

SOUTHEND-ON-SEA BOROUGH LOCAL PLAN

FIRST ALTERATION

Alteration Relating to:

- *Detailed Guidance for Marine Parade Leigh-on-Sea*
- *Houses in Multiple Occupation*
- *Gypsy Caravan Site Provision*



TOWARDS 2001



Adopted October 1997
SOUTHEND-ON-SEA BOROUGH COUNCIL

SOUTHEND-ON-SEA BOROUGH LOCAL PLAN FIRST ALTERATION

TOWARDS 2001

Adopted 13th October 1997

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Foreword

Development pressures and needs are constantly evolving and Local Plan policies must be kept under review to ensure that they continue to be relevant, effective and up-to-date. Since the Southend-on-Sea Borough Local Plan was adopted in March 1994 emerging development pressures and changes in legislation have necessitated the preparation of a number of changes to the Borough Local Plan. These relate to:-

- new planning guidelines for Marine Parade, Leigh-on-Sea
- amendments to existing policies for Houses in Multiple Occupation, and
- a new policy for Gypsy Caravan Site provision

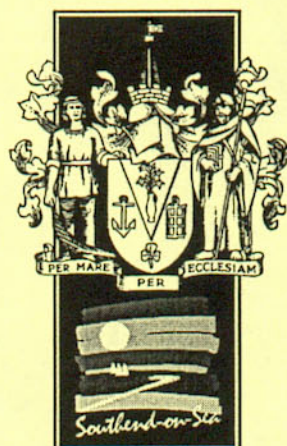
These changes have been incorporated into a First Alteration to the Borough Local Plan and made subject to extensive public consultation, including a public inquiry.

Together with the adopted Borough Local Plan, the First Alteration will guide development in Southend Borough up to the year 2001 and will ensure that the right balance is struck between meeting people's needs whilst protecting the local environment.

Cover photograph: Marine Parade, Leigh-on-Sea, looking west

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INTRODUCTION



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Introduction

- 0.1 The Southend-on-Sea Borough Local Plan, having gone through its statutory stages of public consultation, was adopted by the Borough Council on 1st March 1994, on which date it also became operative. It supersedes all previous plans for the town and with the strategic County-wide Essex Structure Plan and its First and Second Alterations¹, provides the statutory planning framework for development in Southend up to the year 2001.
- 0.2 However, policies and proposals need to be kept under review in the light of changing circumstances in order to ensure that the Borough Local Plan remains effective, relevant and up-to-date.
- 0.3 As a result of continuing development pressures and changes in legislation affecting three planning issues, the preparation of a First Alteration to the Borough Local Plan has been necessary. This concerns the introduction of :
- *new guidance for the control of development in Marine Parade, Leigh-on-Sea;*
 - *amendments to the existing policies for non-self-contained residential accommodation (Houses in Multiple Occupation); and*
 - *a new policy relating to Gypsy caravan sites.*
- 0.4 Following extensive public consultation the First Alteration was adopted by the Borough Council on **13th October 1997** on which date it also became operative. The various statutory stages of plan preparation are set out in Annex One.

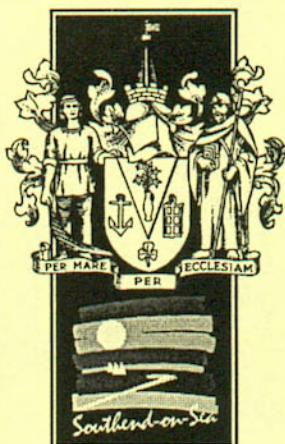
Layout of the Document

- 0.5 For ease of reference this document is divided into three parts, referring to the topics the subject of the Alteration. Each part details the reasons for making the changes and sets out the proposed alteration to the text and policies of the adopted Borough Local Plan. For clarity each alteration is printed on green paper, reproducing the relevant paragraphs of the unamended text and policies of the adopted version of the Borough Local Plan and depicting the alteration in ***bold italics***.
- 0.6 Copies of the adopted Southend-on-Sea Borough Local Plan can be viewed at the Civic Centre in Victoria Avenue, Southend-on-Sea or any public library situated in the Borough.

