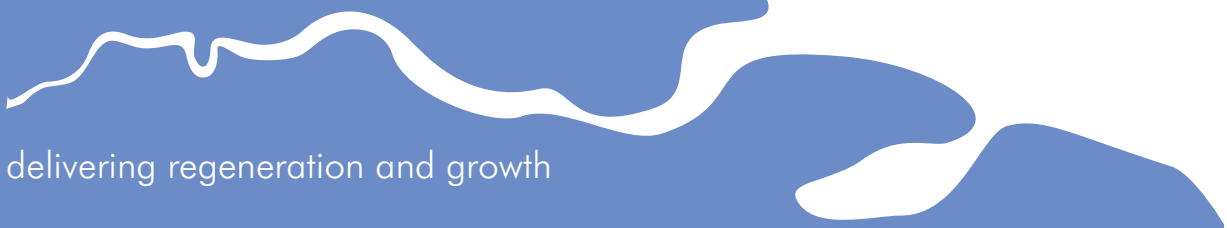
southend on sea
BOROUGH COUNCIL

consultation statement

# development management revised proposed submission dpd consultation statement - regulation 19

## march 2014

southend on sea borough council
local development framework



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## Section 1: Introduction

This statement has been prepared to comply with the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012.

This Regulation 19 Statement should be read in conjunction with our previous consultation statement Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2008. This was titled the *Development Management Consultation Statement* (March 2011).

The process of producing the Development Management Development Plan Document (DPD) has been informed by a number of consultation events. The Regulation 27 statement provides details on these previous consultations and in particular summarises the comments relating to the Development Management Issues and Options consultation held between 21 June 2010 and 9 August 2010. The Regulation 27 Statement is available on the Council's website at:
http://www.southend.gov.uk/downloads/file/1563/consultation_pdf

There have been three main versions of the Development Management Document:

- The Issues and Options version (June 2010);
- The Proposed Submission version (March 2011); and
- The Revised Proposed Submission Development Management DPD (March 2014).

This Consultation Statement provides a summary of the representations received on the Proposed Submission version of the Development Management DPD, published March 2011.

## Section 2: Consultation under Regulation 27 Proposed Submission (2011)

The Development Management DPD Proposed Submission draft was published so that representations could be made in relation to soundness and legal compliance between 18 March and 29 April 2011. The purpose of the publication period was to publicise the draft DPD to establish whether it was soundly based and legally compliant. This was extremely valuable and provided the Council with a number of helpful suggestions that would then improve the plan.

The Proposed Submission consultation was carried out in line with the councils adopted Statement of Community Involvement (2009) and relevant planning regulations. During the six week consultation the plan was publicised in the local press, the council's website http://www.southend.gov.uk/downloads/file/1566/development_management_dpd_-_proposed_submissionpdf and was available to view at the Council offices and all local libraries. Consultation response forms were also available. Appendix 2 set outs the list of consultees contacted and Appendix 3 sets out a copy of the consultation material used during the Proposed Submission Development Management DPD publication period.

**Table 1: Consultation Methods (Carried out during Proposed Submission DM DPD Consultation)**

| Method | Action Taken |
|---|---|
| Direct Consultation with Specific, General and Other Consultees including hardcopies/electronic copies of the consultation document where appropriate | Letter sent on 18th March 2011 to all contacts on the LDF database to inform them that the Development Management Proposed Submission consultation document was published for consultation. The database contains 700 consultees representing Specific, General and Other Consultees. |
| | 100 hard copies of the document were printed and made available on request. |
| | Letters and hard copies of the Development Management Proposed Submission consultation document were sent to all of the Southend-on-Sea Borough Councillors on 18th March 2011 |
| Inspection copies were made available at all of the public libraries in the Borough and at the Civic Centre | Copies of the Development Management Proposed Submission consultation document with Representation Form and supporting documents were placed at all libraries and Council Offices on 17th March 2011. |
| Publish on the Southend-on-Sea Borough Council website | The Development Management Proposed Submission consultation document, Public Notice and supporting documents was published on the Southend-on-Sea Borough Council website and via a JDi on-line consultation facility, with ability to download the document, on 18th March 2011. Information was provided on how to obtain hard copies and/or view at deposit points. |
| Publication of Newsletters and/or Leaflets as appropriate | Poster deposited at all Doctors Surgeries on 18th March 2011 in order to potentially target some of the harder to reach groups. |
| Press Release + newspaper notice | Public Notice placed in weekly paper 18th March 2011 and 21st March 2011 [Evening Echo and Southend Standard]. |

| Method | Action Taken |
|---|---|
| Community Groups | Letter sent on 18th March 2011 to all on LDF database to inform that the Development Management Proposed Submission consultation document is published for consultation – includes comprehensive coverage of resident / tenants / community associations and societies across the Borough. |
| Feedback form to assess effectiveness of engagement activity | The Council's online system for making representations also includes an equalities feedback form. |
| | Document placed on the Council's website (www.southend.gov.uk) for inspection and downloading. The Borough Council encourage comments online via our E-Consultation service in order to make commenting on documents easier and straightforward. |

In total, 24 organisations and individuals made 81 representations on the draft Development Management DPD. Of the 81 duly made representations, 41 considered the document or elements of it 'unsound', 15 considered the document or parts of it 'sound'. There were also 25 general comments that did not state if the document was either 'unsound' or 'sound'. There were no 'not duly made' representations received.

Table 2

| Development Management DPD | No. Sound | No. Unsound | Total Responses |
|---|---|---|---|
| Introduction – General Comments | 2 | 5 | 11 |
| Policy DM1 – Design Quality | 0 | 0 | 1 |
| Policy DM2 – Low Carbon Development and Efficient Use of Resources | 2 | 2 | 7 |
| Policy DM3 – Efficient and effective Use of Land | 0 | 2 | 2 |
| Policy DM4 – Tall and Large Buildings | 3 | 0 | 3 |
| Policy DM5 – Southend-on-Sea's Historic Environment | 2 | 0 | 3 |
| Policy DM6 – The Seafront | 2 | 3 | 13 |
| Policy DM7 – Dwelling Mix | 0 | 0 | 1 |
| Policy DM8 – Residential Standards | 0 | 0 | 2 |
| Policy DM9 – Specialist Residential Accommodation | 0 | 0 | 0 |
| Policy DM10 – Employment Sectors | 3 | 3 | 7 |
| Policy DM11 – Industrial Estates and Employment Areas | 0 | 6 | 8 |
| Policy DM12 – Visitor Accommodation | 1 | 0 | 1 |
| Policy DM13 – Southend-on-Sea Town Centre | 0 | 4 | 4 |
| Policy DM14 – Shopping and Centre Management | 0 | 5 | 5 |
| Policy DM15 – Environmental Management | 0 | 3 | 4 |
| Policy DM16 – Sustainable Transport Management | 0 | 1 | 1 |
| Appendix 1 - Monitoring Framework | 0 | 0 | 1 |
| Proposals Map | 0 | 7 | 7 |
| **Total** | **15** | **41** | **81** |

## Section 3: Key Issues Identified

The following information provides a list of some of the issues raised by the representations on each proposed policy. This list is not intended to be exhaustive. Appendix 1 of this report provides a summary of each duly made representation. Appendix 1 also provides a summary of how the Council responded to the issues raised through consultation on the Proposed Submission Development Management DPD.

Full comments made during the consultation on the first Proposed Submission Document can be viewed here.

### General Comments

**11 comments received**

- The document does not adequately replace the Borough Local Plan Saved Policies. It reduces planning policy to principles rather than specifics which could prove difficult to implement
- The document should maintain sufficient flexibility to respond to future changes in national policy direction.
- The reliance on the development of central brownfield sites for high density development, as set out by the Core Strategy, will not deliver what the market, or residents of Southend, require. An extension of Southend will provide an opportunity to plan comprehensively
- Clarification is required to outline that the document seeks to plan for the short term as well as the long term.

### Policy DM1 – Design Quality

**1 comment received**

- Include additional requirement so all developments must address the Seven Attributes of "Safer Places" The Planning System and Crime Prevention document.

### Policy DM2 – Low Carbon Development and Efficient Use of Resources

**7 comments received**

- Provide reference to Parklands Vision (2008)
- As the Code for Sustainable Homes includes water efficiency as a mandatory requirement at each level why does the policy require water efficiency at part 2(iii) when Code for Sustainable Homes requirements have already been set out in part 2(ii)
- Support policy but concerned that waste efficiency has been removed from the policy. This has also been identified in the Sustainability Appraisal
- Part 2(ii) of the policy should be revised to reflect paragraph 2.14 that outlines the circumstances where the Council will consider exceptions to the Code for Sustainable Homes target
- The policy should be less prescriptive, not repeat other legislation and not include policies that date quickly upon adoption, particularly the Code for Sustainable Homes.

## Policy DM3 – Efficient and effective Use of Land

**2 comments received**

- The removal of the national minimum target for the delivery of residential development on previously-developed land provides the Council with the necessary basis for the wholesale review of the development strategy for Southend.

## Policy DM4 – Tall and Large Buildings

**3 comments received**

- Support the principle that tall and large buildings are required to exceed the Code for Sustainable Homes and BREEAM standards
- Support the principle that tall buildings should not be permitted where they would adversely impact upon the Airport
- Support the reference to protecting the setting of heritage assets.

## Policy DM5 – Southend-on-Sea's Historic Environment

**3 comments received**

## Policy DM6 – The Seafront

**13 comments received**

- Reference should be made to the delivery of the Strategic Thames Estuary Path (Survey 2008)
- In reference to paragraph 3.17 funding provided by the Environment Agency for flood defences is not guaranteed and future investment in flood defences will require greater contributions from communities and businesses
- Disappointed that a more detailed policy on flood risk is not included
- The beach areas within Shoebury should be treated similarly to the other beach zones of Southend
- Support the character zone approach relating to the seafront and the commitment to protecting Leigh Old Town
- Support the development principles identified for Character Zone 1
- The policy could more proactively support the natural areas by adding a measure that requires development to contribute to the positive appreciation of the natural resources
- Disappointed that the requirement set out by the Issues and Options version of the document for an emergency plan to be in place for the location in which development is proposed has been removed.
- The principles set out in point 3 of Policy Table 1 will either be unenforceable or are subjective and therefore do not adequately replace saved policy C12
- Concerned that the document is not fit for purpose as it is unable to answer many issues in relation to development at Undercliff Gardens
- Replace reference to 'Sustrans route' with 'cinder path'
- Additional wording that seeks to protect the amenity of neighbouring properties should be included to strengthen the statement in Policy Table 1 3(ii).

### Policy DM7 – Dwelling Mix

**1 comment received**

- It may be prudent to amend part 2(ii) to provide the flexibility to enable affordable rented units to also be sought

### Policy DM8 – Residential Standards

**2 comments received**

- External storage for bicycles is not sought in respect of non-self-contained accommodation in Policy Table 5. Student and nurse accommodation would be suitable for this
- Policy Table 4 and paragraph 4.14 are inconsistent in respect of minimum storage area 'for each additional occupant'

### Policy DM9 – Specialist Residential Accommodation

**No comments received**

### Policy DM10 – Employment Sectors

**7 comments received**

- Policy Table 6 should be amended to include retail development
- Policy Table 6 to be amended to encourage Tourism and Leisure uses at Fossetts Farm
- Aviation industries, health and medical industries, business and financial services, cultural and intellectual hub and higher education centre of excellence, and manufacturing, construction and warehousing would be appropriate at Fossetts Farm, which should be designated as an Employment Area

### Policy DM11 – Industrial Estates and Employment Areas

**8 comments received**

- Redevelopment of Prittle Brook Estate for modern employment purposes is not viable in the present market. The policy and paragraph 5.14 lacks flexibility as it fails to recognise that viability will be an important consideration in the regeneration of the Prittle Brook Estate as outlined by the Southend Employment Land Review 2010
- The policy should recognise that it is possible to secure the same amount of employment floorspace at Prittle Brook Estate as well as enabling development, including residential
- Phase 2 of the Garrison Site should be allocated as a mixed-use site to include residential. If this is not possible within the DPD it is requested that at a minimum the findings of the Employment Land Review should be reflected with respect to the land being suitable for a mix of uses. Greater flexibility is required to ensure that the policy allows for changing circumstances with provision made to enable the review of alternative viable uses including residential, so that the site can come forward prior to the completion of the Shoebury Area Action Plan
- Road access to Shoebury should be further improved for holiday makers and businesses to encourage them to the area
- Policy Table 7 should be amended to include Fossetts Farm as an Employment Growth Area.

## Policy DM12 – Visitor Accommodation

**1 comment *received***

## Policy DM13 – Southend-on-Sea Town Centre

**4 comments *received***

- Policy DM13 should support complementary non-retail uses that support the role and function of the town centre by generating linked trips and allow shoppers to spend more time in the town centre. There is a significant opportunity to deliver new restaurants and cafés in particular
- Include additional wording that outlines that providing sufficient car parking is a vital component in delivering a successful town centre
- It is essential that strong support and flexibility is provided for The Royals and The Victoria shopping centres.

## Policy DM14 – Shopping and Centre Management

**5 comments *received***

- The designation of the northern and southern frontage of Southchurch Road as a primary shopping frontage on the Proposal Map are not justified, as these frontages do not currently fulfil this function
- The arbitrarily-defined restriction on the proportion of units within the primary shopping area's ground floor frontage allowed to be in non-Class A1 (retail) use is unnecessarily and could actually harm the attractiveness, vitality and viability of the town centre
- Traditional features and shopfronts should not be protected from being developed in all circumstances
- The policy should be more facilitative by allowing landowners to agree the content of local art to be displayed upfront; and be more relaxed in terms of requiring landowners to apply for planning permission only where proposals cannot be agreed informally

## Policy DM15 – Environmental Management

**4 comments *received***

- The Southend Water Cycle Study (Scoping Report, March 2009) outlines that Southend Wastewater Treatment Works does not have the capability to treat further wastewater flows as a result of increase in development and this may have a detrimental impact on water quality, nature conservation and the environment. A policy is required to ensure the impact of new development on foul water infrastructure and water quality is considered.
- Concern with some of the wording relating to contaminated land. A condition should only be applied where appropriate and any remediation works should be carried out before commencement of any new development.
- The policy should outline that all development proposals in the vicinity of the cliffs frontages shall take account of the risk of ground instability and a reference to the emerging Cliffs Management Strategy should be included.

## Policy DM16 – Sustainable Transport Management

**1 comment *received***

- The section fails to adequately address the concerns of the local high levels of traffic congestion. A closer link between the document and the Local Transport Plan should be created to enhance the prospects of achieving the necessary improvements. Reference should be made to the intentions of the Council regarding Community Infrastructure Levy, to ensure all future development provides for improvements to the strategic transport network.

## Appendix 1 – Monitoring Framework

**1 comment *received***

- It may be appropriate to include water quality as a key indicator in the monitoring framework.

## Proposals Map

**7 comments *received***

- The proposals map must be updated to show Fossetts Farm as a priority urban area to reflect its designation in the Core Strategy. The Protected Green Space, Green Belt and Agricultural Land designations currently shown on the emerging proposals map must be deleted as they are inconsistent with the Core Strategy (2007), the Borough Local Plan Second Alteration (1999) and the inspectors report concerning Planning Permission (SOS/06/01300/FUL)
- The proposals map as currently drafted is unsound as it does not reflect the current adopted local policy, national policy, current designations and the planning history of the land at Fossetts Farm. For land at Fossetts Farm, the proposals map should be changed to that of an Employment Area including leisure uses. This designation will enable the creation of jobs in line with the Core Strategy target and the Government's 'Planning for Growth' agenda and it will be in accordance with PPS4 by proactively encouraging sustainable economic growth. It also retains flexibility in line with the Southend Core Strategy Inspector's Report (October 2007) which considered that the future uses for Fossetts Farm should remain flexible
- The Development Management DPD is not the proper DPD to make strategic decisions about specific sites and therefore should not designate Fossetts Farm as High Grade Agricultural Land nor remove the adopted Core Strategy designation as a Priority Urban Area. Any change to the designation should be made through the Core Strategy and/or Site Allocations DPD
- With respect to Fossetts Farm whilst there is a need to protect the scheduled ancient monument, the other areas are suitable for development
- The Development Management DPD proposes to replace all of the Southend-on-Sea Local Plan Saved Policies, including Saved Policy G1 a Safeguarded Land (Second Alteration), which seeks to safeguard Fossetts Farm for future development needs. This policy should not be deleted without a satisfactory replacement designation
- The Shoebury Garrison land should be identified as a 'Mixed-Use Site to include Residential'. In circumstances where the Proposals Map has no other provision for mixed-use sites (or housing sites for that matter), the employment allocation for the Garrison land be reduced to the figures referred to in the Employment Land Review.

## Section 4: Continuous Engagement with Stakeholders

In addition to the statutory consultation events that are detailed within this Statement of Consultation and previous Regulation 27 Statement, the council has also undertaken informal consultation exercises where stakeholders have been contacted to discuss specific ideas and proposals.

In relation to the unsound representations (Rep 1172: Environment Agency and Rep 1200: Natural England) on Policy DM15 – Environmental Protection concerning waste water infrastructure; Following discussions with Anglian Water, the Environment Agency and Natural England have agreed to withdraw their unsound representations as Anglian Water were able to demonstrate to the Environment Agency that there is capacity at the Southend Waste Water Treatment Works to accept the growth proposed by Southend Borough Council Core Strategy. See Appendix 4 for correspondence confirming this withdrawal.

