisions of Commission for Architecture and the Built Environment (CABE) advice on the preparation</p>

<p>on behalf of Swan Hill Homes Ltd.</p>	<p>of Design and Access Statements, they appear to have failed to have regard to the provisions of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).</p> <p>The GDPO sets out clear statutory guidelines on what planning applications require the submission of Design and Access Statements, and Swan Hill considers it is important that this is highlighted in the SPD.</p> <p>Further, Swan Hill supports, in principle the context of this SPD, but have serious concerns that the District Council has overcomplicated the matter regarding the submission of such supporting documents. It is clear in the GDPO and the CABE guidance that only those applications specified need submit a Design and Access Statement, within which provision is made for the inclusion of landscaping information on the development proposal.</p> <p>Swan Hill recognises the importance of landscaping schemes for medium to large planning applications, however, under the provisions of the GDPO all the necessary information for landscaping can be incorporated into the all-in-one Design and Access Statement. With regard to the provisions of Policy DLA1, Swan Hill understands the constraints of development in the countryside in Rochford District, and considers it is important to highlight sensitive areas in this SPD. However, sensitive landscaping designations would be highlighted within a Design and Access Statement, for which, in most cases (as specified in the GDPO), new development proposals will be required to submit a Design and Access Statement. Furthermore, Swan Hill considers 'Residential Areas' should be removed from the list within Policy DLA1.</p> <p>With regard the Access Statements outlined in Section 5.0, it is important to highlight that this should form part of the whole Design and Access Statement, and is therefore subject to the advice in the GDPO, and is not required for all planning application submissions. Swan Hill recognises the importance of providing access for disabled people in new developments, and all their developments conform to the requirements of Building Regulations 2000. However, the GDPO clearly sets out that access for disabled people only forms part of the access consideration in Design and Access Statements, and should be included in such Statements, in addition to the other requirements of the GDPO.</p> <p>In summary, Swan Hill considers that the District Council should revisit this SPD, and set out the requirements of Design and Access Statements in accordance with the requirements of the GDPO and the CABE guidance. Swan Hill acknowledges the overall content of this SPD is correct, however, the Document appears confusing and disjointed, something the Government (through the amendments to the GDPO) sought to overcome by establishing these guidelines on Design and Access Statements for development proposals.</p>
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OFFICER'S COMMENTS

Since the drafting of this SPD there are now new requirements concerning design and access statements as a result of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).

For this reason it is necessary to change section 2 which outlines when design, landscaping and access schemes will be required, and make a number of other minor changes to the document.

RECOMMENDATION

- That a reference to access statements is added to the end of paragraph 1.1 to state: 'For these reasons certain types of planning application are required to be accompanied by a design, **landscaping and access** statements.'
- That a sentence is added to paragraph 1.3 stating making clear that the requirements for design, landscaping and access can all be incorporated into one statement.
- It is proposed the start of Policy DLA9 is reworded as follows to conform with the new requirements:

POLICY DLA9

'At its very simplest, an access statement might simply record that the intention of the client, designeretc.

- As a result of the new requirements for design and access statements it is proposed that section 2 is reworded to state:

2.**WHEN DESIGN, LANDSCAPING AND ACCESS STATEMENTS ARE REQUIRED****2.1**

From 10 August 2006, all planning applications not included in the categories listed below must be accompanied by a Design and Access Statement, incorporating landscaping information on the proposal.

2.2

The purpose of the statement is to explain and justify the design and access principles and concepts on which a development proposal is based, and how these will be reflected in individual aspects of the scheme.

POLICY DLA1

Design and Access Statements, incorporating Landscaping information, are required for all planning applications not included in the categories below.

Categories of development not included in this requirement are:

- **engineering and mining operations;**

- **development of an existing house or development within the curtilage for any purpose incidental to the enjoyment of the dwelling-house (except for dwelling-houses in a conservation area);**
- **a material change of use of land or buildings.**

Design and landscaping statements will also be required for any sites considered complex or sensitive by the Local Planning Authority or in the case of any major development sites as defined in Policies HP4 and EB5 of the Replacement Local Plan. The Local Planning Authority defines sensitive sites as those lying within or having an impact upon to following (as defined by law or no the local plan proposals maps):

- **Metropolitan Green Belt**
- **Coastal Protection Belt**
- **Special Landscape Areas**
- **Areas of Historic Landscape Value**
- **Sites of nature conservation importance (including, but not limited to, SSSIs, SACs and SPAs)**
- **Residential areas, and**
- **Public open space and green spaces**

Where an applicant is unsure if a site is considered sensitive they should contact the local planning authority to discuss the matter.

- **It is proposed that section 2.3 remains unchanged.**

SPD8 RURAL SETTLEMENT AREAS

RESPONDENT	COMMENTS
Mr. Brian Byford	After wading through this series of documents online I eventually came upon section SPD8, Rural Settlement Areas and was very surprised indeed to find that my property, number 46 High Road Hockley, was not included in the adjoining rural settlement whilst all my neighbours enjoy this privilege. May I ask you why this is?
OFFICER'S COMMENTS Reply sent by letter explaining that 46 High Road, Hockley, is set back from the road and separated from the other development by Home Farm. It has not been included within the rural settlement area as it is functionally separate from the main ribbon of development along the High Road.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Government Office for the East of England	Having looked through the Rural Settlement Areas SPD, it is our understanding that it clarifies those properties to which policy R2 applies. Therefore, we have no comments to make.
OFFICER'S COMMENTS None.	
RECOMMENDATION None.	

Planning Policy Sub-Committee – 14 December 2006

Minutes of the meeting of the **Planning Policy Sub-Committee** held on **14 December 2006** when there were present:-

Chairman: Cllr P A Capon

Cllr C I Black
Cllr T G Cutmore

Cllr A J Humphries
Cllr Mrs M J Webster

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs J P Cottis, J R F Mason, J M Pullen and P R Robinson.

SUBSTITUTES

Cllrs C G Seagers and P F A Webster.

OFFICERS PRESENT

S Scrutton - Head of Planning and Transportation
S Worthington - Committee Administrator

6 MINUTES

The Minutes of the meetings held on 4 August 2006 and 10 August 2006 were approved as a correct record and signed by the Chairman.

7 DECLARATIONS OF INTEREST

Cllr A J Humphries declared a personal interest in supplementary planning document 3 by virtue of membership of Rayleigh Town Council.

8 SUPPLEMENTARY PLANNING DOCUMENTS

The Committee considered the report of the Head of Planning and Transportation, originally presented to the Planning Policy & Transportation Committee, seeking Members' views on recommended changes to eight Supplementary Planning Documents, following public consultation.

Members noted the representation made by the Government Office for the East of England (Go-East) relating to the statement in the supplementary planning documents (SPDs) about the East of England Plan, and agreed with officer advice to remove this statement from the SPDS.

Members did, however, concede that there would be merit in acting upon the Go-East comments relating to separate glossaries for the SPDs and in issuing separately a single glossary that would be relevant for all SPDs. Each of the SPDs should therefore include a reference to the glossary. It was further agreed that any terms in the SPDs that were featured in the glossary should appear in italics.

Planning Policy Sub-Committee – 14 December 2006

It was noted that the policy sections that had previously been included in the SPDs had been removed and the text originally contained within these sections had been reproduced exactly within the main body of the relevant sections of the SPDs in order to avoid confusion with any quoted local plan policies.

Members appraised the draft SPDs on a page by page basis and made the comments and amendments set out below.

Supplementary Planning Document 1 – Educational Contributions

Statutory Basis Section

It was noted that the glossary would include the term ‘sustainable development’.

Page 1

Paragraph 1.3

The glossary would indicate that the local planning authority was Rochford District Council.

Page 2

Paragraph 2.2

Replace ‘Regional Spatial Strategy’ with ‘the East of England Plan’.

Page 13

Officers would check the figures for the costs of providing additional school places, as these appeared to have dropped.

Supplementary Planning Document 2 – Housing Design

Page 3

Paragraph 3.3

Insert ‘useable’ before ‘communal’ in b).

Page 5

Include ‘public art’ in the glossary.

Replace ‘should’ with ‘must’ in h).

Page 14

Paragraph 14.2

Insert ‘disposal of rubbish’ after ‘dust or fumes’ in c).

Planning Policy Sub-Committee – 14 December 2006

Page 17

Paragraph 16.5

Replace 'in appropriate cases' with 'where necessary'.

Supplementary Planning Document 3 – Playing Pitch Strategy

Paragraph 2.1

Members advised that there was anecdotal evidence to suggest that the supply of playing pitches was not meeting current demand in Rayleigh and Hockley. It was, however, accepted that any statements expressed within the SPD had to be supported by documented evidence.

It was felt that it was increasingly difficult to identify appropriate spaces within the District for playing pitches. It was noted that the land at the back of the former Park School site would be brought into use for playing pitches.

In response to a Member enquiry relating to local standards for playing pitches, officers confirmed that these had not changed. Officers further advised that the playing pitch strategy would be updated in 18 months to 2 years time as part of the baseline data required for Local Development Framework documents. It was agreed that in the meantime additional wording would be included in the Core Strategy document relating to the development of playing pitch provision over the next few years.

Supplementary Planning Document 5 – Vehicle Parking Standards

(Note: Cllr C I Black declared a personal interest in this item by virtue of being a resident of Love Lane, Rayleigh.)

Pages 13 and 14

It was agreed that minimum parking standards should be applied to planning applications for housing in rural and suburban locations to reflect the change in emphasis provided in the recently published Planning Policy Statement No. 3.

Responding to a Member enquiry relating to main urban areas, officers advised that urban locations were areas close to town centres, with good public transport links or close to railway stations. It was usually expected that densities would be higher in urban locations and there would accordingly be less car parking provision.

Planning Policy Sub-Committee – 14 December 2006

Supplementary Planning Document 6 – Design Guidelines for Conservation Areas

Page 3

Paragraph 3.1

Replace 'should' with 'must' in the first sentence.

Page 4

Paragraph 3.3

Replace 'should' with 'must' in the first sentence.

Paragraph 3.5

Replace 'should' with 'must'.

Paragraph 3.6

Replace 'should' with 'must' in both sentences.

Paragraph 3.8

Replace 'should' with 'must'.

Page 8

Paragraph 4.3

Replace 'should' with 'must' in the first sentence.

Page 9

Paragraph 4.5

Replace 'should' with 'must' in the first, third and fourth sentences.

Page 10

Paragraph 4.11

Replace all instances of 'should' with 'must' in the first, third and fourth sentences.

Page 13

Paragraph 4.19

First sentence to read: 'In brick walls proper arches must be over openings.'
Delete 'considered to be' in the second sentence. Replace 'should' with 'must' in the third sentence.

Paragraph 4.20

Delete 'considered to be' in the second sentence.

Planning Policy Sub-Committee – 14 December 2006

Paragraph 4.23

Replace 'should' with 'must' in the second sentence.

Page 14

Paragraph 4.28

Replace all instances of 'should' with 'must' in sentences three, four, five and six.

Page 18

Paragraph 5.2

Replace all instances of 'should' with 'must'.

Paragraph 5.3

Replace 'should' with 'must' in sentences one, three and four.

Paragraph 5.4

Replace 'should' with 'must' in the first sentence.

Page 19

Paragraph 6.2

Replace 'should' with 'must' in the first and second sentences.

Page 21

Paragraph 8.2

Replace 'should' with 'must' in the first and second sentences.

Paragraph 8.3

Replace 'should' with 'must' in the first and second sentences.

Paragraph 8.4

Replace 'should' with 'must' in the second sentence.

Supplementary Planning Document 7 – Design, Landscaping and Access Statements

Page 1

Paragraph 1.1

Replace 'should' with 'must' in the first, second, third and fifth sentences.

Page 10

Paragraph 4.46

Insert 'including Rochford District Council' at the end of the first sentence.

Planning Policy Sub-Committee – 14 December 2006

Recommended to Planning Policy & Transportation Committee

- (1) That Supplementary Planning Documents 1 – 8 be adopted by the Council, subject to the recommended changes set out in appendix A of the report and subject to the amendments outlined in these Minutes, in line with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.

- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the SPDs to ensure consistency and correctness. Any such amendments, if required, will be reported to the Planning Policy & Transportation Committee. (HPT)

The meeting closed at 9.45 pm.

Chairman

Date

Planning Policy and Transportation Committee 11th January 2007

Agenda

Item 9 – Supplementary Planning Documents

Appendix 1 – Consultation summary and recommended changes

Appendix 2 – Changes following the Planning Policy Sub-Committee on 14th
December 2006

Minutes

Appendix to Minutes

ROCHFORD DISTRICT COUNCIL



Planning Policy & Transportation Committee

agenda

Date

11 January 2007

Time

7.30 pm

Place

Council Chamber
Civic Suite
Rayleigh

Contact

Sonia Worthington

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Members of the Planning Policy & Transportation Committee

Chairman: Cllr P A Capon

Vice-Chairman: Cllr C A Hungate

Cllr C I Black

Cllr J P Cottis

Cllr T G Cutmore

Cllr A J Humphries

Cllr J R F Mason

Cllr D Merrick

Cllr J M Pullen

Cllr P R Robinson

Cllr Mrs M J Webster

Terms of Reference

To exercise the Council's functions in relation to:-

- Highways
- Planning Policy
- Regeneration
- Transportation
- Local Development Framework
- Building Control Policy
- Economic Development

Including the formulation and implementation of the policy framework and management of the budget in respect of these functions.

The Council's vision is to make Rochford the place of choice in the County to live, work and visit.

The Council's principal aims are to:-

- Provide quality, cost effective services
- Work towards a safer and more caring community
- Promote a green and sustainable environment
- Encourage a thriving local economy
- Improve the quality of life for people in our District
- Maintain and enhance our local heritage

A G E N D A

Page No

- 1 Apologies for Absence**
- 2 Substitutes**
- 3 Non-Members attending**
- 4 Minutes of the Meeting held on 28 November 2006**
- 5 To Receive Declarations of Interest**
- 6 Questions on Notice**
- 7 Motions on Notice**
- 8 Issues arising from Review Committee**
- 9 Supplementary Planning Documents** 9.1-9.53

To consider the report of the Head of Planning and Transportation seeking Members' approval for the adoption of Supplementary Planning Documents 1 to 8, which have been amended following public consultation and the recommendations of the Planning Policy Sub-Committee.



