

# development management revised proposed submission dpd summary of main changes

march 2014

southend on sea borough council  
local development framework



delivering regeneration and growth



# Development Management Revised Proposed Submission DPD – Summary of Main Changes

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March 2014

The Development Management Revised Proposed Submission DPD (March 2014) is the second Proposed Submission Development Management DPD to be published so that representations can be made in relation to soundness and legal compliance. Following publication of the first Proposed Submission Development Management DPD in March 2011 the National Planning Policy Framework (NPPF) was published in March 2012. A number of amendments have been made and reflected in this latest revised version of the Development Management DPD, in response to previous representations, new evidence base material and to ensure it is in conformity with national policy and guidance. A summary of the main changes is provided below:

## **Policy P1: Sustainable Development**

*Main reasons for Proposed Amendments:*

- To reflect the NPPF - Inclusion of this overarching 'model policy' ensures that the Council takes a positive approach in considering development proposals, reflecting the presumption in favour of sustainable development.

## **Policy DM1: Design Quality**

*Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and to reflect the NPPF requirement that design policies should avoid unnecessary prescription or detail, but importantly should guide overall scale, density, massing, height, landscape, layout, materials, and access of new development in relation to neighbouring buildings and the local area more generally;
- To reflect requirements of NPPF and SA, that arrangements for Design Review are encouraged by the Council, particularly for sensitive sites, to achieve a high standard of design;
- In response to the Sustainability Appraisal, to include reference to prioritising sustainable travel options when designing development.

## **Policy DM2: Low Carbon Development and Efficient Use of Resources**

*Main reasons for Proposed Amendments:*

- To reflect changes to national policy, legislation and Building Regulations;
- To reflect the NPPF and the findings of the Southend-on-Sea Combined Policy Viability Study (2013) and apply a flexible approach, grounded in an understanding of viability, to the delivery of low carbon standards in new development so that the policy can effectively facilitate planned growth throughout economic cycles;
- In response to the previous Sustainability Appraisal, to include reference to reducing the use of mineral resources and employing sustainable construction methods and provide further clarification in respect to previous Policy DM2 criterion 1.

### **Policy DM3: The Efficient and Effective Use of Land**

#### *Main reasons for Proposed Amendments:*

- To provide an up to date account of local context, utilising new data and analysis from the 2011 Census and TGSE SHMA (2013);
- To ensure conformity with the NPPF and to reflect the NPPF by recognising the important part innovative and sustainable, well designed buildings can have in raising the standard of design locally and so the policy is positively worded.

### **Policy DM4: Tall and Large Buildings**

#### *Main reasons for Proposed Amendments:*

- To reflect the NPPF by recognising that larger scale developments have the potential to include a mix of uses and that they should contribute to the use and supply of renewable and low carbon energy;
- To reflect the NPPF and the findings of the Southend-on-Sea Combined Policy Viability Study (2013) and apply a flexible approach, grounded in an understanding of viability, to the delivery of low carbon standards in new development so that the policy can effectively facilitate planned growth throughout economic cycles;
- In response to the previous Sustainability Appraisal, to include reference that tall and large buildings should be located where local services are accessible by foot.

### **Policy DM5: Southend-on-Sea's Historic Environment**

#### *Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF by setting out a positive approach for the conservation of the historic environment;
- To reflect changes to terminology in national policy relating to the conservation of heritage assets;
- To include additional supporting text relating to designated Frontages of Townscape Merit to provide an overarching policy for all such frontages within the Borough;
- To include specific text reference to Scheduled Ancient Monuments;
- In response to the Sustainability Appraisal: greater emphasis included to enhance conservation areas; ensure architectural features are also conserved and enhanced; and additional supporting text included regarding 'Frontages of Townscape Merit' - to highlight that new development should complement their form and function.

### **Policy DM6: The Seafront**

#### *Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and update references following changes to national policy;
- References to the importance of the foreshore as a leisure destination included following representations received;
- In response to the previous Sustainability Appraisal, to include reference to the use of design codes where appropriate within the seafront character zones.
- In response to the Sustainability Appraisal: to highlight that new development

within the seafront area must explore the need for a habitat regulation assessment; to include reference in the supporting text to the role of the seafront as an important linear route where the promotion of walking and cycling should be a key consideration.