## Section 5: Consultation under Regulation 19 Revised Proposed Submission Development Management DPD

Planning and Compulsory Purchase Act 2004 (as amended)
Town and County Planning (Local Planning) Regulations 2012: Regulation 19

Southend-on-Sea Borough Council has prepared a Development Management DPD (Revised Proposed Submission Document) as part of its Local Planning Framework, which it proposes to submit to the Secretary of State under Regulation 22 of the above Regulations.

The Development Management Revised Proposed Submission version of the document updates and replaces the Proposed Submission Development Management DPD (published March 2011) to ensure conformity with the recent changes to national planning policy within the National Planning Policy Framework (NPPF). The revised version of the document also considers additional evidence material and those representations made on the 2011 Proposed Submission Development Management DPD.

The Revised Proposed Submission Development Management DPD and accompanying documents have been published in order for representations to be made prior to the submission of the Development Management DPD to the Secretary of State for independent examination.

The Plan sets out detailed policies for a wide range of issues, which planning applications will be assessed against, including shopping, housing, transport, design and the historic and natural environment and will replace a number of Saved Policies from the 1994 Borough Local Plan. It does not include site allocations.

Representations can be made during the publication period which begins at **4th April 2014** and ends at **5pm 16th May 2014**.

Only representations received during this time will be considered. Late responses will not be accepted.

Representations must relate to 'soundness' and legal compliance and should be made using the Council's online interactive consultation system, which can be found at http://southend.jdi-consult.net/ldf/ . Alternatively, representations may be submitted using the Response Form, available on request, by the following means:

- e-mail to ldf@southend.gov.uk or
- In writing to the Corporate Director, Department for Place, PO Box 5557,Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF

## Section 6: Statement of Fact

**Development Management DPD (Revised Proposed Submission Document) (2014)**
The Revised Proposed Submission Development Management DPD, Revised Policies Map and accompanying documents, alongside a statement setting out how representations can be made, are available for inspection from 4th April 2014 – 16th May 2014 at the following locations:

- Southend Council's website: www.southend.gov.uk/developmentmanagementdpd
- Southend Borough Council Contact Centre, Civic Centre, Victoria Avenue, Southend on Sea between 8.45am and 5.15pm (Monday to Friday); and
- All Southend Libraries during normal opening hours.
    - Southend Forum, Elmer Square, Southend
    - Southchurch Library, Lifstans Way, Southend
    - Kent Elms Library, Prince Avenue, Leigh
    - Thorpedene Library, Delaware Road, Shoebury
    - Friars Library, The Renown, Shoebury
    - Westcliff Library, London Road, Westcliff
    - Leigh Library, Broadway West, Leigh

Hard copies can be purchased £5 by contacting the Business Intelligence Unit by telephone on 01702 215004 ext. 5408 or email ldf@southend.gov.uk.

# Appendix 1: Southend-on-Sea Development Management DPD: Proposed Submission Regulation 27 (March 2011) – Detailed Summary

Appendix 1 – Representations duly made on the Proposed Submission Development Management DPD (March 2011) – Detailed Summary

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| 1.1/ Intro | Anglian Water (S Bull) [37] | 1193 | Comment | | No comment to make. | Noted |
| 1.1/ Intro | Network Rail Property (A Robinson) [233] | 1194 | Comment | | No comment to make. | Noted |
| 1.1/ Intro | Highways Agency (E Cooper) [153] | 1195 | Comment | | No comment to make. | Noted |
| 1.1/ Intro | East of England Development Agency (N Blaken) [89] | 1201 | Comment | | No comment to make. | Noted |
| 1.1/ intro | Essex County Council (R Lewis) [107] | 1432 | Support | | Essex County Council fully supports the preparation of the Development Management DPD. It will provide more detailed guidance which should greatly assist the process of securing high quality sustainable development in support of the strategic vision of the Core Strategy and meeting the needs of the community. The emphasis on a positive and proactive approach in pursuit of achieving better development outcomes through the whole Development Management process is welcomed.<br><br>*The County Council considers that the Proposed Submission is 'sound' but that the future use and practical application of the document would benefit from further reflection on a limited number of matters, which are set out in the original submission and summarised in representations 1216-1221.* | Noted |
| 1.5/ Intro | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1229 | Object | Unsound Soundness: **[ii]** Effective | The Council's present proposals appear to be the greatest threat experienced since this Society was formed more than 60 years ago to protect the character of Undercliff Gardens. The proposed DPD reduces planning policy to principles rather than specifics, a broad brush approach providing maximum flexibility rather than specific detailed requirements. To implement this policy document will require a high level of assessment and consultation, but it is our experience that these essential qualities are rarely available. We have no confidence that this document will improve matters, and it may well prove to be a developers charter. We therefore suggest that more work is | Disagree; the Development Management Development Plan Document (DM DPD) in conjunction with other Local Development Documents, including the Core Strategy DPD and Design and Townscape Guide SPD, provides the necessary framework to guide appropriate sustainable development in the Borough. |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | required to "tighten" up a well meaning document. | Policy Table 1 of Policy DM6: The Seafront sets out the development principles that will guide development in each identified seafront character zone, including for Undercliff Gardens, which outlines that development will only be acceptable where it improves the design quality and where it retains the characteristics and form of the area. Development that materially changes the existing character, appearance and form of the area will be resisted. |
| 1.5/ Intro | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1182 | Object | Unsound<br>Illegal<br><br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | In summary, as the changes to the planning system continue to emerge, it is important that the DMDPD maintains sufficient flexibility to respond to future changes in national policy direction.<br><br>The reliance on the development of central brownfield sites for high density development will not deliver what the market, or residents of Southend, require. The resolution of many of these issues needs to be addressed in the early review of the Core Strategy. CLLLP looks forward to making a positive contribution to the early review of the Core Strategy.<br><br>*In the interim, the Council should:*<br><br>*Clarify that the DMDPD seeks to plan for the long-term growth of Southend, whilst seeking to invigorate investment and growth in the short term*<br>** Embrace the changes to the planning system being brought into effect by the Government*<br>** Include greater cross references with the LTP to provide a greater prospect of achieving the necessary for improvements to the strategic transport infrastructure network; and*<br>** Include reference to the intentions of the Council regarding CIL, to ensure all future development provides for improvements to the strategic transport network.* | Noted; Appropriate amendments to the DM DPD will be considered in light of the NPPF and other national guidance to ensure the document remains consistent with national policy and sufficiently flexible. The amendments will be published and made available for comment as part of the Development Management Revised Proposed Submission Document.<br><br>The adopted Core Strategy (2007) establishes the spatial strategy for the Borough. The Local Development Scheme sets out the timetable for Core Strategy review.<br><br>The Core Strategy provides strategic links and cross referencing to the LTP. Further cross reference to LTP3 is not required within the DM DPD.<br><br>The Community Infrastructure Levy (CIL) is being prepared as a separate document by the Council. It is being |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | | prepared in line with government requirements. A short informative summary statement that outlines the Councils intention towards a CIL will be set out as part of revised proposed submission Development Management DPD consultation. |
| 1.6/ Intro | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1183 | Object | Unsound<br>Illegal<br><br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | The potential of Southend, including Southend airport, cannot be fully realised without extensive new highway and public transport infrastructure and accordingly, CLLLP is promoting an extension of Southend to enable the delivery of significant improvements to the strategic transport network. In particular, CLLLP has identified the potential for the development at The Wick, Bournes Green, which is capable of delivery in the short term, and can provide private and affordable family housing alongside contributions to the improvement of the strategic transport network.<br><br>*The extension of Southend provides an opportunity to plan comprehensively for improvements to infrastructure, including the potential to contribute to improvements to Garon Park, the expansion of the airport and highway and public transport infrastructure.* | The DM DPD is not the appropriate document to consider an extension of Southend and subsequent green belt release.<br><br>The release of greenbelt for the future growth of Southend was discussed during the adoption of the Core Strategy and dismissed.<br><br>The Local Development Scheme sets out the timetable for Core Strategy review. |
| 1.8/ Intro | Essex County Council<br>(R Lewis) [107] | 1216 | Support | | Paragraph 1.8 and 1.9 - the principle that the policies within the Development Management DPD should read alongside other statutory policy documents, and with each other, is fully supported. However, the statements would benefit from additional highlighting within the text, perhaps by 'boxing' them and giving the title 'Relationship of Policies'. The paragraphs could also be usefully added for reference to the 'Policies' list in the contents section. The cross-referencing policies could be reinforced at appropriate points within the document, particularly the need for users to read and apply Policy DM16 alongside other Policies. | Noted; amendments will be considered to further emphasise the interrelation between policies in the DM DPD and those in other Local Development Documents. |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| 1.8/ Intro | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1230 | Object | Unsound Soundness: [ii] Effective | Saved policies emphasise the unique character of certain areas in the Borough, but they are to be superseded by this document. However, current reports to the Development Control Committees make full and frequent reference to saved policies - in other words they are not redundant or superfluous but are fully used on a day to day basis to support assessments of planning applications. They are also widely used by the Council when submitting evidence to Appeals Inspectors. By deleting these essential statements of policy we would expect them to be replaced by a stronger, direct, incontrovertible, policy document - which the proposed DPD is not. We suggest that more work is required to protect the areas previously covered by saved policies. | Disagree; the Development Management Development Plan Document (DM DPD) in conjunction with other Local Development Documents, including the Design and Townscape Guide SPD, provides the necessary framework to guide appropriate sustainable development in the Borough.<br><br>An appendix will be added to the document to clearly outline which Saved Planning Policies will be replaced by the DM DPD. |
| 1.24/ Intro | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1184 | Object | Illegal Unsound | Paragraph 1.24 indicates that the Council is seeking to plan for a time when the economy recovers in the long term, rather than seeking to address matters arising in the short term, which includes the need to provide improvements to the strategic transport infrastructure network, as well as the timely delivery of family housing to meet the needs of the local population. As such it is important that the wording clarifies the need for short term planning.<br><br>*CLLLP considers it is important that the wording of paragraph 1.24 is clarified for the avoidance of doubt.*<br><br>*Clarify that the DMDPD seeks to plan for the long-term growth of Southend, whilst seeking to invigorate investment and growth in the short term to contribute to lifting the Country out of the economic crisis that it currently faces.* | Noted. Appropriate amendments will be made. |
| DM1 | Essex Police (J Hills) [205] | 1168 | Comment | | Include additional policy requirement so that all developments must address "Safer Places" in the Planning System and Crime Prevention document.<br><br>*Additional point for All developments must:*<br><br>*(Vii) Address the Seven Attributes of "Safer Places" The Planning System and Crime Prevention document. (A supporting* | Disagree; It is considered that it is unnecessary to include this requirement in the DM DPD. The Seven Attributes of "Safer Places" is covered as guidance in Chapter 7 of the Design and Townscape Guide, and this document is referred to in Policy DM1. |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | *document to PPS1).* | |
| DM2/ 2.19 | Essex County Council (R Lewis) [107] | 1217 | Comment | | Paragraph 2.19 - should read also reference the Parklands Vision (2008) as a key document. | Agree; amendments will be made to reference the Parklands Vision (2008) as a key document. |
| DM2 | Castle Point Borough Council (A Raffaelli) [63] | 1204 | Comment | | I would like to offer some suggestions in respect of this document that may prove useful to you in moving forward:<br><br>It is agreed that water efficiency should be a requirement for new development in south Essex. The Code for Sustainable Homes includes water efficiency as a mandatory requirement at each level. I would therefore query why policy DM2 part 2 requires water efficiency at part (iii) when Code for Sustainable Homes requirements have already been set out in part (ii). | Policy DM2 sets out the policy basis for limiting internal water consumption across the Borough, providing the Council with a sounds basis for ensuring that all development in the Borough is water efficient, particularly in cases where it is demonstrated that a minimum of Code Level 3 (or BREEAM Very Good) is not viably or feasibly obtainable. |
| DM2 | Environment Agency (J Hardwick) [215] | 1173 | Comment | | Generally support the policy although concerned that waste efficiency has been removed from the policy. This has also been identified in the SA. | Noted; appropriate amendments to Policy DM2 in relation to sustainable construction methods will be further considered as part of a Revised Proposed Submission Development Management Document. |
| DM2 | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1185 | Object | Illegal<br>Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | The aims and aspirations of the Council in seeking to secure low carbon development and the efficient use of resources are supported by CLLLP. However, there are tensions between the wording of Policy DM2 and the introductory text, in particular paragraph 2.14, which confirms that the Council will apply exceptions where it has been demonstrated that the requirements are not viable or feasible. This proposed flexibility is not reflected in DM2.<br><br>*CLLLP considers that part 2(ii) of the policy should be revised to better reflect the proposed flexibility.* | Agree, Policy DM2 and supporting text should be consistent.<br><br>The DM DPD will be informed by a policy viability assessment in line with the NPPF. Any subsequent amendments will be made and consulted upon as part of a revised proposed submission Development Management DPD. |
| DM2 | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1427 | Object | Illegal<br>Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national | DM DPD should not simply repeat the requirements of other legislation and not include policies that date it quickly upon adoption, particularly regarding changes to the definition of the Code for Sustainable Homes. CLLLP considers that the policy should be less prescriptive.<br><br>*CLLLP considers that the policy should also be revised to be less* | It is considered that DM2 is not overly prescriptive and in conformity with national policy. It is considered that the obtainment of a minimum Code for Sustainable Homes Level 3, with a move towards zero carbon is a positive and proactive approach in line with the |

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| | | | | policy | *prescriptive.* | priorities identified within the Council's adopted Core Strategy DPD. The DM DPD will be informed by a policy viability assessment in line with the NPPF, which will assess the impact of those existing and emerging policies with a potential cost implication, including those relating to sustainability standards. Any amendment will be reflected in the Development Management Revised Proposed Submission Document and made available for comment. |
| DM2 | Environment Agency (J Hardwick) [215] | 1414 | Support | | Particularly support the measures to increase water efficiency in new development and promote retrofitting in existing development. | Noted. |
| DM2 | Environment Agency (J Hardwick) [215] | 1417 | Support | | It is pleasing that the multiple benefits of urban greening have been acknowledged in the supporting text such as absorbing rainfall, filtering pollution and promoting biodiversity. Given the highly urbanised nature of the Borough, it will be necessary for developers to consider innovative measures to achieve this such as green/ brown roofs and walls. | Noted. |
| DM3/ 2.22 | William Robinson [283] | 1435 | Object | Unsound Soundness: [ii] Effective | With making such a large amount of land available to the airport to extend the runway and close Eastwoodbury Lane. The effect being to have aircraft fly even lower over areas of Leigh than they do now. This is not promoting a high quality of life for the residents.<br><br>By Southend-on-Sea Borough Council giving planning permission SOS09/01960/FULM. This goes against Policy DM3. | All planning applications are considered against the Development Plan for Southend-on-Sea, which includes adopted local and national planning policy. The DM DPD, including Policy DM3, did not form part of the Development Plan when planning permission was granted for SOS09/01960/FULM. |
| DM3 | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1186 | Object | Illegal Unsound Soundness: [i] Justified [ii] Effective [iii] Consistent with national | In response to previous representations on classification of backland and infill land in PPS3, the Council referred to the retention of the target and trajectory for delivery of residential development on PDL.<br><br>Announcements from Government have confirmed removal of the national minimum target for delivery of residential | The DM DPD is not the appropriate document to review the development strategy for Southend.<br><br>The adopted Core Strategy (2007) outlines the spatial strategy for Southend between 2001- 2021. It is |

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| | | | | policy | development on PDL. This relaxation of national targets provides local authorities with freedom to plan for growth to provide the type of housing required by local residents. These factors in combination provide the necessary basis for wholesale review of the development strategy.<br><br>*This provides the Council with the necessary freedoms to provide the type of housing required by local residents, and the wholesale review of the development strategy for Southend.* | considered that the approach remains valid in seeking to focus regeneration and growth towards the existing urban area of the Borough. The Local Development Scheme sets out the timetable for Core Strategy review.<br><br>The Core Strategy DPD, Development Management DPD, and Design and Townscape Guide SPD provide a comprehensive framework within which applications for backland and infill development can be considered, to ensure their sustainability. |
| DM4/ 2.36 | Environment Agency (J Hardwick) [215] | 1174 | Support | | It is pleasing that paragraph 2.36 will require tall and large buildings to exceed the Code for Sustainable Homes and BREEAM standards. | Noted. |
| DM4 | London Southend Airport (P Le Blond) [211] | 1169 | Support | | London Southend Airport supports the policy that tall buildings should not be permitted where they would adversely impact upon the Airport. Details of potential impacts should be identified through the normal safeguarding process. | Noted. |
| DM4 | English Heritage (K Fletcher) [109] | 1191 | Support | | While we have expressed reservations in previous consultations in relation to the role of tall buildings, we note that part 2 of policy DM4 contains specific reference to protecting the setting of heritage assets and we welcome the inclusion of this safeguard in this particular policy. | Noted. |
| DM5/ 2.38 | English Heritage (K Fletcher) [109] | 1192 | Support | | Overall, we would like to express our support for the historic environment content and the manner in which the above policies reflect Planning Policy Statement 5. | Noted. |
| DM5 | Harry Chandler [219] | 1179 | Comment | | Shoebury Residents Association members are concerned that the Shoebury Garrison site current, proposed and future developments are not clearly understood by the residents of Shoebury and that the residents do not have easy access to the overall development plans as they are developing.<br>Residents wish to see any future plans for both the historic conservation area and the other parts of the garrison site show | Noted. The adopted Statement of Community Involvement (SCI) sets out the Councils approach to consulting and engaging stakeholders and the community on planning applications and for planning policies. |