Paul Warren
Chief Executive

SUPPLEMENTARY PLANNING DOCUMENTS

1 SUMMARY

- 1.1 The Planning and Compulsory Purchase Act 2004 states that Local Development Frameworks may include the adoption of Supplementary Planning Documents (SPDs). These documents are largely based upon Supplementary Planning Guidance prepared under the old Local Plan system, but must be updated as Supplementary Planning Documents to comply with the new Act. The adopted Local Development Scheme (LDS) sets out the documents that the Council intends to adopt as part of the Local Development Framework.
- 1.2 Draft versions of eight Supplementary Planning Documents were approved for Regulation 17 Public Consultation by the Planning Policy & Transportation Committee on 12 September 2006. This consultation exercise was conducted over a five week period commencing Friday, 29 September and finishing on Friday 3 November in accordance with the requirements of Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations.
- 1.3 The results of the consultation exercise were considered at a meeting of the Planning Policy Sub-Committee on 14 December 2006. Copies of the eight original draft SPDs had been circulated to all Members.

2 CONSIDERATION OF CONSULTATION RESPONSES

- 2.1 The Sub-Committee considered the consultation responses in detail and the Officer's Recommendations resulting from them. These proposed changes were supplied to all Members in advance of the Planning Policy & Transportation Committee meeting on 28th November 2006 and can be found in Appendix 1 of this report. Text that has been removed or added is identified in the boxes entitled 'RECOMMENDATION'. A Summary of these recommendations can be found on pages 9.44 to 9.48.
- 2.2 In addition to considering these, the Sub-Committee also agreed a small number of minor changes to the wording of the SPDs to improve clarity. These changes are set out in Appendix 2 to this report. Double strikethrough and underlined text indicates text that has been removed or added respectively.
- 2.3 The SPDs in their proposed final form, entitled 'Version for Members' will be sent to all Members under separate cover, prior to the Committee meeting.

3 RISK IMPLICATIONS**3.1 Operational Risk**

It is expected that the adoption of the SPDs and the production of any associated documents required under Regulations 18 and 19 of the Town & Country Planning (Local Development) (England) Regulations 2004 can be met in house using existing resources.

3.2 Regulatory Risk

The LDS timetable required SPDs 1-5 to be adopted in November 2006 and SPDs 6-8 in January 2007. Future rounds of Planning Delivery Grant will be determined against the achievement of the LDS timetable.

4 RECOMMENDATION**4.1 It is proposed that the Committee **RESOLVES****

- (1) That Supplementary Planning Documents 1-8 be adopted by the Council, subject to the changes set out in Appendices 1 and 2 (as reflected in the 'Version for Members') in accordance with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.
- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the SPDs to ensure consistency and correctness. Any such amendments, if required, will be reported to the Planning Policy & Transportation Committee.

Shaun Scrutton

Head of Planning & Transportation

Background Papers:-

None

For further information please contact Shaun Scrutton on:-

Tel:- 01702 318 100

E-Mail:- shaun.scrutton@rochford.gov.uk

APPENDIX 1

GENERAL COMMENTS

RESPONDENT	COMMENTS
Castle Point Borough Council	I would like to thank you for consulting Castle Point Borough Council on these documents and would advise you that I have no specific comments to make on their policy content. I would however suggest that the SPDs may benefit from the glossary being located after the main body of the document.
OFFICER'S COMMENTS The location of glossary at the end of the document would help make the SPDs more user-friendly.	
RECOMMENDATION It is proposed that the glossary and units of measurement page are located after the main body of the document.	
RESPONDENT	COMMENTS
The Theatres Trust	As none of these SPDs are directly relevant to the Trust's remit we have no comment to make but look forward to being consulted on further LDF documents.
OFFICER'S COMMENTS None	
RECOMMENDATION None	
RESPONDENT	COMMENTS
Home Builders Federation	<p>The purpose of Supplementary Planning Documents is to amplify and expand upon the content of policies in an Adopted Local Plan. Therefore, their content must fully accord with the relevant policies in the Council's Adopted Plan to which they relate</p> <p>PPS12 makes clear references as to the role and purpose of Supplementary Planning Documents (SPD):</p> <p>2.42 Where prepared, supplementary planning documents should be included in the local development framework and will form part of the planning framework for the area. They will not be subject to independent examination and will not form part of the statutory development plan. However, they should be subjected to rigorous procedures of community involvement.</p> <p>2.43 Supplementary planning documents may cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a development plan document. They must not however, be used to allocate land. Supplementary planning documents may take the form of design guides, area development briefs, master plan or issue-based documents, which supplement policies in a development plan document. The following principles apply to a supplementary planning document:</p>

	<p>i. it must be consistent with national and regional planning policies as well as the policies set out in the development plan documents contained in the local development framework;</p> <p>ii. it must be clearly cross-referenced to the relevant development plan document policy which it supplements (or, before a relevant development plan document has been adopted, a saved policy);</p> <p>iii. it must be reviewed on a regular basis alongside reviews of the development plan document policies to which it relates; and</p> <p>iv. the process by which it has been prepared must be made clear and a statement of conformity with the statement of community involvement must be published with it.</p> <p>2.44 Supplementary planning documents may contain policies which expands or supplements the policies in development plan documents. However, policies which should be included in a development plan document and subjected to proper independent scrutiny in accordance with the statutory procedures should not be set out in supplementary planning documents (my emphasis).</p> <p>Local Authorities should set out in their Development Plan Documents what specific types of Planning Contributions will be sought. The purpose of SPD is to provide further information and detail. It is not to rewrite policy.</p>
<p>OFFICER'S COMMENTS</p> <p>The Supplementary Planning Documents contain policy statements which supplement and expand upon policies contained within the Rochford District Replacement Local Plan. The individual policies to which each of the SPDs relates are shown in the consultation statements which were made available for consultation alongside the SPDs. The Replacement Local Plan policies to which the SPDs relate are also referred to within the SPDs themselves where this is appropriate. The Replacement Local Plan was recently adopted in June 2006 and the policies from which the SPDs 'hang' were subject to public consultation and examination during this process.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Historic Environment Branch (Essex County Council)</p>	<p>Supplementary Planning Document 1-8 Glossaries</p> <p>It is recommended that four extra glossary items are added which provide detail on the historic environment of the District and historic environment reports that have been commissioned by the District.</p> <p>Historic Environment Record</p> <p>The Historic Environment Record (HER) stores and provides access to organised information relating to the historic environment. An HER makes information accessible to all in order to:</p> <ul style="list-style-type: none"> • advance knowledge and understanding of the historic environment;

	<ul style="list-style-type: none"> • inform the care and conservation of the historic environment; • inform public policies and decision-making on land-use planning and management; • contribute to environmental improvement and economic regeneration; • contribute to education and social inclusion; • encourage participation in the exploration, appreciation and enjoyment of the historic environment. <p>The information held can thus provide a starting point for management processes, conservation, fieldwork and research into the historic environment and can also inform local communities about their area.</p> <p>Historic Environment Characterisation of Rochford A document and GIS database, commissioned by Rochford District Council, which provides a framework within which the determination of the broad scale and location of development can be facilitated in a sustainable way. It provides an effective framework for engagement between planners, developers, local communities and other interested parties to discuss the Historic environment.</p> <p>Historic town Assessment Documents assessing the historic towns of Rochford and Rayleigh with a view to enhancing understanding and facilitating better management of the historic environment.</p> <p>Historic settlement assessments Documents assessing the historic settlements of Canewdon, Paglesham, Great Wakering and Ashingdon with a view to enhancing understanding and facilitating better management of the historic environment.</p>
<p>OFFICER'S COMMENTS</p> <p>The inclusion of these extra glossary items would improve the SPDs by providing further detail on the historic environment and associated reports.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that four extra glossary items are included within the SPDs:</p> <ul style="list-style-type: none"> • Historic Environment Record • Historic Environment Characterisation of Rochford • Historic town Assessment • Historic settlement assessments 	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>East of England Plan</p> <p>Page 1 – It is not clear what relevance the statement regarding the East of England plan has for each of the SPDs. Furthermore, it's inclusion could cause the SPDs to quickly become outdated. We suggest that it is deleted.</p> <p>Glossary</p> <p>We also question the need to reproduce the glossary (which is of considerable length) within each of the SPDs. This repeats the glossary contained in the back of the adopted Replacement Local Plan which forms part of the authorities transitional spatial plan.</p>

	<p>Whilst we accept that there is merit in the SPDs being self-contained documents, the glossary tends to dominate the SPDs and detracts from their important policy amplification content. A more succinct approach might be provide the glossary separately as a non-statutory note, so that people can have a copy of it or not as they choose. A reference to this glossary and details where it can be obtained could be contained in each SPD.</p>
<p>OFFICER'S COMMENTS Comments on the statement regarding the East of England Plan are noted.</p> <p>It is noted that the glossary in its current form tends to dominant the SPDs. It is proposed that the glossary be moved to end of the SPDs.</p>	
<p>RECOMMENDATION That the statement regarding the East of England Plan is removed.</p> <p>It is proposed that the glossary and units of measurement page are located after the main body of the document.</p>	

SPD1 EDUCATIONAL CONTRIBUTIONS

RESPONDENT	COMMENTS
RPS Group on behalf of Fairview New Homes Limited	Fairview partly object to policy EC2, which states that 'where additional land is needed, the developer will also be required to either provide free land, meeting the criteria set out in the Developer Contribution Guidelines, or sufficient funding to acquire it'. Fairview New Homes Ltd. consider developments should be considered on a site-by-site basis depending on the merits and costs associated with each development. It is requested that the paragraph be amended to state that the contributions of developers in relation to the provision of new schools will be assessed on a site-by-site basis.
OFFICER'S COMMENTS The purchase of suitable land can be a significant cost in the provision of additional school facilities. In cases where sufficient suitable land is not already available, it is considered entirely reasonable to expect the contribution of free land or sufficient funding to acquire it.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	The correct April 2006 figures are £8,986 primary and £14,055 secondary. These include the Essex 6% adjustment.
OFFICER'S COMMENTS The figures shown in the SPD were based on estimates prior to official DfES publication. They should be amended to match the official figures provided by ECC Schools Service.	
RECOMMENDATION It is proposed that the cost per place figures listed in appendix B are amended to £8,986 for Primary and £14,055 Secondary.	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>1.2</u> It is stated that '<i>education is one of a range of services which local authorities may seek to provide through developers' contributions</i>'. The HBF would point out that whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, it is neither their role nor responsibility to provide an educational service.</p> <p><u>1.4</u> Whilst developers may reasonably be asked to contribute to additional educational provision necessitated by their new developers, the HBF consider that if the Council chooses to refuse planning applications on the basis of a failure by developers to make financial payments (as the wording suggests), it will be acting illegally.</p> <p><u>Statement EC1</u> The wording does not accord to the content of Circular 5/05. It is</p>

	<p>inappropriate to start from the basis that contributions will be sought automatically where there will be a demand for additional school places as a result of a development. Whilst the text goes on to say that existing or potential surplus school places in the area will be taken into account, the text should be amended to state that contributions will only be sought where existing or potential surplus school places in the area will be inadequate to meet the needs generated by new development.</p> <p><u>Statement EC3</u> It is entirely unclear as to why schemes developed entirely as affordable housing should make no educational provision contributions when they themselves might generate as much, or more, additional pupil levels than market housing.</p> <p><u>8.2</u> It would be inappropriate to expect that in most cases contributions will be required before development begins given that the need for new facilities might not actually arise to sometime later, and furthermore, the developer will not have sold any new housing in order to receive financial funding in order to pay for the educational facilities. Instead, funding timing should be negotiated on a site-by-site basis taking full account of local circumstances and site development timescales.</p>
<p>OFFICER'S COMMENTS</p> <p>1.2 – Noted</p> <p>1.4 – Failure to provide contributions towards additional educational provision to meet a properly identified and agreed local need would constitute a valid reason for refusal.</p> <p>Statement EC1 – The wording of the statement makes clear that the level of existing or any potential surplus permanent school places in a local area will be taken into account. The policy wording ensures that the local circumstances will be considered and allows contributions to be sought where they are required.</p> <p>Statement EC3 – Schemes which are entirely affordable housing and where 100% of the dwellings will be owned by a registered social landlords provide an essential local service and can incur significant costs. For these reasons educational contributions will not be sought in such circumstances.</p> <p>8.2 – Providing additional educational facilities to meet the needs of new developments is a process that can take some time. Contributions are required at the earliest possible stage in order to ensure adequate education provision upon completion.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Government Office for the East of England</p>	<p>Statutory Basis Page 1 – It is not clear what relevance all of the mentioned statute has for the education contributions SPD ie. Listed buildings and conservation areas, biodiversity? It would be better and more accurate to make reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.</p> <p>Section 1 Introduction</p>

Section 1 Introduction – The SPD should set out how it is intended to work alongside the County SPG (2004) and Essex County Developer Contribution Guidelines ie. Does the SPD replace the County documents, and/or are parts of them still relevant? It would be useful for key relevant sections of the Developer Contribution Guidelines to be appended to this SPD.

Regulations

The SPD looks to be an exact copy of the County produced Educations Contributions SPG (2004) – The Council seem to be mainly relying on consultation work previously done for this SPG to inform the production of the new SPD. The Council will need to be satisfied it has complied with the necessary regulations for the preparation of this new SPD, including for example the requirements of regulation 17. This includes setting out a summary of the main issues raised in earlier consultation responses and how they have been addressed in the SPD. The regulation 17 notices suggest that the information is contained in the SEA/SA but it could not be readily seen.

Section 2 (para 2.2 and 2.3)

Section 2 (para 2.2 and 2.3) – The structure plan policies will only be saved until replaced by the RSS (unless they are specifically mentioned as not being replaced by the RSS). The Local Plan policy will eventually be replaced by LDF policies. We suggest that the SPD clarifies the Council's intentions once the existing saved policies are replaced, ie. The SPD will need to be redrafted and consulted upon to conform and support to new LDF policies.

Policy Content

Section 2 Policy Content – We suggest that it would be useful to include the relevant Local Plan policy extract, either in this section or as a Appendix to the SPD.

OFFICER'S COMMENTS

It is agreed that the inclusion of Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations in the Statutory Basis section would be more relevant in this case.