### **Policy DM7: Dwelling Mix**

*Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and the inclusion of reference to affordable rented accommodation;
- To take account of the updated evidence in the TGSE SHMA (2013) in terms of dwelling mix and type and affordable housing tenure to ensure that the policy seeks to deliver a mix of housing types and tenures based on need:
  - Guidance on dwelling mix has been included for market housing as well as that for affordable;
  - The preferred dwelling mix for affordable housing has been amended;
  - Indicative tenure mix has been adjusted from 70:30 between social and/ or affordable rented accommodation and intermediate housing to 60:40;
- To address the recommendations of the Southend-on-Sea Combined Policy Viability Study 2013 – in conformity with the NPPF - that a flexible approach to tenure split, grounded in an understanding of viability, should be applied where justified;
- In response to the previous Sustainability Appraisal, to include further flexibility to the policy and to include guidance on dwelling mix for market housing as well as affordable housing.

### **Policy DM8: Residential Standards**

*Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and to address the recommendations of the Southend-on-Sea Combined Policy Viability Study 2013 – that a flexible approach to Lifetime Homes Standards, grounded in an understanding of viability, should be applied where justification is provided;
- To provide further clarity and certainty and take account of the housing standards expressed in the Southend Housing Quality Review Addendum 2014;
- Provide reference to updated evidence, including the TGSE SHMA 2013 and Census 2011.

### **Policy DM9: Specialist Accommodation**

*Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF;
- To take account of updated evidence base documents, including the Southend Health and Wellbeing Strategy (2013-2015);
- To provide links to other DM housing policies (DM7, DM8) to ensure clarity;
- In response to the previous Sustainability Appraisal, to make the policy criteria more clearly worded.

### **Policy DM10: Employment Sectors**

#### *Main reasons for Proposed Amendments:*

- To include up to date references to recently completed developments at London Southend Airport;
- To update supporting text to include direct reference to Manufacturing, Construction and Warehousing;
- To ensure terminology reflects amendments to Policy DM11: Employment Areas;
- In conformity with the Core Strategy (2007) to provide reference that Southend Central Area, as defined in the Southend Central Area Action Plan, will form the primary location for major economic growth particularly for Class B1 office uses. This was previously highlighted in Policy DM11: Employment Areas;
- In response to the Sustainability Appraisal to further highlight that the identified employment sectors will principally be directed to the priority location areas.

### **Policy DM11: Employment Areas**

#### *Main reasons for Proposed Amendments:*

- To provide further clarification and certainty of the types of uses acceptable in Employment Areas, which include Employment Growth Areas and Industrial and Business Estates;
- To ensure conformity with the NPPF and to reflect the NPPF requirement that policies should be positively worded and allow for greater flexibility - protecting employment areas whilst allowing for the release of those sites to other uses where there is no reasonable long term prospect of an employment use coming forward;
- In response to the Sustainability Appraisal, to include reference that the mix of flexible unit sizes provided by new major redevelopment proposals should take account of the location and type of business proposed to ensure land is used efficiently;
- In response to previous representations, to provide commentary that outlines that Fossetts Farm and Shoebury Garrison Phase 2 are forthcoming employment sites, identified for future employment growth in the Core Strategy (2007), which will be addressed through other appropriate development plan documents;
- To correct omission and include reference to Aviation Way and Rosshill Industrial Park as Industrial/ Business Estates as evidenced by the Employment Land Review (2010) and the Survey of Key Employment Areas (2013).

### **Policy DM12: Visitor Accommodation**

#### *Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF;
- To provide a practical framework, in line with the NPPF and the previous Sustainability Appraisal, that allows decisions to be made based on a high degree of predictability and efficiency, a set of criteria have been included for applications for change of use from visitor accommodation in the key areas of Southend, as identified by the Policy;
- In response to the previous Sustainability Appraisal, to include additional supporting text outlining the approach regarding smaller 'lifestyle' visitor accommodation businesses.