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| | | | | | clearly how the proposed development fits into whole site. | Shoebury Residents Association will be consulted on future policy development, including those specific policies related to Shoebury, in accordance with the SCI. |
| DM5 | English Heritage (K Fletcher) [109] | 1189 | Support | | We are pleased to note that the historic environment is referred to in several policies and welcome in particular policy DM5. The recognition given to the importance of protecting the settings of heritage assets, including those of conservation areas, is useful. | Noted. |
| DM6/ 3.13 | Essex County Council (R Lewis) [107] | 1218 | Comment | | Paragraph 3.13 - the reference to the Greengrid Strategy is welcome but reference should be made to delivery of the Strategic Thames Estuary Path (Survey 2008).<br><br>*Appropriate additional text would be 'An important strategic link is the Thames Estuary Path which runs from Central London to Shoeburyness . It is particularly important in Southend linking the Seafront to Chalkwell, Leigh on Sea and beyond to Hadleigh, the venue for the Olympic Mountain biking event in 2012'.* | Agree; appropriate amendments will be made to reference the Strategic Thames Estuary Path (Survey 2008). |
| DM6/ 3.14 | Essex County Council (R Lewis) [107] | 1220 | Comment | | Paragraph 3.14 - the reference to National Biodiversity designations is welcome but particular reference to their local importance could be included.<br><br>*Include additional text - ' These sites are significant attractions in their own right and the mudflats at Southend and Leigh contribute to the estuarine character of the place. Furthermore Two Tree Island and Leigh Marshes are important visitor attractions which could be further developed to boost green economy.'* | Agree; appropriate reference will be made to emphasise the local importance of the foreshore biodiversity designations and their role as visitor attractions. |
| DM6/ 3.17 | Environment Agency (J Hardwick) [215] | 1418 | Comment | | The council should be aware that any funding provided by the Environment Agency for flood defences is not guaranteed and future investment in flood defences will require greater contributions from communities and businesses. | Noted. |
| DM6 | Environment Agency (J Hardwick) [215] | 1175 | Comment | | Disappointed that a more detailed policy, than Policy KP1 and KP2 of the Core Strategy, on issues such as fluvial and surface flood risk has not been included to address development in areas other than the seafront. However, We do not feel there is | Noted. |

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| | | | | | sufficient reason to raise this as a soundness issue. | |
| DM6 | Harry Chandler [219] | 1180 | Comment | | Shoebury Residents Association members wish to see the beach areas round Shoebury to be treated similarly to the other beach zones of Southend, for example DM6.<br><br>*Members wish to see the following for the Shoebury sea fronts.*<br><br>*1. Maintain existing established built character and activities based around open parks and beach recreation.*<br>*2. Support measures to improve the quality of the beach huts.*<br>*3. Enhance Green grid through improvements to the parks and gardens.*<br>*4. Help maintain and promote existing leisure activities on East Beach and Shoebury Slipway including wind and kite surfing and picnicking.*<br>*5. No major development will be promoted or supported in this beach area. Flatted developments along the Seafronts will be resisted. Development that does take place must respect the open nature of the public and private open space and the grain and character of the residential area.*<br>*6. Shelters and cafes will be improved. Refurbishment and renewal works will not impact on the foreshore views and will not encroach onto the foreshore* | Noted. The seafront character zone for Shoebury will be incorporated into the Shoebury Area Action Plan (AAP), which is detailed in the Local Development Scheme. Matters raised in the representation will be consider as part of the Shoebury AAP. |
| DM6 | English Heritage (K Fletcher) [109] | 1190 | Support | | We also welcome the character zone approach in policy DM6 relating to the Seafront, and the commitment to protecting Leigh Old Town. | Noted. |
| DM6 | Castle Point Borough Council (A Raffaelli) [63] | 1202 | Support | | Castle Point Borough Council welcomes the development principles identified for Character Zone 1: Two Tree Island, Leigh Marshes and Belton Hills in Table 1. The Council are of the view that the maintenance of the Green Belt in this location is very important and consistent with national policy set out in PPG2 | Noted. |
| DM6 | Essex County Council (R Lewis) [107] | 1219 | Comment | | Policy DM6 (The Seafront) - the policy could more proactively support the natural areas by adding a third measure to the first paragraph of the Policy.<br><br>*Add a third measure to the first paragraph of the Policy.to read 'iii) contribute to the positive appreciation of the natural* | Noted; the inclusion of a further measure to Policy DM6 to ensure that proposals along the seafront support the positive appreciation of the natural area will be considered. |

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| | | | | | *resources by increased information facilities and, where possible, physical access'.* | |
| DM6 | Environment Agency (J Hardwick) [215] | 1419 | Comment | | Disappointed to note that point 2(i) in Issues and Option policy DM7 has been removed. This required an emergency plan to be in place for developments and forms a part of managing flood risk and ensuring people remain safe. We assume this amendment has been discussed with and has agreement from your emergency planning department in accordance with PPS 25. | Noted; The Core Strategy and national planning policy sets out the site specific flood risk requirements, including emergency planning matters. |
| DM6 | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1231 | Object | Unsound Soundness: [ii] Effective | The principles outlined in Policy Table 1 para 3 are to replace saved policy C12. Based on past experience, at best such intentions will either be unenforceable or are subjective. This well intentioned broad brush approach is a dangerous concept in our view. We envisage endless arguments about whether an application is retaining the characteristics and form of an area, and whether the existing character, appearance, and form of the area will be changed.<br><br>This DPD seems like a developers charter because it is possible to show that a single development does not materially change the character of an area [not a difficult argument to make] but if such a building is approved it will then become a precedent for other similar developments, often won on appeal, and the character of an area will then have been changed for ever. | Disagree; the Development Management Development Plan Document (DM DPD) in conjunction with other Local Development Documents, including the Design and Townscape Guide SPD, provides the necessary framework to guide appropriate sustainable development in the Borough.<br><br>Policy Table 1 of Policy DM6: The Seafront sets out the development principles that will guide development in each identified seafront character zone, including for Undercliff Gardens, which outlines that development will only be acceptable where it improves the design quality and where it retains the characteristics and form of the area. Development that materially changes the existing character, appearance and form of the area will be resisted. |
| DM6 | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1232 | Comment | Unsound Soundness: [ii] Effective | Table 1 Seafront Character Zones Item 3iii still refers to this organisation which is no longer active. Obviously the name should be removed.<br><br>*The sentence might be changed to "improve the public realm linked to improvement of the cinder path".* | Disagree; Sustrains cycle route is still in existence. |

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| DM6 | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1437 | Object | Unsound Soundness: **[ii]** Effective | Additional wording that seeks to protect the amenity of neighbouring properties is suggested to strengthen the statement in Policy Table 1 3(ii).<br><br>*Policy Table 1 3.ii, Development that materially changes the existing character, appearance and form of the area or materially affects the benefits and amenity of neighbouring properties will be resisted.* | Noted. The supporting text to Policy DM1 sets the policy context for addressing amenity, for both existing and future residents, within development proposals; further clarification and amendment to Policy DM1 1(iv) will be considered to highlight the need to consider the amenity of the site and immediate neighbours within all development proposals. This will be applicable, as appropriate, to development proposals at Undercliff Gardens. |
| DM6 | The Society for the Protection of Undercliff Gardens (B Powell) [78] | 1438 | Object | Unsound Soundness: **[ii]** Effective | Many questions spring to mind regarding what is not included in a document that will be used to consider the detail of any planning application. Some may be answered by reference to the Design and Townscape Guide, but this document can, we presume, be comfortably ignored.<br><br>For example:<br>* Why is a proposed building allowed to project in front of the line of building?<br>* Why are balconies allowed to project in front of adjoining buildings?<br>* Why is development on Grand Parade frontage being allowed?<br>* Why is overlooking not dealt with?<br>* Why are the benefits and amenities of neighbouring properties not protected?<br>* Why are there no levels on the drawings?<br>* Why are the materials proposed not in accordance with the Design and Townscape Guide?<br>* Why is landscaping not shown?<br><br>Until such questions are answered, we remain highly concerned that this DPD is not fit for purpose. | Noted; It is considered that the DM DPD in conjunction with other Local Development Documents provides the necessary framework to guide appropriate sustainable development within the Borough including at Undercliff Gardens. |
| DM7 | Castle Point Borough Council | 1205 | Comment | | I would like to offer some suggestions in respect of this document that may prove useful to you in moving forward: | Agree; appropriate amendments will be made referencing affordable rent as |

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| | (A Raffaelli) [63] | | | | It is agreed that an appropriate split between the different tenures of affordable housing should be sought. However, it may be prudent, given the recent changes in the definition of affordable housing, that part 2(ii) of policy DM7 is amended to provide the flexibility to enable Affordable Rented units to be sought also. | part of the affordable housing offer.<br><br>An updated Strategic Housing Market Assessment (SHMA) is envisaged to be completed before the Development Management Revised Proposed Submission Document is published. The findings of the SHMA and any implications for the DM DPD will be considered and made available for comment as part of this publication. |
| DM8 | Castle Point Borough Council (A Raffaelli) [63] | 1206 | Comment | | It is queried as to why external storage for bicycles is not sought in respect of non-self contained accommodation in Policy Table 5. It is considered that student and nurses' accommodation is most often provided within close proximity of the study/work place and other services and facilities, and therefore the provision of cycle storage will promote more sustainable transport movements by these occupants. | Noted. Policy DM16 Sustainable Transport Management sets out vehicle parking standards, including for bicycles. |
| DM8 | Essex County Council (R Lewis) [107] | 1221 | Comment | | Paragraph 4.14 and Policy DM8 (Residential Standards) Policy Table 4 (Residential Standards) - the text of paragraph 4.14 and Policy Table 4 is inconsistent in respect of minimum storage area 'for each additional occupant'. The paragraph refers to 0.5m2 whereas the Policy Table refers to 0.25m2. Either the values should be consistent or the document should explain the reasons for the variation. | Agree; appropriate amendments will be made to ensure consistency. |
| DM10/ 5.4 | Olympus KeyMed (M Batty) [126] | 1167 | Support | | Use 'Olympus KeyMed' rather than just 'KeyMed' | Noted; appropriate amendments will be made. |
| DM10 | London Southend Airport (P Le Blond) [211] | 1170 | Support | | London Southend Airport supports the policy of increasing the capacity and quality of employment land and directing MRO activity to the Airport | Noted. |
| DM10 | Castle Point Borough Council (A Raffaelli) [63] | 1203 | Support | | Castle Point Borough Council welcomes the approach to employment distribution set out in Policy DM10 and Table 6. The direction of jobs towards easily accessible locations including Southend Central Area, London Southend Airport and existing employment areas along the A127 Corridor is important for residents of Castle Point, as Southend-on-Sea is a key employment location in the Thames Gateway South Essex sub-region. | Noted. |

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| DM10 | Sainsbury's Supermarkets LTD represented by Indigo Planning Ltd (S McGarth) [268] | 1210 | Object | Unsound Soundness: **ii]** Effective **[iii]** Consistent with national policy | We do not consider that Policy Table 6, entitled 'Employment Sectors' is sound. Policy Table 6 outlines a range of employment sectors but fails to include retail in this. This is not consistent with national policy guidance set out in pps4, which confirms at Paragraph 4 that retail development as a main town centre use is considered to be Economic Development and provide sustainable economic growth. We consider that Table 6 should be amended to include retail development.<br><br>*In order to make policy table 6 and policy dm10 sound, we consider that Table 6 should be amended to include retail development. This would make the DPD sound as it would be consistent with national policy set out in Paragraph 4 of PPS4.* | Policy CP2: Town Centre and Retail Development, of the adopted Core Strategy, sets out the hierarchy and sequential preferences for retail development and Town Centre uses in Southend-on-Sea. Policy CP2 is referred to accordingly in the Core Strategy Linkage text box. |
| DM10 | C & S Associates represented by Firstplan (M Woolner) [277] | 1211 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective **[iii]** Consistent with national policy | Policy Table 6 seeks to direct Tourism and Leisure to the Southend Central Area and the Seafront, whilst these locations may well be suitable for tourism and leisure uses the policy should retain flexibility in order to meet the tests of soundness. There may be some leisure and tourism uses which are more appropriate on the edge of the urban area, for example uses which take up large areas or land such as the permitted football stadium at Fossetts Farm.<br><br>The potential for leisure uses on our client's site is identified within the existing Section 106 Agreement which provides a zonal plan and indicates that the Council agree that the area could be comprehensively developed for employment and leisure.<br><br>*Policy Table 6 to be amended to encourage Tourism and Leisure uses at Fossetts Farm* | Noted; Policy DM10 is sufficiently flexible and does not restrict the describe uses to these areas. Policy DM10 reflects the Council's desire to encourage and focus tourism and associated leisure uses to the Southend Central Area and Seafront, which represent sustainable locations. |
| DM10 | C & S Associates represented by Firstplan (M Woolner) [277] | 1212 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective **[iii]** Consistent with national policy | The sectors which will be guided to employment areas (Policy Table 6) include aviation industries, health and medical industries, business and financial services, cultural and intellectual hub and higher education centre of excellence, and manufacturing, construction and warehousing. These types of uses would be appropriate at Fossetts Farm which, as per our representations on the Proposals Map and Policy DM11, should be designated as an Employment Area. | Policy DM10 provides a flexible approach that seeks to direct and focus certain employment sectors to specific locations within the borough.<br><br>Fossetts Farm represents a large area of greenfield land that was safeguarded for future uses as part of |

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| | | | | | | the borough local plan (second alteration) (1999). The DM DPD will not replace this saved policy.<br><br>The Core Strategy, in setting out broad locations for employment growth, identifies Fossetts Farm as an employment area of a Priority Urban Area where appropriate regeneration and growth will be focused. However, the Core Strategy does not include site allocations or allocate sites with a definitive boundary that can be shown on a Policies Map.<br><br>Furthermore, the Proposed Development Management DPD does not contain site allocations and, therefore, will not include specific allocations for Fossetts Farm on the accompanying Policies Map.<br><br>Site specific allocations, including for new employment land, will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm. |
| DM10 | C & S Associates represented by Firstplan (M Woolner) [277] | 1428 | Comment | | Policy DM10 sets out that development will be encouraged that contributes to the promotion of sustainable economic growth by increasing the capacity and quantity of employment land, floorspace and jobs. This is in accordance with the Government's 'Planning for Growth' agenda which sets out that | Noted. |

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| | | | | | the top priority is to promote sustainable growth and jobs. | |
| DM11/ 5.14 | Linpac represented by Planning Perspectives LLP (B Kelly) [142] | 1199 | Object | Unsound Soundness: [i] Justified [ii] Effective | In the present market redevelopment of Prittle Brook Estate for modern employment purposes would not be viable. Further clarity is needed to acknowledge that the ability of the site to provide employment opportunities in the future will depend upon the ability for any redevelopment to be viable. Considering the conclusions of the ELR, paragraph 5.14 is neither justified nor effective without recognising the implications of viability and will impose barriers to the redevelopment . In addition, Linpac Ltd has a lease on the site to 2070 and pays substantial ground rent which further reduces prospects of securing a viable.<br><br>*The final sentence of paragraph 5.14 should be reworded to read: "Progress Road and Prlttle Brook Industrial Estate offer significant regeneration opportunities over the long term. Progress Road, has several vacant units many in a poor state of repair. It is clear that redevelopment for modern employment uses over the long term is required and the Borough Council is already working in partnership to redevelop the site on a plot-by-plot basis in line with the adopted Progress Road Estate Framework: Design Brief (2009). Prittle Brook Industrial Estate is available for comprehensive redevelopment with a significant proportion having already been cleared. It is acknowledged that to reflect viability issues there may need to be a flexible approach to a mixed use development that contains good quality commercial premises particularly along the frontage to Priory Crescent".* | Noted; appropriate amendments will be made to the supporting text to further outline the results and recommendations of the Employment Land Review (2010). |
| DM11/ 5.16 | Garrison Developments LLP represented by Planning Perspectives LLP (K Atkinson) [278] | 1222 | Object | Unsound<br><br>Justified [ii] Effective | Paragraph 5.16 reflects the analysis provided in the Employment Land Review (ELR) so the text is broadly supported. However the text does not extend to include all of the relevant commentary in the ELR with regard to the Phase 2 site being suitable for a mix of uses. For example, the ELR refers to land coming forward for a new primary school (which has since been granted permission) and part of the Phase 2 site being promoted to the SHLAA (CON111) for residential use. This information is absent from Paragraph 5.16. | Noted. Appropriate amendments will be made to ensure and clarify that Policy DM11 applies to existing employment sites. Site specific allocations for the provision of new employment land will be progressed through other appropriate development plan documents.<br><br>Shoebury Garrison Phase 2 land will |