The draft SPDs were all subject to Sustainability Appraisal and Strategic Environmental Assessment. As part of this process scoping consultation was carried out with statutory consultees. Any comments received were fed into the recommendations of the Sustainability Appraisal Environmental Reports. These reports were available for consultation alongside the SPDs and details of this earlier consultation were included within the consultation statements as required by regulation 17.

The addition of a reference to the status of the Regional Spatial Strategy to Paragraph 2.2 would help improve the clarity of the document.

The inclusion of the Relevant Replacement Local Plan policy extracts would help clarify the policies on which the SPD is based. It is proposed that a reference is included to policies HP5 and HP21.

RECOMMENDATION

- That the statutory basis section is amended to include a reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.
- It is proposed that paragraph 2.2 is extended by the addition of :

‘.....policies, contained within local plans and other documents. ***It should be noted that the structure plan policies will only be saved until replaced by the Regional Spatial Strategy (unless they are specifically mentioned as not being replaced by the RSS) and that the current Rochford District Replacement Local Plan policies will eventually be replaced by new LDF policies. It may be necessary for the SPD to be redrafted and consulted upon to conform and support new LDF policies.***’

- It is proposed that extracts of Replacement Local Plan policies HP5 (Infrastructure) and HP21 (Planning Obligations) are included at the end of Section 2.

SPD2 HOUSING DESIGN

RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	After reading this Supplementary Planning Document it is clear that the Council has taken consideration on differing Sheltered Housing developments from that of other developments. This I greatly praise, as it is one aspect that other Councils tend to overlook. One area I would like to make comment on is the setting of developments. I feel that it would not be just or sustainable to expect developers to keep the design of Sheltered Housing similar to that for single family dwellings. What I would find more variable would be to ask for an appropriate design to appear as single dwellings using varying pitched roofs.
OFFICER'S COMMENTS	
Comments noted. The Council expect the design of all forms of residential development to contribute to the quality of the environment in which they are situated. This does not mean that sheltered housing will have to be of the same design as that of single family dwellings, but it should be of a similarly high standard and in keeping with the character of the area.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Rayleigh Civic Society	<p>8.1 – Rooms in the roof</p> <p>The sketch on page 7 titled UNATTRACTIVE FLAT ROOF DORMER should be changed to UNACCEPTABLE FLAT ROOF DORMER.</p> <p>14 – Backland Development</p> <p>We feel <u>more</u> emphasis should be given to the effect a development would have on neighbours ie. Noise, disposal of rubbish, road safety.</p>
OFFICER'S COMMENTS	
The diagrams on page 8.1 are intended to show good practice in the design of dormer rather than prescribe policy on specific types of dormer that would be unacceptable.	
The likely effects of a proposal on the amenity of an area will always be considered in the determination of a planning application.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Environment Agency	<p>Statement HD2</p> <p>This section correctly states that existing trees and hedgerows should be retained on site wherever possible. This should be expanded to include other natural features such as ponds and watercourses, which should also be incorporated into the site layout, and may be of significant biodiversity value.</p> <p>Biodiversity is not considered as part of this section. HD2 should make it clear that landscaping should link in with existing habitats and seek to</p>

preserve and enhance the biodiversity value of the site. Native species consistent with the local area should be used for any planting. In addition to requiring this approach, the document should highlight the further guidance that is available to assist developers. A useful source of information is the guidance produced by the Essex Biodiversity Project 'Integrating Biodiversity into development...realising the benefits'. This and other guidance is available on the website: www.essexbiodiversity.org.uk.

Watercourses can play an important role in draining the site, and any proposals that affect the flow of a watercourse (including culverting) will require our written consent so we can consider the biodiversity and flood management implications. Culverting is usually only permitted to allow access due to adverse flooding and ecological impacts.

Landscaping and site layout can help to reduce flood risk, but the current part g) requires amending. For sites within a flood risk area, areas of landscaping or open space should be located in the parts of the site that are most vulnerable to flooding, in preference to built development. This reduces the risk for people and property, and should be informed by the Flood Risk Assessment. For all development types, landscaping should be designed to reduce surface water run-off from the site. This should be by minimizing the amount of impervious surfacing on site (including through the use of porous paving), and through the utilization of Sustainable Drainage Systems (SuDS). More information on SuDS is available on our website www.environment-agency.gov.uk For sites greater than 1 hectare in size, we should be consulted with a Flood Risk Assessment detailing how surface water will be managed and SuDS utilized.

Finally, design techniques that help to reduce the use of resources should also be promoted within the SPD. This should include ensuring that the site layout maximizes opportunities for passive solar gain, and setting criteria for the inclusion of renewable energy generation.

OFFICER'S COMMENTS

Comments on biodiversity are noted. Planning has an important role to play in the preservation and enhancement of biodiversity, as set out in PPS9. Statement HD2 should include comment on biodiversity for the purposes of clarity.

Regarding comments on the use of landscaping to reduce food risk, the LPA does not wish for the SPD to be overly prescriptive in terms of measure developers should take. It is considered that the current wording of HD2 will allow the LPA to determine applications on a case-by-case basis having regard to flood risk and, where appropriate, a flood risk assessment.

In terms of planning's role in the reduction of resource consumption, design guidance in this respect is expected to be included in the Urban Place Supplement which the Council intends to adopt as an SPD.

RECOMMENDATION	
Addition to statement HD2 to read:	
h) Landscaping schemes should link in with existing habitats to preserve or enhance biodiversity	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Statement HD1</u></p> <p>The HBF does not consider that it is any longer necessary to specify minimum garden depths, and size thresholds of 100m², given the national planning emphasis on increasing housing densities.</p> <p><u>Statement HD3</u></p> <p>No justification or explanation is given for the suggested minimum site frontages specified.</p>
OFFICER'S COMMENTS	
<p>The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.</p> <p>Statement HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited. The minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. It is agreed that the inclusion of such a justification for this standard would improve the clarity of the document.</p>	
RECOMMENDATION	
That paragraph 5.1 is amended to state:	
<p>“Minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. Statement HD3 also allows for the variation of frontage size where necessary to ensure they are compatible with the existing form and character of the area. Housing development on small vacant frontage plots comprising infilling shall be subject to the following building design criteria:”</p>	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 2 Housing Design</p> <p><i>Section 11: Conservation areas and listed buildings.</i> It is recommended that the title should be changed to include Archaeological sites which would read <i>Conservation areas, listed buildings and archaeological sites</i>. The amended wording will be more consistent with local plan chapter 7.</p> <p>It is recommended that the following word change is made to 11.1. (Additional wording shown in italics)..... within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest <i>and/or areas recorded as being of archaeological interest</i></p>

	<p><i>on the Historic Environment Record, regard will be had.....</i></p> <p>SPD 2 Housing Design: Sustainability Appraisal Report</p> <p>Page 47 Material Assets and Cultural Heritage : This section omits a significant part of Rochford's Districts historic assets and must be made more inclusive. At present within this section only historic buildings and conservation areas are identified. This section should also include the number of records on the Historic Environment Record, reference to the historic town and settlements reports and reference to the overview contained within the Historic Environment Characterisation Project.</p>
<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 11 to include archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>It is proposed that the title of paragraph 11 is amended to: Conservation areas, listed buildings and archaeological sites.</p> <p>It is proposed that paragraph 11.1 is reworded to state:</p> <p>.....within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest and/or areas recorded as being of archaeological interest on the Historic Environment Record, regard will be had.....</p>	
RESPONDENT	COMMENTS
<p>Government Office for the East of England</p>	<p>References to Local Plan Policies</p> <p>Planning Policy Statement 12 – <i>Local Development Frameworks</i> indicates that a SPD must be clearly cross-referenced to a saved policy, before a relevant Development Plan Document is adopted (paragraph 2.43), and we note that the SPD does contain cross references linking the document to the saved policies in Rochford Replacement Local Plan ie. HP6 Housing (para 1.1), HP14 (para 14.1) and HP16 (para 15.1). We feel, however, that the SPD would be greatly improved by the inclusion of the specific text of those policies to which it is linked, either in the main body of the document itself, or in an appendix.</p> <p>Introduction of policies in SPD</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy (in this case it is indicated that as being the Rochford Replacement Local Plan adopted June 2006). This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). PPS12 also indicates that whilst SPDs may contain policies that expand or supplement those policies, SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (Paragraph 2.44).</p> <p>Currently, much of the guidance included in the SPD is overly</p>

prescriptive and as such appears to seek to introduce policy over and above that set out in the Local Plan. This issue is perhaps reinforced by the presentation of the guidance as 'statements' in a format similar to that of local plan policies and also by frequent use of the words 'policy', 'will' and 'shall'.

For example, Section 3 'Minimum Garden Areas' in introducing Statement HD1, states that the Local Authority 'will pursue the following policy with regard to the provision of private garden areas'. Whilst paragraph 3.1 sets out the reasons for the introduction of this policy as being the higher densities resulting in smaller garden sizes than those recommended as the minimum in the Essex Design Guide. In seeking to introduce a threshold in this way the authority is introducing a new policy through SPD that should be introduced through a DPD so that it can be subjected to proper independent scrutiny in accordance with the statutory procedures.

It is important that policy is introduced in the proper manner. Therefore, we request that that authority amend the draft SPD before adoption by removing these policies which seek to introduce thresholds that are in addition to those set out in the Local Plan and the Essex Design Guide. Those policies could then be introduced through a subsequent DPD.

Essex Design Guide and Urban Place Supplement

We note that paragraph 2.1 of the SPD sets out status of the SPD in relation to the Essex Design Guide. We suggest that the SPD should set out in detail how it sits in relation to the emerging Urban Place Supplement which is intended to be adopted across all Essex authorities.

Links to DPD policies

In addition to setting out the SPD's links to saved Local Plan policies it should also set out the intentions for the SPD once new DPD policies are adopted and the saved Local Plan policies are replaced.

OFFICER'S COMMENTS

The inclusion of the relevant Replacement Local Plan policies extracts would help clarify the policies on which the SPD is based. It is proposed that a reference is included to policy HP6.

The guidance and statements contained within this SPD are largely based on policy HP6 (Design and Layout) of the Replacement Local Plan. This policy states that the Local Planning Authority will require a high standard of design and layout taking into account a range of issues. The SPD intends to clarify what will normally be considered an appropriately high standard of design and layout by covering these issues in greater detail.

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. It is accepted that references to 'policy' within the SPD should be amended to 'Statement'.

It is agreed that a reference to the Urban Place Supplement within paragraph 2.1 would help improve the clarity of the document.

The inclusion of information on the relationship between the SPD and Local Plan/LDF policies would improve the clarity of the document.

RECOMMENDATION

It is proposed that an extract of Replacement Local Plan policy HP6 (Design and Layout) is included at the end of section 2 – Policy Background.

That paragraph 3.2 is amended to state:

“The Local Planning Authority will **apply** the following **statement** with regard to the provision of private garden areas.”

That paragraph 2.1 is amended to state:

“The Essex Design Guide for Residential and Mixed Use Areas (2005) has formally been adopted as Supplementary Planning Guidance for the District. ***It is also the Council's intention to adopt the Essex Design Guide Urban Place Supplement as a Supplementary Planning Document.*** These documents detail the core design advice against which developments within the district will be assessed. Developers and designers will need to consult them in addition to this guidance note.”

It is proposed that a note is added to Section 2 (Policy Background) stating that as the SPD must conform with DPD policies it may be necessary to amend the SPD when other documents within the LDF are adopted.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Section 3 – Minimum Garden Areas</p> <p>Swan Hill Homes Limited (Swan Hill) considers it is inappropriate to seek to apply minimum garden sizes, particularly given a minimum provision of 100 metres square. Whilst the provision of 100 m² is provided in the Essex Design Guide for Residential and Mixed Use Areas (2005), it is inappropriate and unmanageable to seek such a provision. PPG3: Housing (2000 as amended) seeks to provide density provisions of between 30 and 50 dwellings per hectare, something which looks set to increase in PPS3: Housing. Further, PPG3 sets out that development proposals for new residential developments should make the most efficient use of land, and whilst 100 metres square represents a good target for new residential development, if all new properties are required to provide such a provision, it is unlikely that the density requirements of PPG3 will be achieved.</p> <p>With regard to Statement HD1, Swan Hill considers it is important that new residential developments provide private and communal areas of</p>

open space for the residents. However, Swan Hill considers it is important to have regard to the individual merits of each application site, and that the private garden areas of all types of houses should reflect the scale of the proposed dwelling, whilst achieving the recommended density provisions. As such, Swan Hill recommends that the Council removes references to the provision of garden areas for new residential developments, and seek to examine each application individually, having regard to the general character of the area.

In reference to flatted developments, in general terms, purpose built flats do not generally provide private garden space for ground floor flats, merely a ground floor patio area or a ground floor balcony. The provision of 25 m² per flat is considered acceptable, but this should not form an obstacle to residential development. Each development proposal should be considered on its own merits, having regard to its location and proximity to other publicly accessible areas of open space.

In this regard, Swan Hill considers Statement HD1 should be rewritten excluding garden area sizes, stating merely that new housing development should provide areas of private outdoor space that reflect the character and scale of the proposed development and surrounding areas.

Flats should seek to provide, in appropriate locations, balconies of a useable size, and a provision of approximately 25 m² (per flat) for communal use. The Local Planning Authority will also have regard to the proximity of existing areas of open space, which could also be utilised by the potential occupiers.

Section 4.0 – Landscaping

In regard to Statement HD2, Swan Hill considers Part iii (b) be amended as follows:

‘...must be given to the mature size of ~~the~~ **any** tree **planted** and its effect upon daylighting and underground services.’

In reference to Part iii (e), Swan Hill considers it is unnecessary to set out the statutory duty of the Local Planning Authority to serve Tree Preservation Orders. Swan Hill recommends that this paragraph be re-worded to state that existing healthy trees and new trees planted as part of a residential proposal will be protected through the provision of Conditions in planning consents.

Section 5.0 – Infill Development

Swan Hill is of the opinion that Statement HD3, with the provisions of site frontages is inflexible and should be assessed on a site-by-site basis, with all planning applications assessed on their individual merits. As such, Swan Hill recommends that the statement be re-worded as such:

‘**New** Site frontages shall ordinarily be a minimum of 9.25 metres for ~~detached properties or 15.25 metres for semi-detached pairs of properties or be of such frontages and form compatible with~~ **should have regard to and enhance the** existing form and character of the area within which they are to be sited...’