### **Policy DM13: Shopping Frontage Management within District and Local Centres**

#### *Main reasons for Proposed Amendments:*

- Previous Policy DM13: Southend-on-Sea Town Centre and Primary and Secondary Shopping Frontages for the Town Centre deleted in relation to the previous Sustainability Appraisal to avoid duplication with policies contained within the Southend Central Area Action Plan, which contains more detailed policies and proposals for the town centre and wider central area;
- The policy approach to the management of Primary and Secondary Shopping Frontages in the Town Centre will be set out exclusively in the Southend Central Area Action Plan;
- To reflect the updated evidence base regarding the management of primary and secondary shopping frontages within district and local centres to ensure they remain attractive places to shop. This includes a reduction of the Primary Shopping Frontage Class A1 retail use threshold from 70% to 60%;
- To reflect changes to The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 that introduced permitted development rights for the temporary change of use of buildings in specific use class;
- In response to the previous Sustainability Appraisal, amend the criteria relating to shopfront design to ensure these are not overly detailed, and to provide a direct link to the Design and Townscape Guide SPD;
- In response to previous representations, including reference to retaining 'active frontages';
- To ensure conformity with the NPPF and to reflect the requirements that policies should provide a practical framework within which decisions can be made with a high degree of predictability and efficiency by providing a set of criteria that will allow the Council to appraise cases for the change of use from retail to other uses by means of a comprehensive marketing exercise.

### **Policy DM14: Environmental Protection**

#### *Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and update references to national policy and legislation;
- To provide further reference to policy set out in the adopted Core Strategy (2007) that contains the necessary safeguards to ensure that relevant environmental designations are not adversely affected by development and to reflect the outputs of in house work carried out by Anglian Water, to the satisfaction of the Environment Agency, that the current capacity at the Southend Wastewater Treatment Works (WwTWs) can accommodate the Core Strategy adopted growth targets to 2021 and beyond;
- To reflect previous representations from the Environment Agency that, in regard to contaminated land, a condition should only be imposed where appropriate, and that any remediation works should be carried out before commencement of any new development;
- To address previous representations by including reference to the emerging Southend Cliffs Management Strategy.

## **Policy DM15: Sustainable Transport Management**

### *Main reasons for Proposed Amendments:*

- To ensure conformity with the NPPF and to reflect the NPPF requirement that policies should provide sufficient predictability and certainty when assessing development proposals, and promote sustainable transport options;
- In response to changes to national policy and guidance, which have seen maximum parking requirements for residential development removed, allowing parking standards to be set locally;
- To update local parking standards using the evidence base provided by the updated EPOA 2009 Parking Standards, removing maximum standards at trip origins (residential development);
- To reflect the recommendations of the previous Sustainability Appraisal, by including additional text to Policy DM15 in regard to facilitating more sustainable travel choices and reduce car use, by prioritising the needs of pedestrians and cyclists, and incorporating provision for high quality public transport facilities.
- In response to the Sustainability Appraisal, include greater reference to cycle parking standards.

## **Policies Map**

### *Main reasons for Proposed Amendments:*

- Amendment of Best and Most Versatile Land designation in response to latest evidence provided by Natural England;
- Alteration to Frontage of Townscape Merit to reflect Design and Townscape Guide SPD and correct previous anomaly;
- Alteration to Southend Central Area boundary to reflect boundary proposed by Southend Central Area Action Plan;
- Alterations to Primary and Secondary Shopping Frontage to reflect latest evidence (Technical Report – The Management of Designated Shopping Frontages in Southend, 2013) and that these Frontages in the Town Centre will now be exclusively managed by policy in the Southend Central Area Action Plan;
- Amendment of Employment Area designation at Aviation Way – this was mistakenly omitted from previous Policies Map. Aviation Way was designated as ‘Industry and Warehousing’ in the Borough Local Plan (1994). The Survey of Key Employment Areas (2013) outlines that Aviation Way employment area is performing well with no vacancies and all uses are within the B Use Class;
- Amendment of Employment Area designation at Rosshill Industrial Park – this was mistakenly omitted from previous Policies Map. The Survey of Key Employment Areas (2013) show that the Rosshill Industrial Park is performing well as an employment area with very few vacancies and a high proportion of B Class uses (100%). Rosshill was designated as ‘Industry and Warehousing’ in the Borough Local Plan (1994);
- Removal of Employment Land designation at Shoebury Garrison Phase 2, which is currently greenfield land. This is a forthcoming employment site, identified for future employment growth, which will be addressed through other appropriate development plan documents;
- Further amendments to Employment Area designation to address minor anomalies as highlighted by the Survey of Key Employment Areas (2013);
- Amendment of Protected Greenspace at Queensway to reflect the emerging



Southend Central Area Action Plan;

- Amendments to Local Wildlife Site designations to reflect Southend-on-Sea Local Wildlife Site Review 2011;
- Amend anomalies to Conservation Area at Eastern Esplanade and Ancient Monument in Shoeburyness to reflect the adopted Conservation Area Boundary and data provided by Natural England and English Heritage.