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| | | | | | The Council is aware that there has been significant interest in bringing forward the Phase 2 site for mixed-use purposes including residential.<br><br>*The Paragraph should be expanded to include all of the text set out at Paragraphs 6.8 and 6.9 of the ELR. Reference should also be made to the table proforma appended to the ELR which considers that the site "can be protected and developed when necessary for future employment use or mixed use (our emphasis)". Residential should be referenced as an appropriate and viable use for the remaining land.* | be recognised as a potential site for new employment provision and other appropriate uses, which will be addressed through other suitable development plan documents. |
| DM11/ 5.16 | Garrison Developments LLP represented by Planning Perspectives LLP (K Atkinson) [278] | 1223 | Object | Soundness:<br>[i] Justified<br>[ii] Effective | Our client is concerned that the Phase 2 Garrison site is available to come forward now in advance of the Shoeburyness AAP. Only preliminary work has been undertaken on the progress of the AAP to date as such the AAP process for exploring the use of the remaining Garrison land would seem too uncertain and slow.<br><br>Paragraph 5.16 needs to include alternative text in order to ensure a flexible approach to the Phase 2 Garrison site coming forward in the interim.<br><br>*Given the need to ensure a flexible approach in advance of the Shoeburyness AAP being prepared, the text should also make reference to the remaining non-employment land at Shoebury Garrison being determined in accordance with other national and local planning policy objectives and other material considerations, with the focus on the creation of sustainable, mixed-use communities.*<br><br>*Greater flexibility is also needed to ensure that the DPD allows for changing circumstances with regard to employment land supply and demand. In the event that the land does not come forward for employment purposes, the text should include the provision to review alternative, viable uses including residential.* | Noted. Appropriate amendments, including too paragraph 5.16, will be made to ensure and clarify that Policy DM11 applies to existing employment sites. Site specific allocations for the provision of new employment land will be progressed through other appropriate development plan documents.<br><br>Shoebury Garrison Phase 2 land will be recognised as a potential site for new employment provision and other appropriate uses, which will be addressed through other suitable development plan documents. Therefore, land at Shoebury Garrison Phase 2 will not be designated as employment land in the DM DPD.<br><br>Proposed Policy DM11 outlines that the Council will plan; monitor; and manage the function of the employment areas in respect to strategic and local economic objectives. |

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| DM11 | Harry Chandler [219] | 1181 | Comment | | Shoebury Residents Association Members are concerned that Shoebury is not an attractive area for employers and especially for youth employment.<br><br>Members wish to see the road access to Shoebury to be further improved, both for holiday makers and businesses, so that business will be encouraged to locate in Shoebury and business and holiday makers will not be put off by access problems.<br><br>We are concerned that many roads in Shoebury used by heavy transport are not suitable for heavy transport and wish to see more investment put into our local road infrastructure so that employers will locate in Shoebury. | Noted; it is considered that Policy DM16 in combination with the adopted Core Strategy provides the necessary framework to manage transport implications associated with new development in a sustainable manner.<br><br>In setting out the long term strategy for transport within the Borough the Southend-on-Sea Third Local Transport Plan (LTP3) seeks to ensure provision of sustainable transport to support the regeneration of Shoeburyness and to ensure infrastructure is planned for, to encourage and sustain economic growth. |
| DM11 | Linpac represented by Planning Perspectives LLP (B Kelly) [142] | 1196 | Comment | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective | Part 2 of Policy DM11 notes that those sites listed within Policy Table 7 should be maintained and promoted for modern employment floorspace. The policy lacks flexibility as it fails to recognise that viability will be an important consideration in the regeneration of the Prittle Brook Estate as outlined by the Southend-on-Sea Employment Land Review (ELR) 2010. Redevelopment will only be a possibility therefore if the viability is taken into consideration and a flexible policy allowing mixed-use development applied. | Noted; Policy table 7 defines Prittle Brook Industrial Estate as an Employment Growth Area. Proposed Policy DM11 (3) provides a flexible approach to managing development at the Employment Growth Areas through planning briefs that will set out the quantum of development and appropriate uses.<br><br>The Council will further consider the policy in light of the National Planning Policy Framework and propose amendments, including in relation to flexibility and viability, where appropriate. |
| DM11 | Linpac represented by Planning Perspectives LLP (B Kelly) [142] | 1198 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent | On the basis that modern business floorspace is developed at a higher density than old stock/industrial floorspace, a substantial part of the Prittle Brook Estate would be available for enabling residential development. Given that residential led redevelopment of the site may be the only way to bring it back | The Employment Land Review (2010) recommends that Prittle Brook Industrial Estate is retained for continued employment purposes, given the restricted nature of employment |

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| | | | | with national policy | into an active use, the policy is ineffective and will prevent redevelopment. Allowing mixed use development would be supported by PPS4 which encourages policies to remain flexible. Therefore, it is considered that DM11 is not compliant with national policy as it doesn't provide the desired level of flexibility to plan for sustainable economic growth.<br><br>*Part 3 of Policy DM 11 should read:*<br>*3. A managed approach will be sought at the Employment Growth Areas through planning briefs that will set out the quantum of development and appropriate uses. An open view will be taken towards enabling development where it can help to meet aspirations for the development of modern employment facilities.*<br><br>*Part 4 of Policy DM 11 should read:*<br>*4. The Industrial Estates identified within Policy Table 7 will be mostly retained and protected for Class B uses and those sui-generis uses of an employment nature. Complementary and supporting uses will be considered acceptable at the Industrial Estates where they serve the day-time needs of estate's working population and will not result in a material change to the character and function of*<br>*the area. Nevertheless, as part of comprehensive redevelopment proposals, enabling development (including residential if sensitively located) will be considered if it can be proven that a redevelopment to entirely employment uses would otherwise be unviable, and that the proposal meets identified priorities in terms of employment provision.*<br>*This will ensure that the policy is sound: both effective and justified* | land supply within the borough. However, it is considered that a flexible approach will be required to enable redevelopment of the site.<br><br>Policy table 7 defines Prittle Brook Industrial Estate as an Employment Growth Area. Proposed Policy DM11 (3) provides a flexible approach to managing development at the Employment Growth Areas through planning briefs that will set out the quantum of development and appropriate uses.<br><br>The Council will further consider the policy in light of the National Planning Policy Framework and propose amendments, including in relation to flexibility and viability, where appropriate. |
| DM11 | C & S Associates represented by Firstplan (M Woolner) [277] | 1213 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective **[iii]** Consistent with national policy | Policy Table 7 identifies a number of Employment Growth Areas. This includes existing employment areas and green field land at Shoebury Garrison. The omission of Fossetts Farm from the identified Employment Growth Areas is not justified as:<br><br>* it is a Priority Urban Area (Industrial/ Employment Area) in the adopted Core Strategy (contributing to the delivery of 2750 | Appropriate amendments will be made to ensure and clarify that Policy DM11 applies to existing employment sites only. Site specific allocations for the provision of upcoming and impeding sites, such as for land at Fossetts Farm, will be progressed through other |

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| | | | | | jobs).<br><br>* It is identified as Safeguarded Land in the Southend-on-Sea Local Plan Saved Policies;<br><br>* a Section 106 Agreement dated 8th January 2004 provides an indicative zonal plan showing areas of Fossetts farm for employment and leisure recognises that the land could be comprehensively developed for these uses.<br><br>* It is not effective or consistent with National Policy as it does not encourage sustainable economic growth in this location.<br><br>*Policy Table 7 should be amended to include Fossetts Farm as an Employment Growth Area.* | appropriate development plan documents. |
| DM11 | Garrison Developments LLP represented by Planning Perspectives LLP (K Atkinson) [278] | 1224 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | The Policy is not justified as it fails to reflect the findings of the Employment Land Review (ELR) with regard to the Shoebury Garrison site (which is listed within Policy Table 7 as an Employment Growth Area). The Policy does not reflect the further findings of the ELR in that not all of the Shoebury Garrison site is required for employment purposes.<br><br>To this end, the ELR recommends that a figure of around 3 hectares is required. This figure is significantly less than the whole 11.27 hectares making up the Phase 2 land as currently suggested in the Policy and the corresponding Proposals Map. Indeed, the ELR refers to other uses coming forward on the remaining land. Indeed the site proforma table appended to the ELR considers that the site "can be protected and developed when necessary for future employment use or mixed use (our emphasis)".<br><br>Mixed-use development is supported by national policy. PPS4 encourages policies to remain flexible. Policy EC2 notes that whilst employment land can be safeguarded from other uses, this safeguarding should "facilitate a broad range of economic development, including mixed-use". Against this advice, it is considered that the proposed Policy DM11 is not compliant with | Noted. Appropriate amendments will be made to ensure and clarify that Policy DM11 applies to existing employment sites. Site specific allocations for the provision of new employment land will be progressed through other appropriate development plan documents.<br><br>Shoebury Garrison Phase 2 land will be recognised as a potential site for new employment provision and other appropriate uses, which will be addressed through other suitable development plan documents. |

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| | | | | | national policy as it fails to provide the desired level of flexibility to plan for sustainable economic growth.<br><br>*The Policy currently allocates the whole of the Shoebury Garrison site (Phases 1 and 2) as an Employment Growth Area. Given that only part of the site is currently supported for employment purposes for reasons set out on in the ELR, the site should be more appropriately allocated as a 'Mixed-Use Site to include Residential'.*<br><br>*In circumstances where the DPD has no other Section on mixed-use sites (or housing sites for that matter), we would request at minimum that the employment allocation for the Garrison land be reduced to the figures referred to in the ELR.*<br><br>*This would ensure that the Policy is justified and sound.*<br><br>*In addition to this, whilst Part 7 of the Policy sets out that "the Council will plan, monitor and manage the function of the industrial estates and employment areas so that these areas can continue to contribute to strategic and local economic objectives", greater flexibility is needed to ensure that the policy allows for changing circumstances with regard to employment land supply and demand.*<br><br>*In the event that the land does not come forward for employment purposes, the Policy should include the provision to review alternative, viable uses including residential.*<br><br>*This would ensure that the Policy is effective, in conformity with national policy and sound.* | |
| DM12 | London Southend Airport<br>(P Le Blond) [211] | 1171 | Support | | London Southend Airport supports the policy of focusing hotel accommodation at the Airport (as well as other locations). | Noted |
| DM13 | Orchard Street Investment Management LLP represented by | 1177 | Object | Unsound<br>Soundness:<br>[i] Justified<br>[ii] Effective | It is considered that Policy DM13 it is not adequately 'justified', as it is considered not to provide the most appropriate strategy for Southend Town Centre; and is not sufficiently 'effective' as it fails to provide adequate flexibility. As it is contended that the | Noted; the emerging Southend Central Area Action Plan (SCAAP) sets out detailed policies in relation to managing development and growth in |

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| | Gerald Eve LLP (M Moss) [218] | | | | draft policy fails both of these tests of soundness (as identified by PPS 12: Local Spatial Planning), the policy is seen to be unsound in its current form.<br><br>*Please refer to Representations 1420, 1421 and 1422* | the town centre and central area. The Council will consider the relevance of Policy DM13 in relation to the policies contained in the SCAAP and whether Policy DM13 as drafted is required. |
| DM13 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1420 | Object | Unsound<br>Soundness:<br>[i] Justified<br>[ii] Effective | To enable Southend town centre to remain the first preference and focus for all forms of retail development, it is essential that retail uses are complemented by supporting uses, in line with PPS6, which generate linked trips and allow shoppers to spend more time in the town centre. There to be significant opportunity to deliver new restaurants and cafés in particular<br><br>*The following amendments to the policy are sought:*<br><br>*Add the following additional Part 4 to the policy:*<br><br>*4. The introduction of complementary non-retail uses that support the role and function of the town centre is supported in principle. Restaurants and Cafés complement the retail offer of the town centre and help generate improved vitality for the town centre throughout the day. Proposals for new (Class A3) restaurants and cafés in the town centre are encouraged subject to the submission of a report by the applicant that adequately demonstrates that the proposals would be cause no adverse impact to the retail offer or the vitality or viability of the town centre.* | Noted; the emerging Southend Central Area Action Plan (SCAAP) sets out detailed policies in relation to managing non-retail uses and town centre uses in the town centre and central area.<br><br>The Council will consider the relevance of Policy DM13 in relation to the policies contained in the SCAAP and whether Policy DM13 as drafted is required. |
| DM13 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1421 | Object | Unsound<br>Soundness:<br>[i] Justified<br>[ii] Effective | In order to maintain the primacy of the town centre, it is also essential that it remains accessible by a range of transport modes. Travel by car remains the only viable mode of transport for a number of people travelling to Southend town centre. Providing sufficient car parking is therefore a vital component in delivering a successful town centre, especially given pressures from out of town retail centres. Accordingly, it is requested that Policy DM13 explicitly acknowledges the important role car parking has in the function of the town centre and prevents any net loss in public car parking spaces.<br><br>*The following amendments to the policy are sought:* | Noted; the emerging Southend Central Area Action Plan (SCAAP) sets out detailed policies and proposals, including those relating to the management of town centre parking for the town centre and central area<br><br>The Council will consider the relevance of Policy DM13 in relation to the policies contained in the SCAAP and whether Policy DM13 as drafted is required. |

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| | | | | | *Add the following additional Part 5 to the policy:*<br><br>*The public car parks in the town centre have an important role in providing car parking for shoppers and, alongside public transport provision, adequate car parking is key ensuring the town centre remains accessible to all. Proposals which would result in the net loss of public car parking spaces in the town centre will be resisted.* | Appropriate amendments to the DM DPD will be considered in light of the NPPF to ensure the document remains consistent with national policy. |
| DM13 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1422 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective | In light of the key role that The Royals and The Victoria shopping centres have in promoting the vitality and viability of the town centre, it is essential that this is explicitly recognised by Local Development Plan policy contained in the Development Management DPD, which should define a facilitative and flexible approach to support development of both centres throughout the plan period. It is made all the more essential in the face of direct competition from the large out-of-town retail park to be developed at Fossett's Farm.<br><br>*The following amendments to the policy are sought:*<br><br>*Amend part 2 to read as follows:*<br><br>*(2) New retail development should enhance the performance of Southend Town Centre as a comparison shopping destination. The Borough Council will seek to maintain and enhance comparison shopping within the Town Centre. In particular, support will be given to proposals:*<br><br>*(2i) that provide additional retail floorspace for comparison goods and reinforce the primacy of the High Street retail circuit, including at The Royals and The Victoria shopping centres* | Noted; the emerging Southend Central Area Action Plan (SCAAP) sets out detailed policies in relation to managing development and growth in the town centre and central area. The Council will consider the relevance of Policy DM13 in relation to the policies contained in the SCAAP and whether Policy DM13 as drafted is required. |
| DM14 | Broadway Estates Ltd represented by Hobbs Parker Property Consultants LLP (D Jarman) [228] | 1188 | Object | Unsound<br>Soundness:<br>**[i]** Justified | The designation of the northern and southern frontage of Southchurch Road as a primary shopping frontage on the Proposal Map is opposed, as these frontages do not fulfill this function.<br><br>*Remove primary shopping notation from northern and southern* | Noted. The designation of Primary and Secondary Shopping Frontages across the Borough will be further appraised in light of the NPPF and appropriate amendments will be considered and made available for comment during |

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| | | | | | *Southchurch Road frontages*<br><br>*Note - we consider that this notation fails the 'justified' soundness test.* | the publication of a revised proposed submission Development Management DPD and Southend Central Area Action Plan. |
| DM14 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1178 | Object | Unsound<br>Soundness:<br>[i] Justified<br>[ii] Effective | It is considered that Policy DM14 is not adequately 'justified', as it is considered not to provide the most appropriate strategy to reinforce the attractiveness, vitality and viability of the primary and secondary frontages within Southend-on-Sea within the daytime and night-time economies; and is not sufficiently 'effective' as it fails to provide adequate flexibility. As it is contended that the draft policy fails both of these tests of soundness (as identified by PPS 12: Local Spatial Planning), the policy is seen to be unsound in its current form<br><br>*Please refer to Representations 1423, 1424 and 1425* | Noted; It is considered that Policy DM14 is justified in its approach to managing Primary and Secondary Shopping Frontages.<br><br>The Council will ensure that the policy is in conformity with the NPPF and remains adequately justified and effective. |
| DM14 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1423 | Object | Unsound<br>Soundness:<br>[i] Justified<br>[ii] Effective | Adequate flexibility is important in planning policy to ensure complementary non-retail uses are able to develop in the town centre. An arbitrarily-defined restriction on the proportion of units within the primary shopping area's ground floor frontage allowed to be in non-Class A1 (retail) use is unnecessarily. This could actually harm the attractiveness, vitality and viability town centre and will be made more problematic by the retail development at Fossetts Farm. To recognise the need for adequate flexibility the requirement for active shopfronts to be retained or provided in primary and secondary shopping frontages, should instead refer to active frontages.<br><br>*Replace part 2 of the policy with the following:*<br><br>*2. Proposals involving the loss of units in Class A1 uses to non-Class A1 uses in the identified primary shopping frontages will be required to demonstrate that they would not cause significant adverse impact to the attractiveness, vitality and viability of the town centre. All proposals will be required to retain or provide an active frontage.*<br><br>*Amend part 3 of the policy to read as follows:* | Noted; It is considered that Policy DM14 is justified in its approach to managing Primary and Secondary Shopping Frontages. An over-concentration of non-retail uses within the primary frontage can detract from its shopping function and may prejudice its vitality and viability, create extensive lengths of "dead" frontage and a lack of proper shop window displays. This can detract from the attractiveness of the street to shoppers or isolate particular shops or areas from the main pedestrian flows. It is therefore necessary to manage the shopping function of centres to ensure their vitality and viability is not significantly harmed.<br><br>The Council will ensure that Policy DM14 is in conformity with the NPPF and remains adequately justified and effective. |