Section 6.0 – Extensions to Existing Housing

Whilst Swan Hill generally supports in principle the context of Statement HD4, there is some concern regarding the inflexibility of Part (c). Swan Hill considers it should be re-worded to exclude the minimum width of rear extensions of 3.05 metres, and should state:

‘Single-storey rear extensions (including conservatories) to semi-detached and terraced properties **should not detrimentally impact on neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing** shall not exceed 3.05 metres from the original rear wall of the dwelling.’

Section 7.0 – Separation of Dwellings

Swan Hill generally supports the need to provide appropriate separation distances between new and existing residential developments. However, Swan Hill recommends that the Council should seek to set out that new developments should be assessed on a site-by-site basis with each application being considered on its own merits. As such, separation distances for new developments should seek to reflect and enhance the character and appearance of the existing neighbourhood, as already set out in Statement HD5.

Section 8.0 – Rooms in the Roof/Dormer Windows

Whilst it is important to have regard to the provision of dormer windows, as in many instances, they can be detrimental to the character and appearance of existing buildings. However, Swan Hill considers that it would be sufficient to state that Statement HD6 seeks to ensure that where applications include the provision of dormer windows, that these should be assessed on their own merits, such as impact on the existing dwelling, and that the dormer window be subservient to the original dwelling.

Section 9.0 - Balconies

Swan Hill has concerns regarding the relevance of Statement HD7 and that it should not form part of supplementary planning guidance. However, Swan Hill considers that the statement could be amended as such:

‘In order to safeguard neighbouring **amenity** ~~earlages~~ from a loss of privacy and increased level of noise, the Local Planning Authority will, in appropriate cases, impose suitable conditions in any planning permission for new dwellings and extensions to existing properties, restricting or prohibiting as the case may be, the provision of balconies, **where justifiable in planning terms.**’

Section 12.0 – Additional Design Policies primarily relating to Estate Development

Swan Hill considers it is inappropriate that Statement HD8 sets out that surfacing finishes are a material consideration for planning applications. The working of this bullet point should be incorporated into relevant Decision Notices as a Condition of planning consent, where appropriate, and should therefore be deleted from Statement HD8.

With regard to the use of Mews Courted development proposals, if the Council are seeking to include provision of an adopted road type, it should be set out in the SPD. Furthermore, it is unnecessary for the Council to attempt to dictate the type of road layout within residential developments, and each development should be considered by the Council on its own merits.

Swan Hill recommends that if the Council seeks to rely on the provisions of the Essex Design Guide in this matter, it should not seek to include further policy guidance contrary to the provisions of the Adopted standard.

Section 13.0 – Children’s Play Space

Whilst Swan Hill generally support the requirement to provide publicly accessible play space in new residential development. However, it considers that the District Council should set out in Statement HD9 a threshold for which new residential developments will be required to provide children’s play space, either through on-site provision or through planning contributions. It is acknowledged that the Adopted Local Plan states that the Plan area has adequate provision for younger children; however, the District Council should undertake an up-to-date Open Space Assessment, which would then provide an existing up-to-date provision, from which a threshold for young people and children’s play space could be calculated.

Section 14.0 – Backland Development: Access

Swan Hill generally supports the context of Statement HD10, under Part (c), the word ‘detrimentally’ should be inserted between the words ‘...existing dwellings and would **detrimentally** affect the visual and residential amenity of those dwellings...’

With regard to 14.3 – Tandem Relationship, Swan Hill considers that the District Council should seek to apply separation distances between properties, rather than rely on the provision of garden areas. This could overcome potential overlooking and privacy problems, whilst being more flexible to meet PPG3 density requirements.

Section 15.0 – Sub-division of Single Dwelling Houses within Residential Areas

With regard to paragraph 15.5 (Overlooking and Privacy), Swan Hill considers the second sentence should be re-worded as follows:

‘In this respect, the location of living rooms on any upper floor **should seek to minimise** ~~must not directly overlooking of~~ the private garden areas of adjoining properties’.

The existing sentence fails to allow for a degree of flexibility in the design of residential conversions, and whilst developers should seek to minimise overlooking, in many instances of town centre residential conversions, this is not entirely possible in a scheme which would otherwise be acceptable. Therefore, a degree of flexibility should be included within the consideration of such planning applications.

Section 18.0 – Purpose Built Flats

Swan Hill generally supports the approach taken by the District Council, although, as highlighted above, paragraph 18.3 (Overlooking) should be re-worded to allow for a degree of flexibility. In all flatted developments, there will be a degree of overlooking, and paragraph 18.3 should be re-worded to reflect this, as follows:

‘No scheme should give rise to **unacceptable** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors’.

OFFICER’S COMMENTS**Section 3 – Minimum Garden Areas**

The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.

Section 4 – Landscape

Part iii. (b) of Statement HD2 sets out the factors which must be taken into account when deciding upon the location of a tree. No changes to this section are considered necessary. The SPD is intended to provide detailed guidance and the inclusion of a reference to Tree Preservation Orders improves the completeness of the document.

Section 5 – Infill Development

The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space. Statement HD3 allows for the variation of frontage size where necessary to be compatible with the existing form and character of the area in which they will be sited.

Section 6 – Extensions to Existing Housing

A more flexible approach to extension size would allow for applications to be assessed on their likely impacts on neighbouring properties. It is recommended that this change be made.

Section 7 – Separation of Dwellings

The requirements for separation are important in ensuring the maintenance of the appearance and character of residential areas, and a good overall appearance of new estates. The statement states that in all cases building separation will be required to be compatible with the location of the residential development and the character of the existing neighbourhood.

Section 8 – Rooms in the Roof/Dormer Windows

As the SPD is intended to provide detail guidance it is considered appropriate for the design details of dormer windows to be included within this statement.

Section 9 – Balconies

As the role of SPD is to provide detailed design guidance it is considered appropriate for details of likely planning conditions to be included.

Section 12 – Additional Design Policies primarily relating to Estate Development

As the SPD intends to set out detailed design guidance information the consideration of surface finishes and access treatments is considered helpful.

The Mews Court road type is set out in the Essex Design Guide on the pages referenced in this statement. It is accepted in the statement that the character of neighbourhoods may justify a density and type of development where alternative options can be considered.

Section 13 – Children’s Play Space

Comments noted. Statement HD9 allows for the need for the provision of children’s play space to be assessed on a case by case basis.

Section 14 – Backland Development: Access

Comments noted. The insertion of ‘detrimentally’ would add clarity to the statement.

Section 15 – Sub-division of Single Dwelling Houses within Residential Areas

Section 15.5 allows for some degree of flexibility given that it states proposals must not result in *unreasonable* loss of privacy to adjoining properties. The location of living rooms on upper floors that directly overlook private garden areas would result in overlooking and loss of privacy and as such would be considered unacceptable.

Section 18.0 – Purpose Built Flats

The addition of the word ‘unacceptable’ in section 18.3 would allow for an appropriate degree of flexibility in the statement.

RECOMMENDATION

That Statement HD4 (c) is amended to state: Single-storey rear extensions (including conservatories) to semi-detached and terraced properties ***should not detrimentally impact on neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing.***

That the word ‘detrimentally’ is added to Statement HD10 (c) to state:

‘...existing dwellings and would ***detrimentally*** affect the visual and residential amenity of those dwellings...’

That the word ‘unacceptable’ be added to section 18.3 to state:

‘No scheme should give rise to ***unacceptable*** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors.’

RESPONDENT	COMMENTS
<p>Christopher Wickham Associates on behalf of Inner London Developments (Stambridge) Ltd.</p>	<p>Statement HD1</p> <p>The minimum garden area requirements set out in Standard HD1 are considered to be excessive and inflexible. They do not reflect to the flexibility sought by Planning Policy Guidance Note 3.</p> <p>For houses, the circumstances in which a private zone garden area of less than 100 square metres may be acceptable should be revised. Specifically, criterion (ii) should also include dwellings which are located in close proximity to publicly accessible open countryside. In relation to criteria (iii), a target figure of 25 square metres is considered to be more appropriate for one and two bedroom dwellings. It is considered that small dwellings of this kind are generally occupied by households which do not include children, and the target figure should therefore be lower than that for three bedroom terraced houses for which criterion (iv) seeks a minimum area of 50 square metres.</p> <p>For flats, the general format of the policy which offers an alternative between the approach set in a) and that set in b) is supported. A minimum balcony size of 5 square metres is also considered to be reasonable. However, the requirement for a 50 square metre minimum patio garden for ground floor units is considered to be excessive, and could unduly constrain the design and layout of schemes including the inter-relationship between private and communal areas. An overall target figure of 25 square metres is considered to be reasonable in the context of flatted development.</p> <p>It is considered that Statement HD1 should make it clear that the amenity area target figures will be applied flexibly having regard to a site's context and constraints.</p>
<p>OFFICER'S COMMENTS</p> <p>The importance of gardens, play space and other shared space is recognised in Policy HP6 of the Replacement Local Plan. The use of minimum garden areas provides a useful method of ensuring that sufficient open space is incorporated into development schemes. The statement details a range of circumstances where an exception to the 100m² requirement will be made allowing for flexibility based upon site specific circumstances. These exceptions allow flats and one or two bedroom dwellings, typically built at higher densities, to have lower levels of private garden space.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD3 PLAYING PITCH STRATEGY

RESPONDENT	COMMENTS
Home Builders Federation	<p data-bbox="453 259 655 293"><u>Statement PP8</u></p> <p data-bbox="453 327 1417 528">Whilst developers might reasonably be expected to contribute towards improved pitch drainage where new developments will put pressure on existing facilities, any sums sought should be in direct proportion to the developments in question. Developers should not be expected to pay to rectify existing deficiencies in order to primarily benefit the existing wider population.</p> <p data-bbox="453 562 655 595"><u>Statement PP9</u></p> <p data-bbox="453 629 1417 730">The statement is in clear breach of national planning guidance as set out in Circular 5/05. It seeks financial contributions regardless of existing levels of facilities or provision.</p> <p data-bbox="453 763 1417 965">This policy applies to all developments that result in a net gain of dwellings. Thus it applies even to single dwelling developments. Whilst it is acknowledged that there may be a marginal cumulative impact on existing facilities through a number of small developments it is also the case that the individual impact on existing facilities from single dwelling developments is negligible.</p> <p data-bbox="453 999 1417 1503">Circular 5/05 states that development should only be required to make provision for those facilities that are necessary as a direct result of new development and which fairly and reasonably relate in scale and kind to the development proposed. Given the negligible impact from very small developments it has to be questionable whether a requirement for recreation provision from all developments does meet this requirement of 5/05. Clearly in the case of very small developments the vast majority of the overall open space requirement, apart from perhaps amenity open space, would be expected to be provided off-site or via contributions in lieu of direct provision. In order for such contributions to comply with 5/05 there has to be some reasonable prospect of the money being spent within a reasonable period for the purpose for which the contribution was sought and within a reasonable proximity of the development from which it was sought. Again, for very small developments this is going to be very difficult to achieve.</p> <p data-bbox="453 1536 1417 1872">It will also require a great deal of resources and effort to implement and administer such a scheme effectively and within the confines of the requirements of 5/05 i.e. each contribution should be directly accountable and traceable. All of these factors suggest that applying the requirement to all development is not a satisfactory way forward, regardless of the nature of existing open space provision in the District. Instead it should only be applied to developments over a certain threshold of 10 dwellings at the very least in order that these practical difficulties can be overcome. There does not appear to be any Adopted Local Plan policy that justifies the statement in the SPD.</p> <p data-bbox="453 1906 1417 1984">Furthermore, it is noted that the Council's Assessment of Playing Pitches is now over 4 years old, and can no longer be considered up to date.</p>

OFFICER'S COMMENTS

Statement PP8 – The addition of a sentence stating that contributions required will be in direct proportion to the developments in question would help clarify that contributions will be required to improve pitches when new development would result in increased demand.

Statement PP9 – It would be appropriate for Statement PP9 to be amended to include a reference to the generation of playing pitch demand. This would clarify that contributions will be sort where a development scheme will result in addition playing pitch demand and would be used to provide additional facilities or improve existing ones.

RECOMMENDATION

That the following sentence is added to the end of statement PP8:

'Contributions will be required where new developments will put pressure on existing facilities and any sums sought should be in direct proportion to the developments in question.'

That the start of statement PP9 is amended to state:

'**Where a development scheme will result in additional playing pitch demand**, the LPA will require contributions.....'

RESPONDENT	COMMENTS
<p>Savills Commercial Ltd on behalf of Southend United Football Club</p>	<p>The SPD 3 Playing Pitch Strategy has not been prepared in accordance with the LDF principles. The new planning system advocated by the Planning & Compulsory Purchase Act 2004, requires SPD's to be simple, concise and easy to use, supported by the RSS and other national policy guidance. The SPD should be redrafted to remove the research documentary evidence and make reference to this document as the evidence base for the LDF and SPDs. The SPD is therefore unwieldy and difficult to use. The SPD should be re-organised to contain just the Statements PP1 – PP9 and the supporting text.</p> <p>Statement PP6 refers that sports pitches may be considered an appropriate land use within the Green Belt and sets out maximum support facilities associated with each type of sports pitch. The Statement does not envisage the type of sports proposals currently the subject of a planning application by Southend United Football Club (SUFC) on land designated as Green Belt at Smithers Farm, which will bring with them substantial benefits for both SEBC and RDC. Equally, the Statement refers that parking areas will not be supported in relation to such uses. It is however, unrealistic to provide new sporting facilities without the required infrastructure such as parking and sports halls as inadequate provision of related facilities can cause negative impacts on surrounding residents. PP6 must therefore recognise that adequate infrastructure may be an associated requirement for new sports facilities and consider the preparation of a very special circumstances policy related to need, sequentially available sites and associated community benefits.</p> <p>A new Statement should be drafted to support the provision of</p>

playing pitches associated with SUFC's new Stadium adjacent to Fossetts Farm at Smithers Farm, as playing fields are acceptable development within the Green Belt. The Statement could identify the criteria for addressing PPG2 very special circumstances related to the proposed new SUFC Stadium, the need for related playing pitches and ATP and proven need for additional car parking associated with the Stadium development. The need for the playing fields arises directly from the new Stadium, the sequential assessment of alternative sites, the safeguarding of the Fossetts Farm land for a Stadium as assessed by a Local Plan Inspector and need for training grounds close to the Stadium which can be served by public transport.