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| | | | | | *3. All developments in the secondary shopping frontage must provide an active frontage* | |
| DM14 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1424 | Object | Unsound Soundness: **[i]** Justified | Object to the protection of traditional features and shopfronts from being developed in all circumstances, as proposed by the policy. The value of preserving traditional features and shopfronts must be weighed against the benefits associated with any proposals that necessitate their loss. Such a restriction could potentially hold back development of the town centre and impinge on its ability to compete with nearby centres and the out-of-town retail park to be developed at Fossett's Farm.<br><br>*Amend part 4 vi of the policy to read as follows:*<br><br>*4vi) The loss of traditional features and shop fronts which contribute to the appearance and visual amenity of a building or surrounding area will be generally resisted. Proposals that would result in the loss of traditional features and/or shop fronts will be required to demonstrate that the benefits of the proposals outweigh the loss of these features.* | Noted; appropriate alterations will be considered in light of the proposed amendments suggested in the representation.<br><br>Any amendment will be reflected in the publication of the Development Management Revised Proposed Submission Document and made available for comment. |
| DM14 | Orchard Street Investment Management LLP represented by Gerald Eve LLP (M Moss) [218] | 1425 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective | Whilst support is expressed for draft policy DM14's encouragement of the display of local art within the windows of the empty shop units, it is requested that Policy DM14 is more facilitative by allowing landowners to agree the content of local art to be displayed upfront; and be more relaxed in terms of requiring landowners to apply for planning permission only where proposals cannot be agreed informally.<br><br>*Amend part 5 of the policy to read as follows:*<br><br>*5. Where there are a number of empty units within a centre and little prospect of these units being occupied in the short term, the Council will work with the landowner/landlord to encourage the display of local art within the windows of the empty units. The Council will seek an open upfront dialogue with landlords to agree suitable displays of public art and will adopt a facilitative and flexible approach to ensure the display of art is not unnecessarily delayed by requirements for formal planning applications to be submitted for schemes considered to be* | Noted; Part 5 of Policy DM14 outlines that the Council will encourage the display of local art within vacant shop front windows to create visual interest from the public realm. Where applicable this will need to have regard to advertisement consent. Additional supporting text will be considered to provide clarification. |

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| | | | | | *acceptable.* | |
| DM15 | Environment Agency (J Hardwick) [215] | 1172 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective **[iii]** Consistent with national policy | The DPD has not considered the foul water infrastructure and water quality issues identified in the Water Cycle Study.<br><br>The Southend Water Cycle Study (Scoping Report, March 2009) identifies that the Southend Wastewater Treatment Works does not have the capability to treat further wastewater flows as a result of an increase in development. This may have a detrimental impact on water quality, nature conservation and the environment, which would contravene policy and objectives. Therefore, a policy is required to ensure that the impact of new development on foul water infrastructure and water quality is considered.<br><br>*Currently the only reference in the Southend LDF requiring new development to consider the impacts of growth on infrastructure appears to be in policy KP2 of the adopted Core Strategy which states development should 'not place a damaging burden on existing infrastructure'. There is however no specific reference to foul water infrastructure or the impacts of development on water quality.*<br><br>*In light of the WCS scoping report findings we feel it necessary for the Development Management DPD to include a policy requiring developers to demonstrate that there is capacity in the WwTWs and sewer network serving the Borough.*<br><br>*We suggest the following (or similar) is recommended to the inspector as a minor amendment to Policy DM15 'Environmental Protection'. It is recommended that this wording is also agreed with Anglian Water and Natural England.*<br><br>*Supporting Text [New subsection after paragraph 6.6]*<br><br>*'Foul Water Infrastructure'*<br><br>*The Essex Thames Gateway Water Cycle Study - Scoping Report (dated March 2009) identified that Southend Wastewater* | Noted; since the publication of the Southend Water Cycle Study Scoping Report (2009) and this representation, Anglian Water have demonstrated to the satisfaction of the Environment Agency that current capacity at the Southend WwTWs can accommodate the Core Strategy adopted growth targets to 2021 and beyond. As such the Environment Agency has agreed to withdraw their unsound representation on this matter.<br><br>Appropriate amendments to the supporting text regarding Waste Water Treatment works within the Borough will be considered and made available for comment during the publication of a revised proposed submission Development Management DPD.<br><br>Please note that on the 27 March 2013 the Environment Agency withdrew this representation. See Appendix 4 for full details. |

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| | | | | | *Treatment Works (WwTWs) is currently at capacity. It also identifies increases in flows through parts of the sewerage network is likely to cause an increase in the frequency of diluted but untreated discharges from the system. These systems discharge to the Thames Tideways which are a sensitive environmental receptor and designated SAC, SPAs, RAMSAR and SSSI. The discharges are also required to meet the requirements of the Water Framework Directive, Habitats Directive, Shellfish Waters Directive and Bathing Waters Directive.*<br><br>*Applicants should engage in pre-application discussions with Anglian Water and the Council to discuss these issues. All planning applications will be required to demonstrate that there will be capacity in the WwTWs and network before the development comes online.*<br><br>*Policy Requirement [New point in the policy]*<br><br>*'3. Applications for new development need to demonstrate there is adequate capacity in the foul water network, including the foul sewerage network and receiving wastewater treatment works, or that arrangements have been implemented for the necessary improvements to be in place in advance of the development.'*<br><br>*You may also consider it appropriate to include water quality as a key indicator in the monitoring framework (appendix 1 of the DPD).* | |
| DM15 | Environment Agency<br>(J Hardwick) [215] | 1176 | Object | Unsound Soundness: **[iii]** Consistent with national policy | Concern with some of the wording relating to contaminated land. A condition should only be applied where appropriate and any remediation works should be carried out before commencement of any new development.<br><br>*To address our concern regarding point (1iii) of the policy we suggest the following minor amendment is suggested to the inspector:* | Agree; appropriate amendments to Policy DM15 will be considered and made available for comment during the publication of a revised proposed submission Development Management DPD. |

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| | | | | | *'(iii) remediation works will be carried our before the commencement of any new development'*<br><br>*With regards to our comment relating to point 1(ii) we suggest the Council consider the following minor amendment:*<br><br>*'(ii) where contamination is found which would pose an unacceptable risk to peoples health, the natural environment or water quality the Council will impose a condition, if appropriate, to ensure the applicant undertake appropriate remedial measures to ensure that the site is suitable for the proposed use and that the development can safely proceed.'* | |
| DM15 | Natural England (G Wyatt) [65] | 1200 | Object | Illegal<br>Unsound<br><br>Soundness:<br>[iii] Consistent with national policy | In the absence of the additions to Policy DM15 and its supporting text , as recommended by the Environment Agency in their response dated 20 April 2011, there is a Risk that development might have a significant effect on the Benfleet and Southend Marshes SPA and RAMSAR site.<br><br>*The risk of impacts upon the Benfleet and Southend marches SPA and RAMSAR site can be removed by the inclusion of the additions to Policy DM15 and its supporting text, as recommended by the Environment Agency in their response dated 20 April 2011. This would ensure legal compliance and soundness.* | Disagree, since the publication of the Southend Water Cycle Study Scoping Report (2009), Anglian Water have demonstrated to the satisfaction of the Environment Agency that current capacity at the Southend WwTWs can accommodate the Core Strategy adopted growth targets to 2021 and beyond. As such the Environment Agency, and subsequently Natural England, have agreed to withdraw their unsound representations on this matter.<br><br>Appropriate amendments to the supporting text regarding Waste Water Treatment works within the Borough will be considered and made available for comment during the publication of a revised proposed submission Development Management DPD.<br><br>Please note that on the 11 December 2013 Natural England withdrew this representation. See Appendix 4 for full details. |
| DM15 | Southend Borough | 1436 | Comment | | Halcrow's recent advice whilst developing a Cliffs Management | Agree, Appropriate amendment will be |

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| | Council (R Atkins) [284] | | | | Strategy changes the circumstances quite significantly and I consider there is now a strong reason to make changes to the document as follows:<br><br>*"All development proposals in the vicinity of the cliff frontages shall take full account of the risk of ground instability. The Council is developing a Cliffs Management Strategy which will include location specific guidance to developers on areas which the Council consider unsuitable for development and those which require mitigation works to facilitate development. Pending issue of this strategy, potential developments should be discussed with the Council at an early stage to establish the suitability of the proposal. Development that is at risk from land instability or that is likely to increase risk to the site or surrounding areas will not be acceptable. Proposals will only be considered where:-*<br><br>*(i) It has been demonstrated to the satisfaction of the Council that the development of unstable or potentially unstable land will be constructed and used safely without increasing instability in the site or surrounding land*<br>*(ii) It can be demonstrated that mitigation measures to stabilise land are environmentally acceptable and will not adversely impact upon neighbouring uses."* | made to Policy DM15 and the supporting text to reflect the issues made on land instability. The amendments will be published and made available for comment as part of the Development Management Revised Proposed Submission Document. |
| DM16/ 7.1 | Colonnade Land LLP represented by Iceni Projects Ltd (J Cutler) [225] | 1187 | Object | Illegal<br>Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | This section fails to adequately address concerns of local high levels of traffic congestion, arising from the pressure on existing transport infrastructure and the high levels of out-commuting. By creating a closer link between the DMDPD and the LTP through more meaningful cross-references, there is a greater prospect of achieving the necessary improvements to the strategic transport infrastructure network. Alongside this, reference should be made to the Councils intentions regarding CIL, to ensure all future development provides for improvements to the strategic transport network.<br><br>*CLLLP would recommend that the supporting text to the policy is revised to confirm the role of the LTP is securing improvements to the strategic transport network.* | Noted. The approach to Strategic Transport Infrastructure is addressed in the Local Transport Plan (LTP) 3 and the Core Strategy DPD. Sufficient reference is made to transport related issues and the LTP in the supporting text of DM16 and within the Core Strategy DPD.<br><br>It is considered that reference to the Council's approach to developing a Community Infrastructure Levy is not required in Policy DM16. |

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| | | | | | *By creating a closer link between the DMDPD and the LTP, there is a greater prospect of achieving the necessary improvements.*<br><br>*Reference should be made to the intentions of the Council regarding CIL, to ensure all future development provides for improvements to the strategic transport network.* | |
| Appendix 1 | Environment Agency<br>(J Hardwick) [215] | 1408 | Comment | | In relation to Representation 1172 consider the inclusion of water quality as a key indicator.<br><br>*You may also consider it appropriate to include water quality as a key indicator in the monitoring framework (appendix 1 of the DPD).* | Noted; following discussion with the Environment Agency (EA) on this matter it has been established that water quality data is no longer readily available from the EA. Therefore, this matter will not be taken forward as a key indicator in the monitoring framework of the DM DPD. |
| Proposal Map | Southend United Football Club represented by Savills<br>(M Power) [276] | 1207 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | The proposals map must be updated to show Fossetts Farm as a priority urban area to reflect its designation in the Core Strategy. The designation currently shown on the emerging proposals map must be deleted. The emerging Proposals Map shows land at Fossetts Farm with a combination of the following designations: protected green space, Green Belt and agricultural land. This does not correspond with the current position and is inconsistent with the designations of the site in the:<br><br>* adopted Core Strategy (2007), where Key Diagram identifies Fossetts Farm as a Priority Urban Area and the Core Strategies Inspectors Report which states that the relocation of Southend United Football Club's stadium to Fossetts Farm area is supported in principle;<br><br>* the Borough Local Plan Second Alteration (1999), which designated most of the site as safeguarded land outside of the Green Belt; and<br><br>* the inspectors report concerning Planning Permission (SOS/06/01300/FUL), that concluded (paragraph 10.24) that: 'the indication in the key Diagram is sufficient to show that none | Noted; Fossetts Farm represents a large area of greenfield land that was safeguarded for future uses as part of the borough local plan (second alteration) (1999). The DM DPD will not replace this saved policy.<br><br>The Core Strategy, in setting out broad locations for employment growth, identifies Fossetts Farm as an employment area of a Priority Urban Area where appropriate regeneration and growth will be focused. However, the Core Strategy does not include site allocations or allocate sites with a definitive boundary that can be shown on a Policies Map.<br><br>Furthermore, the Proposed Development Management DPD does not contain site allocations and it does not provide a review of the Green Belt. Therefore, the Policies Map will not |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | of the land south and west of the Fossetts Farm PUA carries a Green Belt notation';<br><br>*The proposals map must be updated to show Fossetts Farm as a priority urban area to reflect its designation must be adopted in the Core Strategy. The designation currently shown on the emerging proposals map must be deleted. This will ensure that the proposals map is justified and effective in accordance with pps12.* | include specific new allocations for land at Fossetts Farm, including the safeguarded land allocation in the Borough Local Plan Second Alteration (1999). Existing designations at Fossetts Farm will remain until they are replaced by site specific allocations.<br><br>Appropriate amendments will be made to the DM DPD supporting text to clarify that site specific allocations will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm.<br><br>The agricultural designation on the accompanying DM DPD Policies Map will be updated to reflect the safeguarded land designation at Fossetts Farm and the latest agricultural land classification surveys for Southend, provided by Natural England. The amendments will be published and made available for comment as part of the Development Management Revised Proposed Submission Document. |
| Proposal Map | C & S Associates represented by Firstplan (M Woolner) [277] | 1214 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent | The proposals map as currently drafted is unsound as it does not reflect the current adopted local policy, national policy, current designations and the planning history of the land at Fossetts Farm. | Noted; the agricultural designation on the accompanying DM DPD Policies Map will be updated to reflect the safeguarded land designation at Fossetts Farm and the latest |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | with national policy | There is no evidence base to support the proposed High Grade Agricultural Land designation at Fossetts Farm. Its designation is inconsistent with both the adopted Local Plan 1999 alterations, which designates the site as Safeguarded Land to meet future development needs (Policy G1 a) and the Core Strategy (2007) which designates the site as a Priority Urban Area (Industrial/ Employment Area). Neither of these adopted plans designate the site as High Grade Agricultural Land.<br><br>On the contrary, the Core Strategy seeks to encourage employment growth at Fossetts Farm. The proposed High Grade Agricultural Land designation is also inconsistent with a Section 106 Agreement entered into by our client and the Council dated January 2004 which provides an indicative zonal plan showing areas for employment and leisure. The zonal plan identifying our clients land for employment and leisure clearly shows that the Council agreed with the principle of these uses, this is carried forward in the Core Strategy designation.<br><br>*For land at Fossetts Farm, the proposals map should be changed to that of an Employment Area including leisure uses to reflect the Core Strategy as a Priority Urban Area designation and Section 106 Agreement. The High Grade Agricultural Land designation should be removed.* | agricultural land classification surveys for Southend, provided by Natural England.<br><br>Appropriate amendments will be made to the DM DPD supporting text to clarify that site specific allocations, including for new employment land, will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm.<br><br>Amendments will be published and made available for comment as part of the Development Management Revised Proposed Submission Document. |
| Proposal Map | C & S Associates represented by Firstplan (M Woolner) [277] | 1215 | Object | Unsound Soundness: **[i]** Justified **[ii]** Effective **[iii]** Consistent with national policy | The Development Management DPD is not the proper DPD to make strategic decisions about specific sites and therefore should not designate our client's site as High Grade Agricultural Land nor remove the adopted Core Strategy designation as a Priority Urban Area. Any change to the designation should be done through the Core Strategy and/or Site Allocations DPD.<br><br>We recognise that this is not a site allocations DPD but our suggestion (relating to the removal of the agricultural land designation and the suitability of employment and leisure uses at Fossetts Farm) simply reflects the adopted designations of the site as a Priority Urban Area and safeguarded land. It is noted that the proposals map does identify future designations, for example the green field land at Shoebury Garrison. | Noted; the Core Strategy, in setting out broad locations for employment growth, identifies Fossetts Farm as an employment area of a Priority Urban Area where appropriate regeneration and growth will be focused. However, the Core Strategy does not include site allocations or allocate sites with a definitive boundary that can be shown on a Policies Map.<br><br>Furthermore, the Proposed Development Management DPD does not contain site allocations and, |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | | therefore, will not include specific allocations for Fossetts Farm on the Policies Map.<br><br>Appropriate amendments will be made to the DM DPD supporting text to clarify that site specific allocations, including for new employment land, will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm.<br><br>The agricultural designation on the accompanying DM DPD Policies Map will be updated to reflect the safeguarded land designation at Fossetts Farm and the latest agricultural land classification surveys for Southend, provided by Natural England. A revised submission version of the Development Management DPD, incorporating proposed amendments, will be published and made available for comment. |
| Proposal Map | Garrison Developments LLP represented by Planning Perspectives LLP (K Atkinson) [278] | 1228 | Object | Unsound<br>Soundness:<br>**[i]** Justified<br>**[ii]** Effective<br>**[iii]** Consistent with national policy | PROPOSALS MAP - Industrial Estates and Employment Areas.<br><br>The allocation currently shows the Shoebury Garrison Phase 1 and 2 land as an Employment Growth Area. This is not considered to be justified and effective nor consistent with national policy for the reasons set out in our representations on Policy DM11. | Noted. Appropriate amendments will be made to ensure and clarify that Policy DM11 applies to existing employment sites. Site specific allocations for the provision of new employment land will be progressed through other appropriate development plan documents. |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | | *The Shoebury Garrison land should be identified as a 'Mixed-Use Site to include Residential'. In circumstances where the Proposals Map has no other provision for mixed-use sites (or housing sites for that matter), we would request at minimum that the employment allocation for the Garrison land be reduced to the figures referred to in the ELR.* | Shoebury Garrison Phase 2 land will be recognised as a potential site for new employment provision and other appropriate uses, which will be addressed through other suitable development plan documents. Consequently, land at Shoebury Garrison Phase 2 will not be designated as employment land in the DM DPD, including Policies Map.<br><br>A revised submission version of the Development Management DPD, incorporating these proposed amendments, will be published and made available for comment. |
| Proposal Map | C & S Associates represented by Firstplan (M Woolner) [277] | 1429 | Object | Unsound Soundness: [i] Justified [ii] Effective [iii] Consistent with national policy | With respect to Fossetts Farm whilst there is a need to protect the scheduled ancient monument, the other areas are suitable for development. | Noted; Site specific allocations will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm. |
| Proposal Map | C & S Associates represented by Firstplan (M Woolner) [277] | 1430 | Object | Unsound Soundness: [i] Justified [ii] Effective [iii] Consistent with national policy | The Development Management DPD proposes to replace all of the Southend-on-Sea Local Plan Saved Policies, including Saved Policy G1 a Safeguarded Land (Second Alteration), which seeks to safeguard Fossetts Farm for future development needs. This policy should not be deleted without a satisfactory replacement designation. | Agreed; Policy G1a will not be deleted upon adoption of the Development Management DPD. |
| Proposal Map | C & S Associates represented by Firstplan (M Woolner) [277] | 1431 | Object | Unsound Soundness: [i] Justified [ii] Effective | The potential of the site to meet the future development needs of Southend is well established both in terms of adopted policy and planning history. The site is suitable for both employment and leisure uses. | Noted. Appropriate amendments will be made to the DM DPD supporting text to clarify that site specific allocations, including for new |

| Policy, para or section | Respondent (Name) [No] | Rep No | Object/ Support | Element of Soundness | Representation (Summary of Original Submission) and Respondents Suggested Changes to Plan [*in italics*] | Response to Representation |
|---|---|---|---|---|---|---|
| | | | | [iii] Consistent with national policy | This designation will enable the creation of jobs in line with the Core Strategy target and the Government's 'Planning for Growth' agenda which sets out that the top priority is to promote sustainable growth and jobs, and sets out that the answer to growth wherever possible should be 'yes' except where this would conflict with sustainable development principles.<br><br>The designation of this site as an employment area including leisure uses is also in accordance with PPS4 which seeks for development plans proactively encourage sustainable economic growth. It also retains flexibility in line with the Southend Core Strategy Inspector's Report (October 2007) which considered that the future uses for Fossetts Farm should remain flexible because the site represents a scarce resource in terms of undeveloped land (Paragraph 6.5). | employment land, will be progressed through other appropriate development plan documents. These will consider, inter alia, the allocation of impending and upcoming sites within broad spatial locations, such as those within Priority Urban Areas as defined by the Core Strategy DPD; including potential allocations at Fossetts Farm. |

# Appendix 2: Consultees (Proposed Submission Stage March 2011)

## LDF - Specific Consultees

Barling Magna Parish Council

Basildon District Council

Braintree District Council

Brentwood Borough Council

British Waterways(Southern Region)

British Wind Energy Association

BT Payphones

BUPA Wellesley Hospital

CAA Safety Regulation Group

Canewdon Parish Council

Castle Point Borough Council

Chelmsford Borough Council

Colchester Borough Council

Dartford Borough Council

Defence Estate East

East of England Ambulance Service

East Of England Development Agency

English Heritage East of England

Environment Agency

Essex County Council

Essex Fire & Rescue Service HQ

Essex Police (Southend Division)

Essex Police Community Safety Dept

Essex Police, Headquarters

Foulness Parish Council

Government Office for the East of England

Great Wakering Parish Council

H M Customs & Excise

Harlow District Council

Hawkwell Parish Council

Highways Agency (Network Strategy)

Hockley Parish Council

Hullbridge Parish Council

Land and Development Group, National Grid Transco

Leigh Town Council

Maldon District Council

Mobile Operators Association

Natural England

Paglesham Parish Council

Peter Harris Associates

Qinetiq

Renaissance Southend Ltd

Rochford Parish Council

Stambridge Parish Council

Steel & Company

Sutton Parish Council

Tendring District Council

Thames Gateway South Essex Partnership Ltd

Thurrock Unitary Council

Uttlesford District Council, Planning Department

Wind Farm Enquires 02-49,

Ofcom

## LDF - General Consultees

Age Concern

Ancient Monuments Society

Anglian Water Services

Argyll House Flats Management Co.

Arriva Southern Counties Ltd

Asda Superstores

Association of Jewish Refugees

Bairstow Eves

Barclays Bank Plc

Belfairs Gardens Residents Association

BHS

Boots The Chemist

British Hardware Federation

British Horse Society

Burges Estate Residents Association (BERA)

c2c Rail

c2c Rail & National Express East Anglia

Campaign to Protect Rural Essex (CPREssex)

Chalkwell Ward Residents Association

Circles Project

COBRA (Coalition of Borough Residents Associations

Conservation Association Westcliff Seaboard

Crime Prevention Panel (Leigh)

Cycling Touring Club (CTC)

Darby & Joan Organisation

DIAL Southend

East of England Local Government Association

Eastern Electricity

English Sports Council (East)

Essex & Suffolk Water

Essex Badger Protection Group

Essex Biodiversity Project

Essex Bridleways Association

Essex Chambers of Commerce - South Essex Office

Essex Churchyards Conservation Group

Essex Horse & Pony Protection Society

Essex Racial Equality Council

Essex Water Company

Essex Wildlife Trust

Essex Wildlife Trust - Southend and Rochford Group

Ethnic Minority Forum

Evening Echo

Federation of Small Businesses

First Essex Buses Ltd

Forty Plus Cycling Club

Futures Community College

General Aviation Awareness Council

GreenKeeper

Growing Together Project

Hamlet Court Road Business Association

Herbert Grove Residents Association

Hindu Association (Southend & District)

Home Builders Federation (HBF)

Horse Owners and Riders (SE Essex)

HSBC Card Service

InterChurch Caring for the Elderly & Disabled

IPECO

John Grooms Association

John Stacey and Sons

Kent County Council

Lambert Smith Hampton

Leigh Cliff Association

Leigh Seafront Action Group

Leigh Society

Leigh Traders Association

Leigh-on-Sea Crime Prevention Panel

Lidl UK Ltd

Lloyds TSB Card Services

London Southend Airport

Love Southend

Marine Avenue Residents Action Group

Marks & Spencer

Member of Parliament for Southend West

Mendip Community Group

Milton Community Partnership

Milton Conservation Society

National Express East Anglia

National Federation for the Blind

National Grid Company Plc

National Power

National Rivers Authority Anglian Region

Network Rail

NIBS

North Crescent & Feeches Rd Residents Association

Older Peoples Federation

Olympus KeyMed

Parklife

Pipe of Port Wine Bar

Powergen Plc

Priory Park Preservation Society

Prittlewell Residents

Prospects College

QinetiQ

Railtrack Property

Residents Association of Westborough (RAW)

RIBA South East Chapter

Right to Ride Cyclist Touring Group

Rikard Keen

Rochford & Southend East Constituency Labour Party

Royal Association For Deaf People (RAD)

Royal Bank of Scotland (RBS)

Royal Mail Group Property

Royal National Lifeboat Institution - Southend Branch

RSPB Southend Local Group

SAEN

Sainsburys Supermarkets

SEEVIC

Shoebury Forum

Shoebury Residents Association

Shoebury Society

Shoebury Traders Association

Society for the Protection of Undercliff Gardens

SOS Domestic Abuse Projects

South East Essex College

South East Essex Friends of the Earth

South Essex Area Health Authority

South Westcliff Community Group

Southend & District Aid Society

Southend & District Pensioners Campaign

Southend & Essex Hotel & Catering Assoc

Southend & Leigh Fishermans Association

Southend & Surrounds Cycling Campaign

Southend Adult Community College

Southend and Westcliff Hebrew Congregation

Southend Animal Aid

Southend Area Bus Users Group

Southend Association of Voluntary Services

Southend Blind Welfare Organisation

Southend Hospital NHS Trust

Southend Islamic Trust

Southend Mencap

Southend Mind

Southend NHS Trust

Southend on Sea Access Group

Southend on Sea Sports Partnership (West)

Southend Ornithological Group

Southend PCT

Southend Play Council

Southend Seafront Illumination & Business Association

Southend Sports Council & Southend Wheelers Cycling Club

Southend Stroke Club

Southend Taxi Drivers Association

Southend Tenants and Residents Federation

Southend United Football Club c/o Savills

Southend University Hospital

Southend West School Sport Partnership

Southend Wheelers

Southend YMCA

Southend Youth Council

Southend-on-Sea Arts Council

Southend-on-Sea Guild of Help and Citizens Advice Bureau

Southend-on-Sea Sports Council

Sport England East

St Luke's Community Partnership

St Lukes Partnership & Residents Disability Forum

St Marys Prittlewell C of E School

St. John's Ambulance

Stephensons of Essex

Stocklale Group of Companies

Tattersall Gardens Residents Group

Tenpin Ltd

Tesco Stores Ltd

Thames Water Property Services

The Rescuers Wildlife Sanctuary

The Royals Shopping Centre

The Southend Pier Museum Trust Ltd

The Southend Society

The Theatres Trust

The Victoria Shopping Centre

Tolhurst House Residents Association

Transport for London

University of Essex Southend

Victory Residents Assoc (Victoria in Partnership)

W.H.Smiths

Waitrose Ltd

West Leigh Residents Association

West Milton & Queens Residents Association

Action Panel

Westcliff & Leigh Neighbourhood Watch

Youth Service

## LDF - Other Consultees

A W Squier Ltd

ACS Designs

Adams Holmes Associates

Andrew Martin Associates

Anthony Bowhill Planning & Development Consultants

ATP Group

Barratt Eastern Counties

Barton Willmore Planning

Batias Independent Advocacy Service

Bidwells

BNP Paribas Real Estate

Bovis Homes

British Hardware Federation

Burnett Planning and Development Ltd

Bus & Rail User Group

Business Link Essex Hub

Business Link for Essex

Butterfly Conservation

C & S Associates

CABE

Carpenter Planning Consultants

Carter Jonas Property Consultants

CgMs Consulting

Chalkwell Lifeguard Club

Charles Planning Associates

Chelmsford Diocesan Board of Finance

Chestergate Estates Ltd

China Corp

Churchills Café Bar

Civic Trust

Cluttons LLP

Colliers CRE

Council for British Archaeology

County Hotel

Crown Estate Office

Crowstone St George's United Reformed Church

Cushman & Wakefield

David Walker Chartered Surveyors

Disability Essex (EDPA)

DLP Planning Ltd

DPDS Consulting Group

Drivas Jonas

East of England Tourist Board

Essex Amphibian & Reptile Group

Essex Birdwatching Society

Essex Garden Trust

Essex No 1 Circuit of Jehovah's Witness

Essex Prosperity Forum

Essex Reptiles & Amphibians Society

Essex Training & Enterprise Council

Europcar

Fenn Wright

First Cycle Courier

Firstplan

Friends of Hadleigh Castle Country Park

Fuller Perser

Garden History Society

George Wimpey East London

Gerald Eve

Gladedale Homes

Greenpeace

Grosvenor Consulting

GVA Grimley

H.A.R.P

Healey & Baker

Heron Educational Trust

Higgins Homes

Hillier Parker May & Rowden Chartered Surveyors

Homeless Action Resource Project

Iceni Projects Ltd

Indigo Planning Ltd

INTERACT

J.C Gibb Chartered Surveyors

Januarys

Jones Lang Lasalle

King Sturge

Knight Frank LLP

Labour European Office

Landmark Information Group Ltd

Landsbury Holding Plc

Levvel

Livemore Partnership

London Bus Theatre Company

Marguerite Livingstone Associates

Martineau

Marwalk Developments

Medway Council

Moments

MVA Ltd

Nacro Community Enterprises Ltd

Nathaniel Lichfield & Partners

National Farmers Union (east)

National Fox Welfare Society

National Market Traders Federation

National Tremor Foundation

Norman Garon Trust

P.S.G Southend

Parentline Plus

Peacock and Smith

Peacock and Smith Chartered Town Planning Consultants

Persimmon Homes (Essex) Ltd

Post Office Property Holdings

Redrow Homes (Eastern) Ltd

Regional Cycling Development Team

Cycling Development Co-Ordinator

East Relate South Essex

Rethink

Roger Tym and Partners

Royal Town Planning Institute

RSPB Eastern England Office

S S R Town Planners & Development Consultants

SAFE

Safeway Stores PLC

Savills Commercial Limited

Shire Consulting

Shoebury & Thorpe Bay Baptist Church

Smart Planning Ltd

Smith Stuart Reynolds Town Planners & Development Consultants

Society for the Protection of Ancient Buildings

South East Essex Advocacy for Older People

South East Essex Archaelogical Society

South East Essex Archaeological and Historical Society

South East Essex Organic Gardens

South Essex Action for Mammals

South Essex Natural History Society

Southend Youth Bowling Club

Southend-on-Sea Association for the Physically Handicapped

St. Matthew's Christian Spiritualist Church (1999) Ltd.

Steer Davis Gleave

Stewart Ross Associates

Strutt and Parker

SUSTRANS Essex

Tarmac Southern Ltd

Terence O'Rourke

Tetlow King Planning

Thames Estuary Partnership

The Guinness Trust

The Lace Place

The National Trust

The Planning & Development Partnership

The Planning Bureau Ltd

The Salvation Army Leigh on Sea

Thurrock Thames Gateway Development Corporation

Trust Links

Turnabout Trust

UK Rainwater Harvesting Association (UKRHA)

Vitalise

Wakering & District Natural History Society

Weatherall Green & Smith

Woodland Trust

# Appendix 3: Copy of Proposed Submission Development Management DPD Consultation Material (Proposed Submission Stage: March 2011)

Ref

for official use only

# Representation Form

# Development Management Proposed Submission

This form has two parts -

Part A - Personal Details

Part B - Your representation(s)

**Please fill in a separate sheet for each representation you wish to make.**

## Part A

**Personal Details** - if an agent is appointed, please only complete Title, Name & Organisation boxes below but complete the full contact details of the agent.

**Agent Details** (if applicable)

| | | |
|---|---|---|
| Title | | |
| First Name | | |
| Surname | | |
| Job Title* | | |
| Organisation* | | |
| Address line 1 | | |
| Address line 2 | | |
| Address line 3 | | |
| Address line 4 | | |
| Postcode | | |
| Telephone No | | |
| Email Address* | | |

* where relevant

# Part B - Please use a separate sheet for each representation

In order to ensure that the scope and content of your representations on the Development Management DPD Proposed Submission version is focused on issues of soundness and legal compliance, you are requested to make your representation on this official form that has been specifically designed to assist you in making your representation or alternatively an interactive version of the Development Management DPD Proposed Submission is available on the Council's consultation website www.southend.gov.uk/ldf.

The Planning Inspectorate has issued guidance 'Local Development Frameworks – A Brief Guide to Examining Development Plan Documents (September 2010) http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf.

Name or Organisation

**1. To which part of the DPD does this representation relate?**

Paragraph | Policy | Proposals Map

**2. Do you consider the DPD is**

2.1 Legally compliant — Yes | No

2.2 Sound** — Yes | No

**The considerations in relation to the DPD being 'Sound' are explained in Planning Policy Statement 12 in paragraphs 4.36 – 4.47, 4.51 and 5.52 and the boxed text. If you have entered No to 2.(2), please continue to Q3. In all other circumstances, please go to Q4.

**3. Do you consider the DPD is unsound because it is not:**

3.1 Justified

3.2 Effective

3.3 Consistent with national policy

**4. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.**

continue on a separate sheet if necessary

**5. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 3 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

continue on a separate sheet if necessary

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**6. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?**

**No,** I do not wish to participate at the oral examination. ☐

**Yes,** I wish to participate at the oral examination ☐

**7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

continue on a separate sheet if necessary

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination

Signature

Date

**Planning and Compulsory Purchase Act 2004**
**The Town and Country Planning (Local Development) (England) Regulations 2004**
**The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008**

## SOUTHEND ON SEA BOROUGH COUNCIL
## LOCAL DEVELOPMENT FRAMEWORK (LDF)
## NOTICE OF PUBLICATION OF THE DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (DPD) PROPOSED SUBMISSION AND INVITATION TO MAKE REPRESENTATIONS

Southend on Sea Borough Council is preparing a Local Development Framework (LDF) which will replace the existing Borough Local Plan adopted in 1994.

In accordance with Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 , Southend-on-Sea Borough Council hereby gives notice that it has published the Proposed Submission version of the Development Management Development Plan Document (DPD) for formal representations to be made prior to its submission for independent examination.