OFFICER'S COMMENTS

The SPD's evidence base is included as an Annex.

PP6 has been drafted having regard to PPG2 and Policy R1 of the recently adopted Rochford District Replacement Local Plan.

PPG2 states that essential facilities for outdoor sport and recreation are not inappropriate development in the Green Belt. PPG2 expands on this in paragraph 3.5 which states:

"Essential facilities....should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation."

Policy R1 of the Rochford District Replacement Local Plan lists the types of development which may be appropriate in the Green Belt. This includes:

"Essential small-scale facilities for outdoor sport and outdoor recreation in accordance with PPG2".

The amendments which this representation proposes would be contrary to national policy on the Green Belt and to the Council's Replacement Local Plan Policy R1, which has recently been tested and found to sound during the Local Plan inquiry.

The standards outlined in PP6 are taken from Sport England guidelines and represent a balance between the need to preserve the openness of the Green Belt and the need to provide for recreational activities.

RECOMMENDATION

That no changes are made to the SPD with respect to this representation.

RESPONDENT	COMMENTS
Sport England	<p>Sport England supports the general principle of producing a Supplementary Planning Document to cover playing pitch provision within the District.</p> <p>However, we believe the approach taken is flawed for the following main reason:</p> <ul style="list-style-type: none"> • The principal evidence base used is a playing pitch assessment carried out in 2002 and adopted in October 2002, and is therefore four years old. Sport England would normally recommend that a playing pitch strategy/assessment is updated every three years and would therefore argue that a four year old assessment does not constitute a credible or robust evidence base on which to prepare an SPD. <p>We also have concerns relating to the detail of the SPD with regard to the following areas:</p> <ul style="list-style-type: none"> • We would question the need to have separate Policy Statements relating to recommended pitch sizes for the individual pitch sports. We would recommend a single policy statement suggesting that pitch provision should meet minimum standards for sizes and layouts in accordance with details contained within Appendix... • Statement PP7- we support the need for new facilities to be accessible by public transport, but would suggest that such a policy should be contained within a general Development Control policy document or the Core Strategy, with the SPD concentrating on establishing a framework for securing contributions towards new on-site and off-site provision. • Statement PP8- the wording of this statement is rather vague and gives little indication to developers regarding which developments will be expected to contribute towards off-site drainage improvements, or how such a contribution would be calculated. • Statement PP9 –this seeks contributions towards playing pitch provision but does not specify a formula for calculating contributions per dwelling. It also fails to require contributions for future maintenance and management for either on-site or off-site provision. • Para 3.5 –Sport England supports the principle of securing community use of new pitches via a legal agreement. Sport England can supply templates for such agreements which should assist the local authority in their preparation. These are available under the ‘Planning Contributions’ section of the Sport England website: www.sportengland.org • The SPD should specify which facilities are to be covered by the document. Does it cover just pitches, or also facilities such as tennis courts, bowling greens and athletics tracks? Sport England advocates that any SPD should also seek to secure contributions towards built community sports facilities such as swimming pools and sports halls and we have developed the ‘Sports Facility Calculator’ to help assess the level of contribution required. This is available on the website: www.sportengland.org • The SPD should make clear the threshold to be adopted for requiring contributions towards sports pitches. Eg, Mid Devon DC have adopted a contributions policy based on a one dwelling threshold. • The SPD should give guidance on where the usual cut off point

	<p>will be for providing on-site provision as opposed to contributing towards off-site facilities.</p> <p>Sport England has published more detailed advice on securing contributions via an SPD relating to Sport and Recreation. This advice can be downloaded from the Sport England website.</p> <p>In summary therefore Sport England supports the principle of preparing an SPD relating to Sport and Recreation but are of the opinion that the current approach is flawed due to the out of date evidence base being used, whilst there is also insufficient detail relating to the methodology to be used to calculate and secure contributions for on-site and off-site facilities.</p>
<p>OFFICER'S COMMENTS</p> <p>There has been little extensive development within the district since time of the 2002 study. Therefore the assessment still provides a useful study of playing pitch provision within the district and a further review has not been carried out at this stage.</p> <p>It was judged that having individual policy statements provided a greater level of detail and made the document more usable than if this information was located within an appendix.</p> <p>The SPD was intended to provide detailed guidance on all issues relating to Playing Pitches. As playing pitches are a use that may often be located outside of existing development it was judged that ensuring sustainable access was particularly important.</p> <p>The comments relating to Statement PP9 and paragraph 3.5 are noted. It is suggested that a sentence is added to Statement PP9 stating that where contributions towards playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required in the case of both on-site and off-site provision.</p> <p>The SPD allows for a flexible approach by stating that the level of contribution required will be dependant on the level of additional playing pitch demand generated, together with the current costs of providing such playing pitches at the time of application.</p>	
<p>RECOMMENDATION</p> <p>It is suggested that a sentence is added to the end of Statement PP9 stating:</p> <p>‘Where contributions towards on-site or off-site playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required.’</p>	

SPD4 SHOP FRONTS – SECURITY AND DESIGN

RESPONDENT	COMMENTS
Rayleigh Civic Society	We fully support section 4, History. Paragraph 2.8 is particularly poignant we only hope designers will read this section and act upon it! We fully support all other sections in this SPD4.
OFFICER'S COMMENTS Comments noted.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	

SPD5 VEHICLE PARKING STANDARDS

RESPONDENT	COMMENTS
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 11 Food Retail Parking Standards</p> <p>Wm. Morrison Supermarkets plc consider that the base maximum standard for car parking associated with new food retail developments over 2,500 sq.m. should reflect recent Government guidance set out in PPG13.</p> <p>Whilst PPG13 sets out at Annex D the maximum car parking standards (for food retail of 1,000 sq.m. gross floorspace and above the standard is one space per 14 sq.m.), para. 56 of the PPG notes that a balance has to be struck between encouraging new investment in town centres by providing adequate levels of parking, and potentially increasing traffic congestion caused by too many cars. It is noted that where retail and leisure developments are located in a town centre, or on a 'edge-of-centre' site as defined by PPS6, Local Planning Authorities should consider allowing parking additional to the relevant maximum standards provided the Local Authority is satisfied that the parking facilities will genuinely serve the town centre as a whole and that agreement to this has been secured before planning permission has been granted.</p> <p>Wm Morrison Supermarket plc support the broad approach set out within PPS6 of directing new retail development to town centres in the first instance, in order to sustain and enhance their vitality and viability. The Company consider, however, that this approach will work in practice only if these centres can be developed in a manner which allows that development to be truly competitive with existing retail provision. Very often this would involve being competitive with existing foodstores which have larger car parks.</p> <p>Most existing foodstores are constructed with large car parks, so as to be attractive to car-borne shoppers. This means that in circumstances where a new store is to be proposed or development it must be sufficient scale, and must be sufficiently attractive to the bulk-food shopping public in order to be competitive.</p> <p>The way in which people shop determines which a store should be made competitive. A number of fundamental shopping habits underlie this:</p> <ol style="list-style-type: none"> a) the weekly bulk food shopping trip has become the norm. Its availability is expected by the shopping public. As the shopping trip is done in bulk, this can only be realistically undertaken by car. The volume of shopping is otherwise incapable of being transported in bulk. b) The only alternative is to make many more trips by other modes, on each occasion carrying less shopping. To expect people to shop in this fashion is both unrealistic and probably undeliverable given the work pattern of people in modern society. c) This situation is very different from that of the journey to work, where a modal shift typically involves the daily journey being made by bus or train instead of the car. A modal shift for shopping is likely to involve a single weekly car trip being replaced by three of four bus trips.

	<p>In broad terms, therefore, to fulfil the objectives of PPS6, it is necessary for town centre retailing to be competitive. To achieve this it must provide sufficient car parking to make the store as attractive as other existing stores in the area, and to ensure that foodstore facilities operate efficiently without adverse effects on the highway network.</p> <p>Car parks associated with food retail developments in or on the edge of town centres can also provide short term car parking facilities for shoppers and visitors to the centre which can serve the centre as a whole. The provision of such spaces could enhance the vitality and viability of town centres.</p>
<p>OFFICER'S COMMENTS</p> <p>The common use of the car for bulk shopping trips is taken into account in Statement PS4. The statement allows, where necessary, for a higher level of parking provision than would otherwise be permitted for retail developments. It states that an absolute maximum standard of 1 space per 14m² may be applied to food retail developments in accordance with PPG13 Annex D. Statement PS1 deals with the application of the parking standards and notes that there are locations where the guidelines may need to be varied.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
<p>RESPONDENT</p>	<p>COMMENTS</p>
<p>Peacock and Smith on behalf of WM Morrison Supermarkets Plc</p>	<p>Paragraph 20 Cycle Parking Standards</p> <p>Wm. Morrison Supermarkets consider cycle standards should not be set unnecessarily high levels, as they will result in the provision of spaces far in excess of the likely demand associated with food superstore development. This is likely to result in the inefficient use of land.</p> <p>Our client considers that the base minimum standards for long and short-term cycle parking associated with new food retails developments over 2,500 sq.m. should be:</p> <p>One short-term space per 500 sq.m. GFA plus One long-term space per 20 maximum staff on site at any one time.</p> <p>It is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their good when undertaking such trips.</p>

OFFICER'S COMMENTS	
<p>Whilst it is acknowledged that car is commonly used for bulk shopping trips to food retail developments, it is also necessary to consider those who do not have access to a car and those who make more frequent smaller shopping trips. Food retail developments are not only used for bulk shopping trips but also provide an important amenity for local people who often make frequent and smaller shopping trips that could easily be undertaken by sustainable transport. It is also important that provision is made for users of sustainable transport who choose to cycle to and from work or other locations who may wish to combine such trips with visits to local amenities such as food stores. The provision of dedicated cycle parking located close to the store entrance is an important method of encouraging the use of sustainable transport.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Peacock and Smith on behalf of WM Morrison Supermarkets Plc	<p>Paragraph 22 Motorcycle Parking Standards</p> <p>With reference to the provision for motorcycle parking it is considered that as food supermarkets generally cater for bulk food shopping purchases, that customers are unlikely to use this mode of travel to transport their goods when undertaking such trips. It is suggested that the proposed car parking bays or appropriately designed cycle stands could accommodate the limited amount of demand for motorcycle parking that may arise.</p>
OFFICER'S COMMENTS	
<p>The use of powered two-wheeled vehicles (PTW) for regular short journeys creates significant benefits such as reduced congestion and land-use for parking. As such minimum standards have been used to reflect the advantages PTW have over the car. As has been stated with respect to cycle parking provision it is important to consider those who do not have access to a private car, or those who wish to combine travelling to work with visits to local amenities such as food stores. Food retail developments also provide an important amenity for local people who often make frequent and smaller shopping trips. These trips can often be undertaken by more sustainable forms of transport such as PTW. The provision of dedicated motorcycle/moped parking located close to the store entrance is an important method of encouraging the use of these methods of transport and represents a more efficient use of land than if such users were required to park in standard car parking bays.</p>	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Statement PS12</u></p> <p>The HBF considers it highly important that the Council implements maximum parking standards in a flexible way, taking full account of local circumstances. Indeed, such a localised approach (rather than rigid blanket restrictions) is now being advocated by national government. It must be recognised that not all urban areas are the same, or enjoy the same levels of facilities and services.</p>

OFFICER'S COMMENTS	
It is recognised that different areas have varying levels of access to facilities and public transport services. For this reason Statement PS12 recognises that standards may need to be varied for different areas. Statement PS1 covers the application of parking standards and accepts that there are locations where the guidelines may need to be varied.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
The Planning Bureau Limited on behalf of McCarthy and Stone	<p>Although I have congratulated your involvement of a separate Sheltered Housing development design, I am a little disappointed to see it is overlooked in this SPD. In respect of Sheltered Housing, the Residential Care Home policy will have to assist in making a plausible judgement on provision of parking.</p> <p>In this case, there is an indication of 1 space per staff member and 1 space per 3 daily visitors. From looking at previous McCarthy and Stone developments and other Council's Parking Policies, it is likely that this figure could be changed to 1:4, making the proposed development sites more sustainable. There is also no indication of proposed parking provisions for residents. I do feel that there needs to be an additional policy designed around Sheltered Housing developments as found in the Design SPD.</p>
OFFICER'S COMMENTS	
Statement PS11 sets out the Parking Standards for Residential Institutions. For residential care homes there is a maximum standard of 1 space per resident member of staff, and 1 space per 3 bed spaces / dwelling units. Any parking for residents would need to be provided within this figure.	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Highways Agency	<p>Statement PS1</p> <p>Whilst we appreciate that in rural areas the use of the car is sometimes the only realistic means of transport, we would encourage the Council to, where possible, explore the provision of enhanced public transport provision as an alternative to the provision of greater levels of parking. Contributions to increased or enhanced public transport provision can not only reduce the amount of parking required for a particular development, but also have benefits to the larger community and lead to a reduction in overall car use.</p>

OFFICER'S COMMENTS	
Replacement Local Plan Policy HP5 (Infrastructure) allows the LPA to explore all means at their disposal, including planning gain contributions, to secure transportation infrastructure (particularly for buses and cycling).	
RECOMMENDATION	
That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Schools Service (Essex County Council)	<p>Can I request a minor change which we have agreed Corporately to bring Highways policy in line with Schools Service practice:-</p> <p>Page 15 Statement PS13 - Maximum Parking Standards for class D1: Schools ... Please re-word second sentence to read- '<i>Consideration also to be given to public / school transport waiting facilities if appropriate</i>'.</p> <p>I also noticed on page 30 (TABLE 3 - SUMMARY OF CAR PARKING STANDARDS STATEMENT PS24) that Schools appear twice with a different standard. I think again this may have been an error on the original ECC document and that the second reference should relate to Colleges.</p>
OFFICER'S COMMENTS	
The change to Statement PS13 would add greater clarity on highway safety issues to the document.	
The second reference to Schools in the Summary table is indeed an error. This should refer to Further and Higher Education.	
RECOMMENDATION	
<ul style="list-style-type: none"> That under Statement PS13 the Schools standard is amended so the second sentence reads: '<i>Consideration also to be given to public / school transport waiting facilities if appropriate.</i>' That the summary table on page 30 is amended so that the second reference to schools refers to Colleges (Further and Higher Education). 	
RESPONDENT	COMMENTS
Government Office for the East of England	<p>Conflict with National and Replacement Local Plan Policy</p> <p>Paragraph 2.43(i) in PPS12 – <i>Local Development Frameworks</i> indicates that SPDs must be consistent with, amongst other matters, national planning policies.</p> <p>Regulation 13(8) of the Town and Country Planning (Local Development) Regulations 2004 requires that an SPD is in conformity with policies in the Core Strategy and other DPDs, or a 'saved' policy. This is also reflected in paragraph 2.43 in Planning Policy Statement 12 (PPS12). The draft SPD indicates the relevant policies as being TP1, TP5, TP6, TP8 and TP9 in the Rochford District Replacement Local Plan adopted in June 2006.</p> <p>PPS12 also indicates that whilst SPDs contain policies which expand or</p>

supplement those policies, those SPDs should not include policies that should be subjected to proper independent scrutiny in accordance with statutory procedures (paragraph 2.44).

At paragraph 52 of PPG13 - *Transport* it is indicated that there 'should be no minimum standards for development, other than parking for disabled people'. Policy TP8, which includes the standards applicable by the Use Class and which are repeated in the draft SPD are expressed as maximums in line with national policy. However, at paragraph 11.2 of the draft SPD it is indicated 'a minimum standard will be applied for residential developments in rural or suburban areas due to the poor public transport provision in these areas'. This is repeated in Statement PS12.

The inclusion of minimum standards for dwellings in rural or suburban locations is inconsistent with national policy and in direct conflict with Policy TP8 in the Rochford District Replacement Local Plan. As such, the SPD should be amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential) and reinstate the standards as maximums in line with national policy and the Replacement Local Plan.

Requirements for Transport Assessments

In a number of the statements relating to car parking standards, it is indicated that for certain sizes of developments a Transport Assessment (TA) is required eg. Statements PS7, PS8, and PS9. The Rochford District Replacement Local Plan includes no policy provisions relating to requirements for TAs.

Whilst we do not object to identifying which developments will require a TA, the current wording is highly prescriptive and inflexible, setting thresholds over which TAs will be required relative to certain uses. The authority, in indicating the thresholds at which TAs are required should satisfy itself that there is robust and credible evidence for the thresholds identified.

We also request that consideration is given to using alternative wording to allow flexibility in requiring TAs reflecting, for instance, particular locations of development eg. Where development is proposed on an allocated site or an area designated for particular uses and where the principle of the use and scale of development has already been established. Further clarifying information could be included relating to the requirement for a TA relative to the particular issues that need to be addressed in the TA e.g. a TA would be required where there was a need to establish acceptability of the use and scale of development relative to network capacity etc.

OFFICER'S COMMENTS

The minimum standards used in Statement PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

Comments regarding transport assessment are noted. Policy TP8 of the Replacement Local Plan states that the requirements associated for vehicle parking are shown more fully in the Supplementary Planning Documents.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

RESPONDENT	COMMENTS
<p>Charles Planning Associates Ltd. on behalf of Swan Hill Homes Ltd.</p>	<p>Statement PS12 – Vehicle Parking Standards: Use Class C3 (Residential)</p> <p>With regard to Statement PS12, whilst Swan Hill generally supports the approach taken by the District Council towards setting residential parking standards, in that the Council has recognised that in the suburban areas, even with some access to public transport, the majority of residents will rely on the use of private cars. However, Swan Hill has concerns over the failure of the District Council to comply with the provisions of PPG13: Transport (2001) which sets out that Local Planning Authorities should not set minimum standards for car parking.</p> <p>Further, it has become common practice for Local Planning Authorities to set out car parking standards for residential development based on accessibility assessments of their administrative area. This would set out levels of services and facilities within the District's settlement, and the proximity of areas to public transport and cycling corridors. This would help to specifically identify those areas of high, medium and low accessibility, through which levels of car parking provision for new and extended residential developments could be assessed.</p> <p>As such, Swan Hill recommends that such an accessibility assessment be undertaken, through which car parking standards could then be developed for residential developments.</p>

OFFICER'S COMMENTS

Comments noted. The minimum standards used in Statement PS12 for dwellings in rural or suburban locations are inconsistent with national policy and conflict with Policy TP8 of the Rochford District Replacement Local Plan. It is proposed that this is changed to refer to maximum standards that will be applied flexibly depending on the accessibility of the location.

RECOMMENDATION

That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

SPD6 DESIGN GUIDELINES FOR CONSERVATION AREAS

RESPONDENT	COMMENTS
Home Builders Federation	<p><u>Statement CA1</u></p> <p>Again, the HBF considers that the Council needs to be flexible in its approach. Whilst it may be the case that 2 storey buildings currently predominate, good quality higher storey buildings may well be capable of being blended into their neighbouring environment.</p>
<p>OFFICER'S COMMENTS</p> <p>As this SPD deals with Conservation areas it is especially important that buildings are in keeping with the existing character of the area. Paragraph 3.2 accepts that whilst in areas of uniform building height it would not be appropriate to introduce variations in building height, in some other locations irregular building height might be accepted.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	
RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>SPD 6: Design guidelines for Conservation Areas</p> <p>The conservation areas within Rochford largely represent the cores of historic settlements. They therefore contain a range of sensitive below ground archaeological deposits which are a finite and non-renewable resource.</p> <p>Within the Introduction in paragraph 1.2 it is recommended that a sentence be added to reflect this. The following wording is recommended:</p> <p><i>Careful consideration needs to be given to below ground archaeological deposits.</i></p> <p>SPD 6: Design guidelines for Conservation Areas : Sustainability Appraisal Report</p> <p>Historic environment issues are not well integrated nor as fully considered as they need to be. The conservation areas within Rochford largely represent the cores of historic settlements. In particular the effects of development on below ground archaeological deposits, which are a finite and non-renewable resource, must be carefully managed if development is to be truly sustainable. Architects and designers will often be more aware and able to immediately appreciate the more obvious above ground elements of the historic environment, therefore it will be necessary to specifically highlight potential impacts on below ground remains.</p> <p>Page 41 : This section would benefit from the inclusion of a reference to the Rochford Historic Environment characterisation assessment and the historic town and settlement assessments that have been commissioned by Rochford District. It is also recommended that there should be additional maps included showing which towns and villages have been assessed as well as a copy of the overall Historic Environment Characterisation map.</p>

<p>OFFICER'S COMMENTS</p> <p>The changes to paragraph 1.2 to include consideration of archaeological sites would help provide further detail on the requirements of chapter 7 of the Rochford District Replacement Local Plan.</p> <p>The comments relating to the Sustainability Appraisal Report are noted.</p>	
<p>RECOMMENDATION</p> <p>That the following sentence is added to paragraph 1.2:</p> <p>Careful consideration needs to be given to below ground archaeological deposits.</p>	
RESPONDENT	COMMENTS
<p>Rayleigh Civic Society</p>	<p>Statement CA1</p> <p>Whilst we fully support CA1 we would like to see the paragraphs under SCALE made more forceful.</p> <p>Statement CA12 - Conservatories</p> <p>We fully support this statement. Unfortunately there are many instances in the district where <u>very large</u> conservatories have been allowed which dwarf the parent building and are totally out of keeping not only with the parent home but also houses adjacent in the road or around.</p>
<p>OFFICER'S COMMENTS</p> <p>Comments noted. The purpose of the SPD is to provide detailed design guidance. It is considered that Statement CA1 provides sufficient requirements for new buildings to be in keeping with the character of existing areas.</p>	
<p>RECOMMENDATION</p> <p>That no changes are made to the SPD with respect to this representation.</p>	

SPD7 DESIGN LANDSCAPING AND ACCESS STATEMENTS

RESPONDENT	COMMENTS
Historic Environment Branch (Essex County Council)	<p>Statement DLA3</p> <p>Within the bullet points in Statement DL3A, on page 5, an assessment of the historic environment constraints and opportunities should be included either in the second or third bullet point.</p> <p>SPD 7 Landscaping and access statements: Sustainability Appraisal Report</p> <p>Page 53 : This section would benefit from the inclusion of information on the Historic Environment characterisation assessment. It is recommended that there should be an additional map showing the overall Historic Environment Characterisation mapping.</p> <p>Within the table on page 62 PPG 16 Archaeology and Planning should be included as guidance for the archaeological heritage.</p> <p>Annex 1: Page 113 : PPG 16: Second column. The wording in the second column is incorrect and should be changed. The second column is recommended to read: <i>Useful source for baseline data, Historic Environment Record held at Essex County Council. Also add a target of Loss or damage to nationally and regionally important historic sites and features. Maintenance or enhancement of historic environment character as expressed in the Rochford Historic Environment Characterisation Project.</i></p> <p>The Third column should read: <i>Early consultation and careful consideration will be need to ensure preservation and/or mitigation of adverse impacts on historic environment assets</i></p>
<p>OFFICER'S COMMENTS</p> <p>The inclusion of a reference to historic environment constraints and opportunities would help ensure they are considered at an early stage within design statements.</p> <p>The comments relating to the Sustainability Appraisal Report are noted. The Rochford Historic Environment characterisation assessment forms part of the Local Development Framework evidence base which is considered in the production and sustainability appraisal of LDF documents.</p>	
<p>RECOMMENDATION</p> <p>That statement DLA3 is amended so that the second bullet point reads:</p> <ul style="list-style-type: none"> • An explanation of the constraints and opportunities the site has in terms of its design, eg. Features worthy of retention or protection, <i>an assessment of historic environment constraints and opportunities, any</i> features which are detrimental and need to be addressed; and 	
RESPONDENT	COMMENTS
Charles Planning Associates Ltd.	<p>Swan Hill has several serious concerns regarding this SPD, particularly that whilst the District Council have had regard to the provisions of Commission for Architecture and the Built Environment (CABE) advice on</p>

<p>on behalf of Swan Hill Homes Ltd.</p>	<p>the preparation of Design and Access Statements, they appear to have failed to have regard to the provisions of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).</p> <p>The GDPO sets out clear statutory guidelines on what planning applications require the submission of Design and Access Statements, and Swan Hill considers it is important that this is highlighted in the SPD.</p> <p>Further, Swan Hill supports, in principle the context of this SPD, but have serious concerns that the District Council has overcomplicated the matter regarding the submission of such supporting documents. It is clear in the GDPO and the CABE guidance that only those applications specified need submit a Design and Access Statement, within which provision is made for the inclusion of landscaping information on the development proposal.</p> <p>Swan Hill recognises the importance of landscaping schemes for medium to large planning applications, however, under the provisions of the GDPO all the necessary information for landscaping can be incorporated into the all-in-one Design and Access Statement. With regard to the provisions of Statement DLA1, Swan Hill understands the constraints of development in the countryside in Rochford District, and considers it is important to highlight sensitive areas in this SPD. However, sensitive landscaping designations would be highlighted within a Design and Access Statement, for which, in most cases (as specified in the GDPO), new development proposals will be required to submit a Design and Access Statement. Furthermore, Swan Hill considers 'Residential Areas' should be removed from the list within Statement DLA1.</p> <p>With regard the Access Statements outlined in Section 5.0, it is important to highlight that this should form part of the whole Design and Access Statement, and is therefore subject to the advice in the GDPO, and is not required for all planning application submissions. Swan Hill recognises the importance of providing access for disabled people in new developments, and all their developments conform to the requirements of Building Regulations 2000. However, the GDPO clearly sets out that access for disabled people only forms part of the access consideration in Design and Access Statements, and should be included in such Statements, in addition to the other requirements of the GDPO.</p> <p>In summary, Swan Hill considers that the District Council should revisit this SPD, and set out the requirements of Design and Access Statements in accordance with the requirements of the GDPO and the CABE guidance. Swan Hill acknowledges the overall content of this SPD is correct, however the Document appears confusing and disjointed, something the Government (through the amendments to the GDPO) sought to overcome by establishing these guidelines on Design and Access Statements for development proposals.</p>
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OFFICER'S COMMENTS

Since the drafting of this SPD there are now new requirements concerning design and access statements as a result of the Town and Country Planning (General Development Procedure Order) (GDPO) 1995 (as amended 2006).

For this reason it is necessary to change section 2 which outlines when design, landscaping and access schemes will be required, and make a number of other minor changes to the document.

RECOMMENDATION

- That a reference to access statements is added to the end of paragraph 1.1 to state: 'For these reasons certain types of planning application are required to be accompanied by a design, **landscaping and access** statements.'
- That a sentence is added to paragraph 1.3 stating making clear that the requirements for design, landscaping and access can all be incorporated into one statement.
- It is proposed the start of Statement DLA9 is reworded as follows to conform with the new requirements:

STATEMENT DLA9

'At its very simplest, an access statement might simply record that the intention of the client, designeretc.

- As a result of the new requirements for design and access statements it is proposed that section 2 is reworded to state:

2.**WHEN DESIGN, LANDSCAPING AND ACCESS STATEMENTS ARE REQUIRED****2.1**

From 10 August 2006, all planning applications not included in the categories listed below must be accompanied by a Design and Access Statement, incorporating landscaping information on the proposal.

2.2

The purpose of the statement is to explain and justify the design and access principles and concepts on which a development proposal is based, and how these will be reflected in individual aspects of the scheme.

STATEMENT DLA1

Design and Access Statements, incorporating Landscaping information, are required for all planning applications not included in the categories below.

Categories of development not included in this requirement are:

- **engineering and mining operations;**

- **development of an existing house or development within the curtilage for any purpose incidental to the enjoyment of the dwelling-house (except for dwelling-houses in a conservation area);**
- **a material change of use of land or buildings.**

Design and landscaping statements will also be required for any sites considered complex or sensitive by the Local Planning Authority or in the case of any major development sites as defined in Policies HP4 and EB5 of the Replacement Local Plan. The Local Planning Authority defines sensitive sites as those lying within or having an impact upon to following (as defined by law or no the local plan proposals maps):

- **Metropolitan Green Belt**
- **Coastal Protection Belt**
- **Special Landscape Areas**
- **Areas of Historic Landscape Value**
- **Sites of nature conservation importance (including, but not limited to, SSSIs, SACs and SPAs)**
- **Residential areas, and**
- **Public open space and green spaces**

Where an applicant is unsure if a site is considered sensitive they should contact the local planning authority to discuss the matter.