The Development Management DPD sets out the Borough Council's policies for positively managing development in Southend-on-Sea and delivering the vision, objectives and policies of the adopted Core Strategy. It will be used to assess and determine planning applications in association with other adopted Local Development Documents in the LDF.

The Development Management DPD Proposed Submission is accompanied by a Proposed Submission Proposals Map, the Sustainability Appraisal Report and its non-technical summary, the Consultation Statement and relevant supporting background documents.

Following the consultation the Borough Council will submit the Proposed Submission documents, Proposals Map, accompanying documents and the representations received, to the Secretary of State for an independent examination. This examination will consider the 'soundness' of the DPD and whether or not it complies with legal requirements. The Response Form provides further detail about soundness.

**The consultation period for the document will run from Friday 18th March 2011 until Friday 29th April 2011.**

The Development Management DPD: Proposed Submission version, Proposals Map, accompanying documents, together with the Response Form can be viewed on the Council's website (www.southend.gov.uk/planningpolicyconsultations) and at the following locations.

- Southend Borough Council Contact Centre, Civic Centre, Victoria Avenue, Southend on Sea between 8.45am and 5.15pm (Monday to Friday); and
- All Southend Libraries during normal opening hours.

Hard copies can also be requested by contacting the Strategic Planning Team by telephone on 01702 215004 ext. 5408 or at the following address:

> Department of Enterprise Tourism and the Environment, PO Box 5557, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF:

Representations should be made using the Council's online interactive consultation system, which can be found at www.southend.gov.uk/planningpolicyconsultations Alternatively, representations may be submitted using the Response Form by the following means:

- e-mail to ldf@southend.gov.uk, or
- In writing to the Director of Enterprise Tourism and the Environment, PO Box 5557, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF

Representations may be accompanied by a request to be notified at a specific address about the: submission of the Development Management DPD for examination; publication of the Inspector's Report; and adoption of the Development Management DPD.

Any person may make representations on the DPD using the response form **only**, to be received **no later than 5.00pm on Friday 29th April 2011. Late representations will not be considered.**

**Andrew Meddle Head of Planning and Transport**

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|---|---|---|---|
| Our ref: | TP/100/455/2/ds | Telephone: | 01702 215004 ext 5408 |
| Your ref: | | Fax: | |
| Date: | 18th March 2011 | E-mail: | debeeskinner@southend.gov.uk |
| Contact Name: | D Skinner | DX 2812 Southend | |


Address of recipient

Dear

**Planning and Compulsory Purchase Act 2004**
**Southend-on-Sea Local Development Framework**
**Development Management DPD: Proposed Submission**

I write on behalf of the Council to inform you that the Proposed Submission version of the Development Management Development Plan Document (DPD) and the Proposals Map have been published for a 6-week formal representation period. These documents are accompanied by a Sustainability Appraisal Report and non-technical summary, a Consultation Statement and relevant supporting background documents, which are also enclosed with this letter.

The Development Management DPD will support the objectives set out in the adopted Southend-on-Sea Core Strategy (2007) and contains detailed policies that planning applications can be assessed against alongside other adopted LDF documents.

For the 6-week formal representation period, between **Friday 18th March 2011 and Friday 29th April 2011,** you will have an opportunity to submit formal representations that will be considered as part of an independent examination in public. This examination will consider the 'soundness' of the DPD and whether or not it complies with legal requirements.

In order to ensure that the scope and content of your representation, on the Development Management DPD: Proposed Submission version, is focused on issues of soundness and legal compliance, you are requested to make your representation on either the Council's online interactive consultation system, which can be found at www.southend.gov.uk or by using the official Representation Form that has been specifically designed to assist you in making your representation. This form can be submitted by the following means:

- e-mail to debeeskinner@southend.gov.uk, or
- In writing to the Director of Enterprise Tourism and the Environment, PO Box 5557, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF

Representations may be accompanied by a request to be notified at a specific address about the: submission of the Development Management DPD for examination; publication of the Inspector's Report; and adoption of the Development Management DPD.

Representations on the Development Management DPD: Proposed Submission version must be received by the Council **no later than 5.00pm on Friday 29th April 2011**. **Late representations may not be considered.**

In the meantime, if you require further information, please contact the Council's Strategic Planning Group on 01702 215004 ext. 5408.

Yours

Debee Skinner
Planning Technician

# Invitation to make Representations

**closes on 29th April 2011**

## Southend Development Management Development Plan Document

**This Proposed Submission document sets out the Borough Council's policies for positively managing development in Southend-on-Sea. It will be used to assess and determine planning applications alongside other Local Development Framework documents.**

## View and comment on the full document:

- **Head online and visit http://southend.jdi-consult.net/ldf**
- **Visit the Council's website www.southend.gov.uk/planningpolicyconsultations**
- **Call 01702 215004 and request a printed copy**
- **Visit your local library**
- **Visit the Southend Civic Centre**

southend onsea
BOROUGH COUNCIL

## Public Notices

**Planning and Compulsory Purchase Act 2004**
**The Town and Country Planning (Local Development) (England) Regulations 2004**
**The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008**

**SOUTHEND ON SEA BOROUGH COUNCIL**
**Local Development Framework (LDF)**
**NOTICE OF PUBLICATION OF THE DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (DPD) Proposed SUBMISSION AND INVITATION TO MAKE REPRESENTATIONS**

Southend on Sea Borough Council is preparing a Local Development Framework (LDF) which will replace the existing Borough Local Plan adopted in 1994.

In accordance with Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 , Southend-on-Sea Borough Council hereby gives notice that it has published the Proposed Submission version of the Development Management Development Plan Document (DPD) for formal representations to be made prior to its submission for independent examination.

The Development Management DPD sets out the Borough Council's policies for positively managing development in Southend-on-Sea and delivering the vision, objectives and policies of the adopted Core Strategy. It will be used to assess and determine planning applications in association with other adopted Local Development Documents in the LDF.

The Development Management DPD Proposed Submission is accompanied by a Proposed Submission Proposals Map, the Sustainability Appraisal Report and its non-technical summary, the Consultation Statement and relevant supporting background documents.

Following the consultation the Borough Council will submit the Proposed Submission documents, Proposals Map, accompanying documents and the representations received, to the Secretary of State for an independent examination. This examination will consider the 'soundness' of the DPD and whether or not it complies with legal requirements. The Response Form provides further detail about soundness.

**The consultation period for the document will run from Friday 18th March 2011 until Friday 29th April 2011.**

The Development Management DPD: Proposed Submission version, Proposals Map, accompanying documents, together with the Response Form can be viewed on the Council's website (www.southend.gov.uk) and at the following locations.

*Southend Borough Council Contact Centre, Civic Centre, Victoria Avenue, Southend on Sea between 8.45am and 5.15pm (Monday to Friday); and
*All Southend Libraries during normal opening hours.

Hard copies can also be requested by contacting the Strategic Planning Team by telephone on 01702 215004 ext. 5408 or at the following address:

Department of Enterprise Tourism and the Environment, PO Box 5557, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF:

Representations should be made using the Council's online interactive consultation system, which can be found at www.southend.gov.uk. Alternatively, representations may be submitted using the Response Form by the following means:

*e-mail to ldf@southend.gov.uk, or
*In writing to the Director of Enterprise Tourism and the Environment, PO Box 5557, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZF

Representations may be accompanied by a request to be notified at a specific address about the: submission of the Development Management DPD for examination; publication of the Inspector's Report; and adoption of the Development Management DPD.

Any person may make representations on the DPD using the response form only, to be received **no later than 5.00pm on Friday 29th April 2011. Late representations will not be considered.**

**Planning and Compulsory Purchase Act 2004**
**The Town and Country Planning (Local Development) (England) Regulations 2004**
**The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008**

## SOUTHEND ON SEA BOROUGH COUNCIL
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# Appendix 4 – Further Engagement with Stakeholders

FAO: Mr Mark Sheppard
Southend-on-Sea Borough Council
Planning Department
PO Box 6
Southend-on-Sea
Essex
SS2 6ER

**Our ref:** AE/2006/000317/OT-04/SB1-L01
**Your ref:** *

**Date:** 27 March 2013

Dear Mr Sheppard

**Southend-on-Sea – Waterwater Treatment Discussions**

We refer to our meeting at your offices on 1 February 2013 and the subsequent email from Anglian Water, received on 28 February 2013, containing flow data for Southend Wastewater Treatment Works (WwTW).

The information provided confirms that there is capacity at Southend WwTW to accept the growth proposed by both Southend Borough Council and Rochford District Council.

We can therefore confirm that we withdraw our unsound representation to your Development Management Policies DPD and will not be raising this concern in your forthcoming re-consultation on the Development Management Policies DPD or Southend Central Area Action Plan. We would however welcome further discussions with you on including references in the text to water quality as discussed at the meeting.

We trust this advice is useful.

Yours sincerely

**Mrs Jo Firth**
**Senior Planning Liaison Officer**

Environment Agency
Cobham Road, Ipswich, Suffolk, IP3 9JD.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
**From:** Wyatt, Gordon (NE) [mailto:[redacted].org.uk]
**Sent:** 11 December 2013 16:10
**To:** Mark Sheppard

**Cc:** Nuttall, Janet (NE); Hammond, David (NE)
**Subject:** RE: Southend-on-Sea Development Management DPD

Dear Mr Sheppard,

Thank you for your e-mail regarding the above.

I hereby confirm that, in view of the information contained within the Environment Agency's letter dated 27 March 2013, Natural England wishes to withdraw its previous objection to Policy DM15 Environmental Protection.

Gordon Wyatt
Lead Adviser
Land Use Operations
Natural England
Tel: 01[redacted]

Please send all consultations to Natural England by email to consultations@naturalengland.org.uk. Or, if it is not possible to consult us electronically then consultations should be sent by post to:

Natural England, Consultation Service, Hornbeam House, Electra Way, Crewe Business Park, Crewe, Cheshire CW1 6GJ

Please be advised that we will respond to your query within our statutory response timeframe and Customer Service standards.

**www.naturalengland.org.uk**

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

CUSTOMER SERVICE EXCELLENCE

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

# Appendix 5: Summary of the Sustainability Appraisal for the Proposed Submission Development Management DPD (2011) (*Superseded Proposed Submission version*)

The following paragraphs provide a summary of the Sustainability Appraisal comments made to each issue raised in the Development Management Proposed Submission consultation document (March 2011)

## Policy DM1: Design Quality

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| The policy is quite succinct and understandable avoiding overly technical wording. The policy should help those making development management decisions by providing the tools to require developers to have shown that they have considered the design and context of a new development. The policy will be supported by national policy requirements, such as design and access statements. More detailed advice and background information is provided by the Design and Townscape DPD and Southend Borough Wide Character Study, which developers can be directed to in order to gain an understanding of design in Southend-on-Sea. |
| Recommendation - The policy is likely to have a positive impact on sustainable development. The policy could include more detail urban design and its role on reducing car travel. Good urban design and the ground floor appearance of buildings can make places more pleasant for walking and cycling, as part of a cohesive strategy this can help reduce car dependence. |
| Iteration of Policy - The clarity of the policy has been improved from the Issues and Options iteration (also DM1), removing overly detailed wording. The more succinct policy may be more straightforward to implement. |

## Policy DM2 – Low carbon development and efficient use of resources

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| The aim of this policy is supported in the sustainability appraisal. The policy usefully sets out the range of criteria needed to ensure new development is built to reduce resource dependency and lower the overall increase in resource use that would result from new development. An innovative aspect of the policy is the need to 'green' all new development and include these considerations for the outset of design. Incorporating planting into any development scheme has the potential to have benefits for sustainable development. The correct choice of species and location within development can help reduce climate change impacts, providing shading in summary. It can also provide habitats or refuges for wildlife in the urban area. The South Essex area has experienced water shortages in the past. Ensuring all new development makes a positive contribution to reducing water use is essential. Setting the reduction target should help in managing the current resources. |
| Recommendation - The policy is likely to have a positive impact on sustainable development. The policy could address re-use of waste from demolition on site. Criteria 1 of the policy may be difficult to use as it is not clear to what extent developments would have to prove that they had complied with the energy hierarchy. |
| Iteration of Policy - The Issues and Options version of the policy (DM4) contained some additional material not covered in the Submission. These additional criteria included more detail on the re-use of construction waste. Including this criteria policy may be useful to secure more sustainable use of resources. Also, the previous version included a criteria on the need to generate part of the energy on-site from low carbon or renewable sources. |

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| However, this is covered by the Core Strategy Policy KP2 (11a) sets a 10% requirement, which does not need to be repeated here. |

### Policy DM3 – The efficient and effective use of land

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| This policy should help in reducing the adverse impacts of intensification of development. This will include making new development fit with the existing character of the area and also recognise the biodiversity potential of some backland sites. The policy approach is compatible with sustainable development relating the protection of residential and environmental amenity. Part of the housing calculation of the Core Strategy is made up of supply from 'intensification' (2,550 dwellings over the plan period), it is likely that includes housing from sources covered by this policy. Therefore, there is the risk that this policy if applied too strictly with adverse impacts on the delivery of homes to meet the housing needs of the borough. For instance, requiring that all conversions of houses to flats meet the full requirements of policy DM8 may restrict the potential for this type of development. There is an identified need for small homes in Southend-on-Sea due to the high number of single person households. There are clear sustainability benefits from the intensification of uses on existing developed sites. Sub-division of some larger family homes can help supply the demand for flats and where these divisions are of a high quality can make attractive places to live in urban areas, although retention of some of this housing is important to protect demographically diverse local communities. However, there is also a shortfall of 3-bedroom and 4-bedroom properties in Southend-on-Sea as a result of sub-division. Therefore, a balance needs to be found between meeting demand for smaller properties and maintaining the supply of larger family homes. The more efficient use of land and provision of homes are important aspects of delivering sustainable development in the borough, especially as available space is limited. This type of development can help reduce the need for development on greenfield sites. |
| Recommendation - Using other policies of the LDF to manage deliver of these sites may achieve the same sustainability outputs as having this policy. For example, polices on design and biodiversity protection should help ensure that these matters are taken into account in making decisions about the suitability of development. |
| Iteration of Policy - This policy is made up of three policy issues from the Issues and Options version. There policies were DM3 – Intensification of existing residential sites and areas; DM6 – Alterations and additions to existing policies and DM13 – Retention of residential house types |

### Policy DM4 – Tall and large buildings

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| This policy alongside those on design should help make sure that tall buildings do not adversely impact on the borough. In Southend-on-Sea tall buildings have the potential to bring a focus to parts of the town that may need an improved sense of place. However, there is the potential for unsuitable or poorly designed buildings to create an adverse impact that could have a detrimental legacy for the area. It is therefore essential that these buildings are of a high quality design, both in their appearance from far away as well as their interaction at ground level with streets and people. The policy is clear that this type of building would only be permitted where it would not have an adverse visual impact on areas or views of a high quality. Also, due to the high occupation of these buildings they must be in locations that have excellent public transport links. However, improving on this to ensure that they will also have excellent access to local services accessible on foot, may also be beneficial in reducing car use. The need for early discussion between the |

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| developer, Council and possibly a third party should help make sure the design is compatible with the location, and the building makes a positive contribution to its surroundings. |
| Recommendation - New buildings of this type should have local services accessible by foot that are relevant to the proposed use (i.e. office or residential). The policy could require that this type of development sets a benchmark standard for delivering sustainable construction and low carbon energy, due to its future status in the borough. |
| Iteration of Policy - In the Issues and Options version this was issue DM2. The revised policy includes new criteria that should help the sustainability performance of this type of buildings, this includes one on energy performance of these buildings, protecting views and public transport access. The policy previously stated that locations for these buildings would be set out in the Central Southend AAP, this is no longer the case. However, the policy criteria should be sufficient to control the development of this type of building in inappropriate locations. The previous appraisal included recommendations for early discussion on the design of these buildings and that tall buildings be defined, these now appear as part of the policy. |

### Policy DM5 – Southend-on-Sea's Historic Environment

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| The policy criteria should help in the protection of nationally and locally important historic and archaeological heritage in Southend-on-Sea. Recognising the importance of locally listed buildings can help in protecting features that may hold particular significance to local people and their identity with the town despite perhaps being of little national significance. When identifying locally important buildings it should be inclusive of potential heritage buildings of the future.The policy may need to look beyond features of 'historic' importance and include architecturally unique features. It will also be important to avoid the respect of heritage resulting in pastiche of old buildings, with new complementary but modern buildings permitted if of high quality design. Also, the preservation of frontages is supported in seeking to retain the historic character of the urban area. However, where frontages are retained in isolation from the rest of a building the new building built behind should be clearly related in form and function (i.e. locations of entrances and windows) to the existing frontage so as to look natural in its setting. |
| Recommendation - This policy has a positive relationship with sustainable development. The policy could place greater emphasis on enhancing conservation areas. Criteria could be included to favour of the redevelopment of sites in conservation areas that currently detract from their character. The policy should ensure that architectural as well as historical features are retained, especially where the unique quality may mean they are the heritage assets of the future even where they do not meet many peoples current aesthetic tastes. The policy should be clear that where only frontages are retained any new build complements these in form and function. |
| Iteration of Policy - This policy was Issues and Options DM5. The policy wording has been reduced to since issues and options. This reduction in the length of the policy is unlikely to have any sustainability implications as it was repeating national and core policy. |

### Policy DM6 – The Seafront

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| *Public realm:* This policy sets out principles for development on the seafront, not necessarily decision making criteria. The policy is compatible with achieving sustainable development. |

*Flood:* The policy permits development in flood risk zones on the seafront. In Southend-on-Sea this is important as the seafront is a major development zone for the borough and preventing development where it could harm the potential of the area to provide homes and help sustain the economy. However, allowing development in these locations does increase the risk of flood for this new development. The policy proposes measures to deal with this risk, including maintenance of existing sea defences and designing new development to be resilient and resistant to flood. However, where these defences include beach replenishment it will be important to consider the wider sustainability implications of this, including the source of the replenishment material and the suitability of this type of coastal protection. Risks to designated nature conservation sites also need to be monitored. To minimise risks development should be 'resistant and resilient', which is an important part of managing flood risks. Resistant development will be where flood defences are maintained. It will also need to be part of general infrastructure such as drainage systems to allow water to drain away quickly following a flood.