- **It is proposed that section 2.3 remains unchanged.**

SPD8 RURAL SETTLEMENT AREAS

RESPONDENT	COMMENTS
Mr. Brian Byford	After wading through this series of documents online I eventually came upon section SPD8, Rural Settlement Areas and was very surprised indeed to find that my property, number 46 High Road Hockley, was not included in the adjoining rural settlement whilst all my neighbours enjoy this privilege. May I ask you why this is?
OFFICER'S COMMENTS Reply sent by letter explaining that 46 High Road, Hockley, is set back from the road and separated from the other development by Home Farm. It has not been included within the rural settlement area as it is functionally separate from the main ribbon of development along the High Road.	
RECOMMENDATION That no changes are made to the SPD with respect to this representation.	
RESPONDENT	COMMENTS
Government Office for the East of England	Having looked through the Rural Settlement Areas SPD, it is our understanding that it clarifies those properties to which policy R2 applies. Therefore, we have no comments to make.
OFFICER'S COMMENTS None.	
RECOMMENDATION None.	

SUMMARY OF RECOMMENDATIONS

GENERAL CHANGES

- It is proposed that the glossary and units of measurement page are located after the main body of the document.
- It is proposed that four extra glossary items are included within the SPDs:
 - Historic Environment Record
 - Historic Environment Characterisation of Rochford
 - Historic Town Assessment
 - Historic Settlement Assessments
- That the statement regarding the East of England Plan is removed.

SPD1 EDUCATIONAL CONTRIBUTIONS

- It is proposed that the cost per place figures listed in appendix B are amended to £8,986 for Primary and £14,055 Secondary.
- That the statutory basis section is amended to include a reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.
- It is proposed that paragraph 2.2 is extended by the addition of :

‘.....policies, contained within local plans and other documents. It should be noted that the structure plan policies will only be saved until replaced by the Regional Spatial Strategy (unless they are specifically mentioned as not being replaced by the RSS) and that the current Rochford District Replacement Local Plan policies will eventually be replaced by new LDF policies. It may be necessary for the SPD to be redrafted and consulted upon to conform and support new LDF policies.’
- It is proposed that extracts of Replacement Local Plan policies HP5 (Infrastructure) and HP21 (Planning Obligations) are included at the end of Section 2.

SPD2 HOUSING DESIGN

- Addition to statement HD2 to read:

h) Landscaping schemes should link in with existing habitats to preserve or enhance biodiversity
- That paragraph 5.1 is amended to state:

“Minimum requirements for site frontage are a useful measure to guard against the overdevelopment of infill sites. Statement HD3 also allows for the variation of frontage size where necessary to ensure they are compatible with the existing form and character of the area. Housing development on small vacant frontage plots comprising infilling shall be subject to the following building design criteria:”
- It is proposed that the title of paragraph 11 is amended to:

Conservation areas, listed buildings and archaeological sites.

- It is proposed that paragraph 11.1 is reworded to state:

“...within conservation areas and/or proposed works to buildings listed as being of special architectural or historic interest **and/or areas recorded as being of archaeological interest on the Historic Environment Record**, regard will be had...”

- It is proposed that an extract of Replacement Local Plan policy HP6 (Design and Layout) is included at the end of section 2 – Policy Background.
- That paragraph 3.2 is amended to state:

“The Local Planning Authority will **apply** the following **statement** with regard to the provision of private garden areas.”

- That paragraph 2.1 is amended to state:

“The Essex Design Guide for Residential and Mixed Use Areas (2005) has formally been adopted as Supplementary Planning Guidance for the District. **It is also the Council’s intention to adopt the Essex Design Guide Urban Place Supplement as a Supplementary Planning Document.** These documents detail the core design advice against which developments within the district will be assessed. Developers and designers will need to consult them in addition to this guidance note.”

- It is proposed that a note is added to Section 2 (Policy Background) stating that as the SPD must conform with DPD policies it may be necessary to amend the SPD when other documents within the LDF are adopted.
- That Statement HD4 (c) is amended to state:

“Single-storey rear extensions (including conservatories) to semi-detached and terraced properties **should not detrimentally impact on neighbouring residential amenity, by way of overlooking, overshadowing or being overbearing.**”

- That the word ‘detrimentally’ is added to Statement HD10 (c) to state:

“...existing dwellings and would **detrimentally** affect the visual and residential amenity of those dwellings...”

- That the word ‘unacceptable’ be added to section 18.3 to state:

“No scheme should give rise to **unacceptable** overlooking of private garden areas or loss of privacy or daylighting to adjoining properties, especially due to the location of living rooms on upper floors.”

SPD3 PLAYING PITCH STRATEGY

- That the following sentence is added to the end of statement PP8:

“Contributions will be required where new developments will put pressure on existing facilities and any sums sought should be in direct proportion to the developments in question.”

- That the start of statement PP9 is amended to state:

“***Where a development scheme will result in additional playing pitch demand***, the LPA will require contributions.....”

- It is suggested that a sentence is added to the end of Statement PP9 stating:

‘Where contributions towards on-site or off-site playing pitch provision are required, contributions towards the future maintenance and management of these facilities will also be required.’

SPD4 SHOP FRONTS – SECURITY AND DESIGN

No recommended changes.

SPD5 VEHICLE PARKING STANDARDS

- That under Statement PS13 the Schools standard is amended so the second sentence reads: ‘***Consideration also to be given to public / school transport waiting facilities if appropriate.***’
- That the summary table on page 30 is amended so that the second reference to schools refers to Colleges (Further and Higher Education).
- That the SPD is amended before adoption removing references to minimum standards in rural or suburban areas in relations to Use Class C3 (residential). Instead it is proposed that maximum standards are applied in line with national policy and the Replacement Local Plan along with a statement that flexibility in the application of standards will be necessary in rural or suburban areas which are served by poor off-peak public transport.

SPD6 DESIGN GUIDELINES FOR CONSERVATION AREAS

- That the following sentence is added to paragraph 1.2:

“Careful consideration needs to be given to below ground archaeological deposits.”

SPD7 DESIGN, LANDSCAPING AND ACCESS STATEMENTS

- That statement DLA3 is amended so that the second bullet point reads:
 - An explanation of the constraints and opportunities the site has in terms of its design, eg. Features worthy of retention or protection, ***an assessment of historic***

environment constraints and opportunities, any features which are detrimental and need to be addressed; and

- That a reference to access statements is added to the end of paragraph 1.1 to state: 'For these reasons certain types of planning application are required to be accompanied by a design, **landscaping and access** statements.'
- That a sentence is added to paragraph 1.3 stating making clear that the requirements for design, landscaping and access can all be incorporated into one statement.
- It is proposed the start of Statement DLA9 is reworded as follows to conform with the new requirements:

“STATEMENT DLA9

At its very simplest, an access statement might simply record that the intention of the client, designer”etc.

- As a result of the new requirements for design and access statements it is proposed that section 2 is reworded to state:

(It is proposed that section 2.3 remains unchanged.)

“WHEN DESIGN, LANDSCAPING AND ACCESS STATEMENTS ARE REQUIRED

2.1

From 10 August 2006, all planning applications not included in the categories listed below must be accompanied by a Design and Access Statement, incorporating landscaping information on the proposal.

2.2

The purpose of the statement is to explain and justify the design and access principles and concepts on which a development proposal is based, and how these will be reflected in individual aspects of the scheme.

STATEMENT DLA1

Design and Access Statements, incorporating Landscaping information, are required for all planning applications not included in the categories below.

Categories of development not included in this requirement are:

- **engineering and mining operations;**
- **development of an existing house or development within the curtilage for any purpose incidental to the enjoyment of the dwelling-house (except for dwelling-houses in a conservation area);**
- **a material change of use of land or buildings.**

Design and landscaping statements will also be required for any sites considered complex or sensitive by the Local Planning Authority or in the case of any major development sites as defined in Policies HP4 and EB5 of the Replacement Local

Plan. The Local Planning Authority defines sensitive sites as those lying within or having an impact upon to following (as defined by law or no the local plan proposals maps):

- **Metropolitan Green Belt**
- **Coastal Protection Belt**
- **Special Landscape Areas**
- **Areas of Historic Landscape Value**
- **Sites of nature conservation importance (including, but not limited to, SSSIs, SACs and SPAs)**
- **Residential areas, and**
- **Public open space and green spaces**

Where an applicant is unsure if a site is considered sensitive they should contact the local planning authority to discuss the matter.”

SPD8 RURAL SETTLEMENT AREAS

No recommended changes.

CHANGES FOLLOWING THE PLANNING POLICY SUB-COMMITTEE ON 14th DECEMBER 2006

GLOSSARY

LOCAL PLANNING AUTHORITY

The local authority or council that is empowered by law to exercise planning functions. This is Rochford District Council for most matters, except for minerals and waste planning, when it is Essex County Council.

PUBLIC ART

Permanent or temporary physical works of art visible to the general public, whether part of a building or free-standing. For example, sculpture, lighting effects, street furniture, paving, railings and signs.

SUSTAINABLE DEVELOPMENT

A widely used definition drawn up by the World Commission on Environment and Development in 1987: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". The Government has set out four aims for sustainable development in its strategy "A Better Quality of Life, a Strategy for Sustainable Development in the UK". The four aims, to be achieved at the same time, are: social progress which recognises the needs of everyone; effective protection of the environment; the prudent use of natural resources; and maintenance of high and stable levels of economic growth and employment.

SPD1 – Educational Contributions

"2.2 The Essex and Southend on Sea Replacement Structure Plan (adopted in April 2001) reinforces the approach set out in Circulars 1/97 and 05/05. Policies BE5 & H4 reflect the guidance and set out the circumstances where planning obligations may be required and relate to the proposed development. These policies will be saved and still apply after the enactment of the Planning and Compulsory Purchase Act. In addition, many local planning authorities within Essex have their own policies, contained within local plans and other documents. It should be noted that the structure plan policies will only be saved until replaced by the East of England Plan Regional Spatial Strategy (unless they are specifically mentioned as not being replaced by the RSS) and that the current Rochford District Replacement Local Plan policies will eventually be replaced by new LDF policies. It may be necessary for the SPD to be redrafted and consulted upon to conform and support new LDF policies."

SPD2 – Housing Design

"3.3 For flats, when built, the standard shall be:

- a) Minimum balcony area of 5 m², with the ground floor dwelling having a minimum patio garden of 50 m²; or
- b) The provision of a useable communal residents garden on the basis of a minimum area of 25 m² per flat.

These two methods for flats may also be combined."

“4.2 When considering planning applications for residential development, the Local Planning Authority will need to be satisfied that adequate provision is made within the site for hard and soft landscaping, including paving, grassed and planted areas. This landscaping must be an integral part of the overall development scheme. Where full details of the landscaping of the sites are not included within the planning application, the Local Planning Authority will make any permission conditional upon a landscaping scheme being agreed and implemented within a specified period. In considering landscaping schemes the Local Planning Authority will require:

- a) All existing sound and healthy trees and hedgerows will be retained wherever possible, particularly in rural locations. Where a hedge or tree must be removed to satisfy visibility requirements it must be replaced, set back if necessary to satisfy these requirements.
- b) In deciding upon the location of planting, proper consideration must be given to the mature size of the tree and its effect upon daylighting and underground services.
- c) The provision of shrub planting will be encouraged so as to provide an instant impact in the new development.
- d) There will be sufficient planting which contributes to the development by:
 - preventing soil erosion or stabilizing slopes;
 - providing a screen from wind, noise or view;
 - softening the appearance of buildings; and/or
 - providing a focal point in a space.
- e) Where existing healthy trees are protected by the conditions of a planning consent or where tree planting is required in a landscaping scheme, the Local Planning Authority will ensure their long-term preservation as an integral part of the housing development by serving Tree Preservation Orders as appropriate.
- f) Within residential environments, landscaping schemes must include the use of paving or additional features such as public art where appropriate to enhance the amenity of these areas.
- g) Landscaping schemes in residential areas must include the use of landscaping measures to reduce the risk of flooding. This is especially important when the proposed development is in an area at risk of flooding as defined by the Rochford District Replacement Local Plan Proposals Map.
- h) Landscaping schemes ~~must should~~ link in with existing habitats to preserve or enhance biodiversity.

“14.2 It is essential that an adequate and satisfactory means of access is provided to the proposed development site. Means of access will be assessed as follows:

- a) In the case of backland development accessed from an estate road - as set out in the Essex Design Guide for Residential and Mixed Use Areas;
- b) In the case of backland development accessed from a classified road – as advised by the Essex County Highways department;
- c) In all cases - any access to a backland site which is in close proximity to existing dwellings and would detrimentally affect the visual and residential amenity of those dwellings by virtue of noise, dust or fumes, disposal of rubbish or create road safety problems will be refused.

Applications for backland development will also need to show that the proposal will not result in any adverse impact upon sites of cultural and historic importance, or upon biodiversity and green spaces.”

16.5 TREES

In cases where street trees exist on grass verges, the Local Planning Authority will require those trees to be retained and Tree Preservation Orders will be served in where necessary~~appropriate cases~~.

SPD6 – Design Guidelines for Conservation Areas

- “3.1 For new development to fit within the overall framework of a conservation area it must~~should~~ reflect the local characteristics of the neighbourhood. When designing a new building the starting point should be to consider the context of the site and the existing built environment. It is essential to make an assessment not only of the built form, materials and detailing, but also of the character of the spaces between the buildings and the appearance of the street scene. The following section outlines the principle points of consideration.”
- “3.3 The mass of a new building must~~should~~ not dominate or conflict with the adjoining properties. Within the settlement areas of Rochford District the scale is primarily that of two-storey domestic architecture.”
- “3.5 The height of new buildings must~~should~~ be in keeping with the existing character of the area.”
- “3.6 The individual elements of a new development must~~should~~ be related proportionally to each other. In addition the form must~~should~~ be appropriate to its immediate neighbours and any important features on surrounding buildings.”
- “3.8 Where extension are carried out they must~~should~~ produce additive rather than subtractive forms.”
- “4.3 Raised ridge tiles used to provide extra ventilation must~~should~~ be avoided. It is possible to obtain hand-made ridge tiles capable of providing ventilation, but still maintaining an unbroken ridge height along the length of the roof.”
- “4.5 Roof design must~~should~~ follow local tradition and relate to the best of existing roof details. On tiled roofs simple verges with undercloaks will normally be appropriate. Verges formed by the use of bargeboards must~~should~~ be generally avoided unless the building is rendered or weatherboarded. Where barges are used "boots" at the base must~~should~~ be avoided. Verges that are finish against a protective parapet are sometimes appropriate in higher status buildings.”
- “4.11 External plumbing must~~should~~ always be avoided and must~~should~~ not disturb or break through any mouldings or decorative features. Cast iron for gutters and downpipes is the first choice for new buildings in a conservation area. Metal is appropriate but plastic is out of character in historic environments and must~~should~~ be avoided. All rainwater goods must~~should~~ be painted black. On most buildings half round gutters with round downpipes are suitable, although gutters that are

moulded or ogee in section may be more in keeping for a building which has an eighteenth or nineteenth century character.”

- “4.19 In brick walls proper arches ~~must should~~ be formed over openings. Coursed brickwork or brick-on-end soldier courses are ~~considered to be~~ unsuitable. Cambered or flat arches ~~must should~~ be formed using special voussoir (wedge-shaped) bricks.”
- “4.20 Weatherboarding must always be featheredge not shiplap and generally painted white or cream. The use of stains is not ~~considered to be~~ appropriate.”
- “4.23 The staining of external joinery is a modern phenomenon which disguises the intricacy of the joinery and gives a dull uninteresting appearance. Paint is the correct finish for timber windows, staining is not a traditional finish and ~~must should~~ not be used.”
- “4.28 Dormer windows were used to light attic rooms, which were considered to be of secondary importance to the main part of the house. They were therefore very simply detailed. New dormers, if absolutely necessary, ~~must should~~ be carefully designed to match the character of the surrounding buildings and ~~must should~~ be detailed in a simple style. They ~~must should~~ appear as an incident in the roof space and ~~must should~~ not proliferate or be set close together. In design flat roofed dormers ~~must should~~ be lead covered whilst pitched roof types ~~must should~~ have plain tiles at a 50° pitch. The side panels, or cheeks, ~~must should~~ be thin rather than wide to ensure the dormer appears incidental to the existing building.”
- “5.2 Modern extensions ~~must should~~ not dominate the existing building in either scale, material or situation. Extensions ~~must should~~ be designed to be in sympathy with the character of the original building so that it complements its appearance. They ~~must should~~ be visually subordinate to the main building.”
- “5.3 The main building ~~must should~~ be used as a reference for materials and detailing. Pitched roofs must have a definite break in the ridge-line. The wall line ~~must should~~ not be continued on the same plane. Care ~~must should~~ be taken to follow the fenestration and detailing of the original building.”
- “5.4 Whilst generally the character of the new ~~must should~~ reflect that of the old there are circumstances where this may not apply. In areas where variety of materials and forms frequently provide most of the local character an extension may best be expressed by using contrasting but still vernacular materials. Where the existing building is itself of poor design an extension may provide an opportunity to enhance or screen its appearance.”
- “6.2 Conservatories for smaller houses ~~must should~~ take a simple lean-to greenhouse form, be constructed of white painted softwood and with the minimum of fancy decoration. They ~~must should~~ be modest in size in relation to the original building, carefully detailed with the minimum of architectural embellishment and sensitively sited away from the principle elevations. Conservatories must be designed to be in keeping and in harmony with the existing environment.”
- “8.2 Walls ~~must should~~ be constructed with suitable bricks for the locality. They ~~must should~~ be articulated with piers at suitable centres and capped with traditionally

detailed copings. Major lengths of enclosing walls may require a plinth in order to give them visual substance.”

“8.3 Walls are often necessary to provide enclosure and in such cases they ~~must should~~ be at least two metres high. Where gates are necessary in such enclosing walls, they ~~must should~~ be close boarded in order to continue the containment.”

“8.4 Where railings are required the purpose is generally to protect and give enclosure to a yard or garden which has a residential character. Such railings and the necessary gates ~~must should~~ be traditionally detailed with spear tops, hoops or other historic forms. The railings may be raised on low brick plinth walls with stone copings.”

SPD7 – Design, Landscaping & Access Statements

“1.1 Planning Policy Statement (PPS) 1 (*Delivering Sustainable Development*) states that planning policies ~~must should~~ promote high quality inclusive design in both the layout of new developments and within individual buildings. The function and impact of the building ~~must should~~ be considered over the lifetime of the development not just for the short term. Design which fails to take the opportunities available for improving the character and quality of an area ~~must should~~ not be accepted. Good design, as stated in PPS1, is an important aspect of development and not necessarily easy to achieve. Applicants ~~must should~~ be able to demonstrate how they have taken account of the need for good design in their development proposals. For these reasons, certain types of planning application are required to be accompanied by a design, landscaping and access statements.”

“4.6 Guidance on Landscaping schemes is available from a number of sources, including Rochford District Council. The CABE guide ‘Design and access statements: how to write, read and use them’ includes advice on landscaping (www.cabe.org.uk). The National House Building Council (www.nhbcbuilder.co.uk) sets out guidelines on the design of new buildings in relation to existing and proposed vegetation. For more information see “NHBC Standards Chapter 4.2”, BS 8004:1986 “Code of Practice for Foundations” or contact the Building Control Section. The British Standard “Guide for trees in relation to construction” (BS 5837:1991) also sets out details regarding vegetation and development.”

Planning Policy & Transportation Committee – 11 January 2007

Minutes of the meeting of the **Planning Policy & Transportation Committee** held on **11 January 2007** when there were present:-

Chairman: Cllr P A Capon
Acting Vice-Chairman: Cllr Mrs M J Webster

Cllr C I Black
Cllr J P Cottis
Cllr T G Cutmore

Cllr A J Humphries
Cllr D Merrick
Cllr J M Pullen

VISITING MEMBERS

Cllrs K J Gordon and C G Seagers.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr C A Hungate.

SUBSTITUTES

Cllr P F A Webster.

OFFICERS PRESENT

S Scrutton - Head of Planning and Transportation
S Worthington - Committee Administrator

6 MINUTES

The Minutes of the meeting held on 28 November 2006 were approved as a correct record and signed by the Chairman.

7 DECLARATIONS OF INTEREST

Cllr C G Seagers declared a personal interest in item 9 of the agenda relating to supplementary planning document (SPD) 6, by virtue of owning a house in a conservation area. Cllr A J Humphries declared a personal interest in the same agenda item, relating to SPD3, by virtue of membership of Rayleigh Town Council. Cllr D Merrick also declared a personal interest in the same agenda item, relating to SPD5, by virtue of there being a private car park at his office.

8 SUPPLEMENTARY PLANNING DOCUMENTS

The Committee considered the report of the Head of Planning and Transportation seeking Members' approval for the adoption of Supplementary Planning Documents 1 to 8, which have been amended following public consultation and the recommendations of the Planning Policy Sub-Committee.

Officers advised that the Member version documents circulated on 8 January,

Planning Policy & Transportation Committee – 11 January 2007

incorporated all the amendments agreed by the Planning Policy Sub-Committee at its meeting on 14 December. There were, however, some omissions, which would be inserted into the final version of the documents. These are all listed separately in the appendix to these Minutes.

It was further noted that the amendments made by the Planning Policy Sub-Committee on 14 December 2006 to SPD6 related to paragraph 4.24 rather than 4.23 and to paragraph 4.6, rather than 4.46.

Members appraised the draft SPDs on a page by page basis and made a series of additional amendments which are also listed in the appendix to these Minutes.

It was emphasised that the SPDs were not intended to provide definitive statements, but rather to offer advice and guidance and further clarification of the relevant policies and to be used by the local planning authority as a basis for negotiation with developers. As such, it was important that the documents were not prescriptive.

Officers stressed that any glossary terms appearing in the 8 SPDs would appear in italics and that an explanatory note would be included on the contents page of each SPD.

With respect to SPD3 (Playing Pitch Strategy), Members expressed concern that the supply of playing pitches was not meeting current demand in certain parts of the district. It was vital to address the issue of developing playing pitch provision over the next few years, and a review of the document was appropriate in the next 18 months to 2 years.

Particular reference was made to SPD4 ((Shop Fronts – Security and Design); Members commended officers for their hard work in producing such an excellent document.

In response to a Member enquiry relating to Supplementary Planning Document 2, officers advised that paragraph 3.2(iv) was an exception to the 100m² rule which had been in use within the district for approximately 20 years.

Resolved

- (1) That the Member version Supplementary Planning Documents 1-8 circulated on 8 January 2007 be adopted by the Council, subject to the changes set out in the appendix to the Minutes of the Planning Policy & Transportation Committee on 11 January 2007, in accordance with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.
- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry

Planning Policy & Transportation Committee – 11 January 2007

out minor amendments to the SPDs to ensure consistency and correctness. Any such amendments, if required, will be reported to the Planning Policy and Transportation Committee. (HPT)

The meeting closed at 10.05 pm.

Chairman

Date

Glossary

- ‘Regional Spatial Strategy’ to be replaced with the words “East of England Plan”.
- To include the following items:-
 - Historic Environment Record
 - Historic Environment Characterisation of Rochford
 - Historic Town Assessment
 - Historic Settlement Assessments

Contents Pages for Supplementary Planning Documents 1 – 8

To include the following text:-

“A glossary of the technical terms used in this document is available on the Council’s website or can be obtained in hard copy from the Council’s offices in Rochford and Rayleigh. Terms listed in the glossary are shown in italic type.”

Supplementary Planning Document 1 – Educational Contributions

Statutory Basis Page

To be amended to include a reference to Section 106 of the Town & Country Planning Act 1990 and Circular 5/05 Planning Obligations.

Page 2

The reference to the Regional Spatial Strategy in paragraph 2.2 should be deleted and replaced with the term “the East of England Plan”.

Supplementary Planning Document 2 – Housing Design

Page 4

Insert the following sentence at the end of paragraph 5.1:-

“Housing development on small vacant frontage plots comprising infilling shall be subject to the following building design criteria.”

Page 5

The first sentence of paragraph 7.2 to read as follows:-

“In assessing planning applications for housing schemes, including the development of new estates and infill plots within existing residential areas, the Local Planning Authority will require that a minimum separation of one metre is achieved in all cases between the side boundaries of the hereditament and habitable rooms of the dwelling house”.

Page 10

In paragraph 15.3, replace “should” with “must”.

Page 11

In paragraph 15.6, replace “may” with “is likely to”.

Page 12

In paragraph 16.4, replace “expect” with “require”.

Page 13

In paragraph 17.2, delete “additional” in the first line.

Page 14

At the beginning of the first sentence of paragraph 18.2, delete “It will be expected that”.

Supplementary Planning Guidance 3 – Playing Pitch Strategy

Page 7

At the end of paragraph 2.17, insert the following:-

“Contributions will be required where new developments will put pressure on existing facilities and any sums sought should be in direct proportion to the developments in question”.

Supplementary Planning Guidance 5 – Vehicle Parking Standards

Page 6

Insert paragraph 11.2, as follows:-

“It should be noted that a minimum standard will be applied for residential developments in rural and suburban areas due to the poor public transport found in these areas”.

Page 12

Insert “Colleges” before “(Further and higher education)” in the standards table.

Page 16

Under 16, parking bay size, delete “preferred bay size 5.5m x 2.4m”.

Insert “useable floor space” after “Minimum garage size 5.0m x 2.5m”.

In the notes section of the table, delete “parallel to and” from the first sentence of the second bullet point.

Paragraph 17.1 to read as follows:-

“The most economical layout in terms of land usage is 70 degree parking with parallel aisles. Examples of parking arrangements are shown below and overleaf.”

Page 19

The diagram relating to disabled parking did not match the dimensions for disabled parking bays outlined in paragraph 19.1. Officers to verify the dimensions with County Highways and to ensure that the correct dimensions are included in both paragraph 19.1 and in the corresponding diagram.

Page 20

At the end of paragraph 20.2 insert “for public, commercial and industrial buildings”.

Page 21

At the beginning of D1, replace “plans of worship” with “places of worship”.

Page 22

Officers to verify the dimensions listed in the table relating to car sales showrooms with County Highways and to amend, if necessary.

Page 23

Insert “to comply with the secured by design standard” at the end of the second sentence in paragraph 21.1.

Replace “suitable” with “acceptable” in the third sentence of paragraph 21.2.

Page 24

Insert “for all use classes” at the end of paragraph 22.2.

Page 25

Under A1, Shops – food, insert “maximum” at the end.

Supplementary Planning Document 6 – Design Guidelines for Conservation AreasPage 1

Replace “needs to” with “must” in the final sentence of paragraph 1.2.

Delete “such as the Royal Institute of British Architects (RIBA)” at the end of paragraph 1.5.

Page 3

Replace “should” with “must” in the second sentence of paragraph 3.1.

Page 8

Replace “should” with “must” in the first sentence of paragraph 4.17.

Delete “considered to be” in the second sentence of paragraph 4.19.

Page 9

Re-number paragraphs after 4.21, as paragraph 4.21 appears twice.

In the second paragraph under ‘Floorscape’, replace “should” with “must” in the second sentence.

Page 11

Replace the first word of paragraph 4.32 with “Doors”.

Replace “should” with “must” in both instances in the first sentence of paragraph 4.33. Delete the final sentence of paragraph 4.33.

Page 13

Paragraph 6.2 should read as follows:-

“Conservatories must be modest in size in relation to the original building, carefully detailed with the minimum of architectural embellishment and sensitively sited away from the principle elevations. They should take a simple lean-to greenhouse form, be constructed of white painted softwood and with the minimum of fancy decoration. Conservatories must be designed to be in keeping and in harmony with the existing environment.”

Page 14

Replace “sitting” with “siting” in paragraph 7.1.

Supplementary Planning Document 7 – Design, Landscaping and Access StatementsPage 1

Add a sentence to the end of paragraph 1.3 making clear that the requirements for design, landscaping and access can all be incorporated into one statement.

Page 4

Replace “should” with “must” and delete “essentially” in the first sentence of paragraph 3.7.

Page 10

Insert “less” before “bleak” in the penultimate sentence of paragraph 4.15.

Page 11

Replace “should” with “must” in the final sentence of paragraph 5.2.

The statements in paragraph 5.4 to be verified against Part M of the Building Regulations (2000) and amended, if necessary.

Page 12

Replace “should” with “must” in the final sentence of paragraph 5.6.

The penultimate bullet point should make reference to SPD5 in the text in brackets.

Page 13

Delete “however, will” in the third sentence of paragraph 5.8.



**PREPARED BY THE ROCHFORD DISTRICT COUNCIL
PLANNING POLICY TEAM**

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