*Seafront character zones:* The seafront has been divided into separate zones. These zones help to highlight the particular needs in each area, identifying what elements need protecting or enhancing.

Recommendation - This policy has a positive relationship with sustainable development. The role of the seafront as an important linear route to encourage walking and cycling for leisure and as a car alternative should be promoted more strongly in the policy. Cycling access should be a consideration of all public realm improvements. The use of a design brief or design code for the seafront may help in delivering unified design for the area. Design Brief(s) should be prepared for the zones and the Seafront as a whole. This could include specific design guidance for each area, details of improving the Sustrans cycle route, identify notable leisure locations along the Seafront, biodiversity issues and guidance on street furniture and seafront structures. Together they should provide a unified plan for a cohesive Seafront. The policy could contain more detail about the location of new development on the Seafront.

Iteration of Policy - This policy is made up of a number of different Issues and Options issues, combined into one more straightforward policy relating to this part of the borough. These issues were DM7 – Flood risk and water management, DM8 – Seafront and public realm and open space, DM9 – Seafront character zones, DM10 – Water recreation. The sustainability implications of the change are unlikely to be significant as matters that were previously in the policies already, such as flooding, are already covered by national policy or in the Core Strategy. Some changes to the policy reflect comments from previous SA. For example the policy now refers to new development being flood resistant and resilient, instead of resistant or resilient.

### Policy DM7 - Dwelling mix

This policy supports the Core Strategy policy CP8, which sets the overall proportion of affordable housing to be provided as part residential development sites. The policies will help provide homes to sustain demographically mixed communities, which in turn help retain viable services in the town and a varied workforce. Evidence indicates that there may be a lack of family sized homes in Southend-on-Sea, although there are also a large number of single person households creating a demand for smaller homes. The policy seeks to ensure a mix of sizes of homes are provided in the borough. This requires all housing sites to provide a mix of sizes. This policy should help deliver housing to meet the

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| diverse needs of residents. The policy could be widened to cover market housing as well as affordable to secure a range of house types throughout the borough. The policy proposes a 70:30 split social rented to intermediate housing. Social rented housing will remain affordable in the long-term and will be the most affordable type of home. In Southend-on-Sea there is a lack of social rented housing, with private rental market making up the shortfall. Background evidence to the DPD notes that private rental housing can be of a worse quality than modern affordable housing. To make up for the shortfall and improve quality the policy could set higher targets for social rented housing, helping to provide greater equity in access to good quality homes for all residents. Intermediate housing is also important as it helps lower income households enter the housing market, which can be particularly difficult for first time buyers and key workers. This policy should help people in Southend-on-Sea meet their housing needs. |
| Recommendation - The policy should set the same standards for market and affordable homes to provide a mix of homes to meet all parts of the community. The policy will need to be implemented flexibly to reflect the location of the development and the characteristics of the area. |
| Iteration of Policy - This policy was previously issues DM11 and DM12 of the Issues and Options version of the DPD. The wording remains similar to the previous versions of the issues. |

### Policy DM8 - Residential standards

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| This policy has a positive relationship with sustainable development. It has positive implications for creating higher quality homes that provide a good place to live. The size standards should help avoid 'rabbit-hutch' style small homes and make sure homes with more bedrooms have associated increased in communal space to provide rooms for families. In addition storage space, waste storage, amenity space and drying space are all important parts of creating more sustainable development – relating to health, and reducing resource consumption. The policy also has a positive relationship with meeting education sustainability objectives as it provides more space for studying at home, as well as sufficient space for students to study. The Council has prepared housing evidence to show that it is possible to meet these standards in the majority of new homes. All bedroom sizes are currently meeting the standards with the exception of 10% of 2-bedroom flats. The policy will make a positive contribution to help avoid this type of overly cramped accommodation in future. |
| Iteration of Policy - This policy was issue DM14 Residential space standards and DM15 Student accommodation space requirements. in the Issues and Options version. The new policy covers the same issues as the Issues and Options version although the space standards have been revised to provide a range and non self-contained standards have been included. |

### Policy DM9 - Specialist residential accommodation

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| This policy is likely to have a largely positive relationship with delivering sustainable development. This policy should help control the delivery of residential accommodation. Three of the policy criteria relate to making sure there is a need for this type of development and their repetition may be unnecessary and shows that this policy may be applied to restrict this type of development. It will be important when considering need to consider the precise location and quality of development, only comparing like with like. This will be to ensure that development does come forward if needed. The policy stating |

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| that these developments should have access to public transport, local services and support networks is compatible with sustainable development. This access criteria should help to make sure residents of these homes can interact with local communities and live as independently as is possible. The policy also contains a criteria to protect existing land uses from change to residential accommodation. This criteria may help loss of land uses important to the current or future economy of the area. For example, preventing the loss of hotels that have the potential to provide high quality visitor accommodation in the area. |
| Recommendation - Consider revising the first three criteria to make the policy more clear. |
| Iteration of Policy - The policy was issues DM17 in the Issues and Options version. The submission policy contains a few wording changes and additions. The policy now refers to the need for pre-application discussions and this is positive in making sure time is not wasted on unsuitable applications that have little chance of approval. |

### Policy DM10 – Employment sectors

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| The town centre remains the focus for much office types development and cultural, creative and education employment. This centralised approach is compatible with sustainable development. The central area is accessible by a variety of modes of transport, including by train, and therefore encouraging businesses with high employee densities here can reduce car travel associated with out-of-centre locations. Employment with potentially greater amenity impacts, such as manufacturing, is located more on peripheral locations and on existing industrial estates. This location choice is compatible with sustainable development and protecting health and communities. Specific business types, such as medical industries and aviation, are focused near existing uses of this type. The proposed policy could help support business clusters, protecting employment sites for associated business uses. This approach could help support the growth of these businesses, with Southend-on-Sea being associated with certain specialities. This policy supports a diverse range of employment types throughout the borough, this should help provide a range of jobs in a range of locations to meet the needs of the workforce. Furthermore, the links of the university and medical industries may help match the skills of the workforce with the jobs available. Although encouraging clusters can have positive impacts on achieving economic growth care must be taken to avoid constricting economic growth if it does not fit the ideal location. |
| Recommendation - The policy is likely to have a positive relationship with sustainable development. There are no recommendations. |
| Iteration of Policy - The policy was issue DM20 of the Issues and Options version. The revised policy is largely the same as the issues and options and sustainability implications are the same. |

### Policy DM11 – Industrial estates and employment areas

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| Two main types of employment area are identified, those that can accommodate employment growth through intensification or new development, and those that are operating and should be protected. Therefore, this policy should help make sure existing employment sites are retained for employment use and there is no loss in employment floorspace. The quantity of employment in each growth area is not set through policy, although referred to in supporting text and will be set out in planning briefs for each site. As with all other development that will attract a high number of trips access to all employment sites by public transport, and walking / cycling routes needs to be ensured. Not only will non-car access be good at reducing the impacts of car commuting, they also |

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| provide more equitable access by not excluding those who cannot or do not drive. The policy also allows for neighbourhood employment uses, even in predominantly residential areas. These can help protect local jobs and the services necessary to serve communities. Change of use should only be in exceptional circumstances as often these local businesses are in important part of the character of local communities. Policies need to be clear that new housing will not be permitted in areas likely to be effected by the operation (noise, odour etc)of existing or future businesses. This is important to make sure the poor residential amenity of residents does not harm the availability of employment land in the borough (for example, businesses having to close due to impacts on new residential areas). |
| Recommendation - The policy is likely to help in achieving sustainable economic development. The policy requires new major redevelopment proposals to provide a range of flexible unit sizes. It will be important to ensure that this mix is matched to the location and type of business that are anticipated to make sure land is used as efficiently as possible. The policy could make clear that redevelopment and employment growth sites must ensure good access to public transport and walking and cycling routes. |
| Iteration of Policy - This policy was previous issue DM21 Industrial estates and employment areas and DM22 Employment uses. The policies have been combined into one more succinct policy. The revised policies remain very similar to the previous version, although several of the sites identified under criteria 3 have been removed (these relate to sites where non-employment uses could be located). These changes are based on the most up-to-date information about the area in the Employment Land Review 2010. The revised policy also is slightly more clear on the role of different employment sites, splitting them into two categories, those for growth and those to be protected. The sustainability implications have not changed. |

### Policy DM12 – Visitor accommodation

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| Focusing tourism accommodation in the town centre and seafront is likely to have the most positive impact on the character of the town. These locations have a good access to leisure facilities and restaurants for people on holiday and for business visitors. These locations also have good public transport access. Hotels to serve the airport and airport related businesses should be controlled. This is so their scale is in keeping with the demand created from these sources, rather than pull visitors out of the town centre and seafront locations. Retaining visitor accommodation from change of use is essential, especially in parts of the town with strong links to the tourism economy. If old hotels, especially larger examples, are lost to residential accommodation this can adversely impact upon the character of the area, therefore, the policy criteria only permits the change of use if the accommodation is financial unviable. Details of how viability will be proved may need to be given, for example time marketed or costs of upgrade and renovation against potential future income. |
| Recommendation - The policy is likely to have a positive relationship with sustainable development. More information could be provided on the test that would prove that existing accommodation is financially unviable. For example, costs of renovation versus long-term potential income. The policy does not differentiate between types of accommodation. Different types may need to be managed in different ways, for example large 50+ room hotels, boutique hotels, static caravans and self-catering may all need to be considered against different priorities when making planning decisions. |
| Iteration of Policy - The policy was issues DM23 of the Issues and Options report. The revised policy of the submission is more succinct than the issues and options version but is |

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| updated to reflect the changes to the LDF and avoid repetition with other policies. There are no real sustainable implications of the changes but the policy may now be more succinct and therefore easier to use. |

### Policy DM13 – Southend-on-Sea Town Centre

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| The policy simply sets out that new retail development in the existing town centre will be supported. The main focus will be on the main High Street but new retail development, appropriate to location, will be permitted south east and south west of the High Street. Supporting the role of the High Street will further reinforce the role of the area as the main shopping destination of the borough, and a key retail hub of South Essex. The policy does lack some detail, and it is likely this will be filled by the Southend Central Area AAP when it is completed. At the current time some of the policy wording appears quite general, such as the matters new retail circuits will 'have to take account of'. |
| Recommendation - The policy is likely to have a generally positive relationship with sustainable development. The policy lacks some detail that may be added when the Southend Central Area AAP is complete. This policy only relates to the retail role of the town centre, this could be reflected in the policy title. |
| Iteration of Policy - This is a new policy that provides a direct link to the Southend Central Area Action Plan. |

### Policy DM14 – Shopping and centre management

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| Specifying the range of uses permitted in the different levels of service centres, as shown in the accompanying appendix to the policy, should help encourage sustainable communities. The advantages of this policy are to support accessible services for all in a range of centres, including local centres, while at the same time limiting the development of high trip generating uses such as large leisure facilities and offices. This policy approach should help to support more sustainable travel choices, as these locations are the most easily access by a variety of methods of travel, including train. Controlling the use of the town centre to prioritise A1 uses is an important part of keeping the focus on the town centre for shopping. Retail is a high trip generating use and therefore concentrating it in the most accessible location will help reduce the transport impact. In addition, ensuring a critical mass of shops in these locations will help maintain the town centre as a retail hub, successfully competing with out-of-town centres and other nearby town centres and maintaining vibrancy in the town. Well designed shop fronts that look attractive day and night will help maintain a high quality urban environment. It will be important to ensure that shop fronts, signage and fascias all make a positive contribution to the streetscape, avoiding development that is incompatible with the character of the area the principles of good design or encourage safety. Allowing temporary uses of shops that have little chance of being let in the medium term can help improve the character of an area. 'Pop-up' shops and use as galleries can add a vibrancy to a neighbourhood and area likely to positively help the image of an area without harm to the local economy. This is a very detailed policy in comparison to many others of the DPD. This includes the detailed design of shop frontages, which along with other design issues could be incorporated into SPD. However, the criteria should help enhance the quality of retail centres and preserve existing features. |
| Recommendation - The guidance criteria on shopfront design are very detailed and could be incorporated into design guidance and SPD. |
| Iteration of Policy - This was issues DM18 Network of Centres and DM19 Shop Frontage Management of the Issues and Options version. The combination of the two policy issues |

into has made little change to the sustainability impacts of the policy.

### Policy DM15 – Environmental protection

This policy addresses contaminated land and should help protect new users and the natural environment from the potentially harmful impacts of polluted soils. The policy may also help to use previously developed sites, making efficient use of land. The policy will also help protect water and biodiversity assets by ensuring that soil pollutants are not mobilised during construction and end up in surface or ground water. This policy states that in areas where there may be a risk from land instability a assessment stability and analysis of how issues will be overcome will need to be submitted with a planning application. If necessary the policy also requires that construction must take place to take into account land stability, this may require stabilisation works if necessary. The policy may result in some housing or employment development being made unviable due to stabilisation costs. Protecting human safety is of overriding importance in these situations and the most sustainable option.

Recommendation - The policy is likely to help in delivering sustainable development.

Iteration of Policy - This policy is issue EM24 Contaminated Land and DM25 Land instability combined into a single policy.

### Policy DM16 – Sustainable transport management

The aim of the policy to help people make 'smarter choices' is supported in seeking more sustainable development. However, the policy wording in some instances could be adjusted to make sure the policy does not miss opportunities for really pushing for more sustainable travel choices to be a feature of all new development. Criteria four could make more clear how 'smarter choices' will need to be demonstrated as part of a planning application. This could include the types and sizes of development and what type of provision they would be expected to make, including the need for transport assessments or full Travel Plans. *Vehicle parking standards:* This policy sets out the very detailed suggested standards for car parking for different Use Classes in Southend-on-Sea. The standards follow the guidance of the Essex Planning Officers Association (EPOA), although do deviate from these to set slightly higher standards in some circumstances for the Central Area. These differences reflect the relative accessibility of this area by non-car modes. These lower levels of provision are positive in aiming to reduce car use in this location and reduce congestion and environmental impacts. However, for some land use types the standards are the same for the central areas as for the rest of the borough. To achieve more sustainable transport more stringent standards should be achieved in accessible locations for uses such as higher education establishments, art galleries, theatres and museums. The central area has very good public transport access and not promoting the area to a greater extent as a non car zone may be missing opportunities to push the 'smarter choices' of the LTP. Residential parking standards are given as a minimum for the wider borough. Minimum standards may not always be the most suitable in seeking to encourage lower car ownership and encourage people away from automatically choosing to travel by car. However, limiting parking availability at trip origins does not necessarily discourage car ownership and can push vehicle parking onto the adjacent public highway, diminishing the streetscape and potentially obstructing emergency and passenger transport vehicles. Cycle parking standards are also set out in the policy. This is useful as it emphasises the importance of providing cycle parking as part of new development. The standards for cycle provision are quite low for some land use types. Lack of secure cycle

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| parking at destinations may put people off cycling given the relatively high theft risk of bicycles and riders unwilling to leave bikes improperly secured. It may also be better to tie cycle parking space provision to the visitors or staff of a development rather than the number of car parking spaces. The standards should specify that residential cycle parking is not only covered but extra secure as well. Secure parking at people's homes is essential as bikes may be parked here for long durations making them more vulnerable to theft. |
| Recommendation - There may be scope for the policy to be changed to help better achieve more sustainable travel choices and reduce car use. However, the general aim of the policy to make sure all new development is connected to public transport and supports walking and cycling is positive. A number of changes could be make to the policy to help secure more sustainable transport. These include:<br>• Some changes to policy wording to help provide firm policy backing to achieving 'smarter choices' objectives<br>• Setting out in policy what 'smarter choice' measures different sizes, locations and types of development would be expected to deliver<br>• Making the vehicle parking standards for some land use types (leisure in particular) more stringent in the town centre<br>• Possibly increasing minimum standards for cycle parking in some types of development<br>• The policy could help to ensure that public transport, walking and cycling access to new development is a real and viable alternative to car travel, rather than just an option. |
| Iteration of Policy - This policy combines two issues from the Issues and Options version, these are DM26 Sustainable Transport Management and DM27 Vehicle Parking Standards. There have been several changes to the policy including a reduction in the parking standards that may mean more parking is provided. Policy wording has changed and this has improved the clarity of the policy, although there may be scope for further changes. |