¹ The Essex Structure Plan First Alteration rolls forward the policy framework of the original Structure Plan (1982), to cover the period from 1986 to 2001. It was approved by the Secretary of State for the Environment on 22nd July 1991 and became operative on 12th August 1991. A Second Alteration to the Plan covering housing provision and shopping policies together with minor amendments to the policies relating to ancient monuments and archaeological sites and the supply of sand and gravel, was adopted by the Essex County Council on 17th January 1995 on which date it also became operative.

PART ONE

**Marine Parade,
Leigh-on-Sea**



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Southend-on-Sea Borough Local Plan First Alteration

PART 1 : Marine Parade, Leigh-on-Sea

1. Reasons for Alteration

- 1.1 With uninterrupted estuary views and adjacent public parks and gardens, Marine Parade in Leigh-on-Sea provides an attractive and pleasant open setting. Being an important route into the Borough, it also provides an attractive image for visitors. The residential properties fronting Marine Parade on the north side of the road form an integral part of this setting and local townscape character.
- 1.2 Recent development pressures have threatened to introduce new buildings and alterations which the Council considers would be out of scale and character with the area. In order to ensure that the townscape qualities of Marine Parade are maintained, specific guidelines have been introduced which, whilst not preventing redevelopment, seek to direct the general scale and character of future development proposals. These changes to the adopted Borough Local Plan are detailed overleaf.

Alterations Relating to Marine Parade, Leigh-on-Sea

1. **Addition of new references to Marine Parade** (additions to adopted Borough Local Plan are depicted in *bold italics*).

- a) Chapter 2 - Conservation and Townscape, paragraph 2.26 (page 30 of Adopted Borough Local Plan refers)

“2.26 The Borough Council will also encourage developers to consider access and safety aspects in the design and layout of new developments in order to ensure easy access for people with disabilities and to minimise the potential for crime (see Policy U5, page 131, and Appendix 7, page 219). Policy H5 (page 51) and the detailed design guidelines in Appendix 4 consider development in residential streets and residential development elsewhere, whilst Appendix 3 contains special provisions relating to properties in Chalkwell Avenue, Burges Estate (part) *and Marine Parade (Leigh-on-Sea)*, see pages 182 and 183. The need for additional planning guidance on the design of buildings and the location of high buildings will be kept under review, in accordance with Planning Policy Guidance Note 1 (PPG1 - General Policy and Principles, *February 1997*.”

- b) Chapter 2 - Conservation and Townscape, final paragraph of Policy C11, New Buildings, Extensions and Alterations (page 31 of the Adopted Borough Local Plan refers).

“In considering development proposals for properties in Chalkwell Avenue, Burges Estate (part) *and Marine Parade (Leigh-on-Sea)*, the Borough Council will also have regard to the detailed design guidance set out in Appendix 3.”

- c) Appendix 3 - Townscape Policy Guidance, paragraph A3.16. Page 182 of the Adopted Borough Local Plan refers.

“A3.16 In considering development proposals for properties in the Burges Estate (part), Chalkwell Avenue *and Marine Parade (Leigh-on-Sea)*, (Policy C11, page 30) and Undercliff Gardens (Policy C12, page 31), as defined more precisely on the Proposals Map, the Council will have regard to the additional design guidance set out below.”

2. **New Section**

To be inserted after paragraph A3.18 in Appendix 3 - Townscape Policy Guidance (Page 184 of the Adopted Borough Local Plan refers).

“Marine Parade, Leigh-on-Sea

A3.19 Situated on the crest of Belton Hills with uninterrupted estuary views and adjacent public parks and gardens, Marine Parade provides an attractive and pleasant open setting. It is a popular promenade and being an important route into the Borough, provides an attractive image for visitors. The residential properties fronting Marine

Parade on the north side of the road form an integral part of this setting and local townscape character, extending for approximately one mile along the hilltop between Hadleigh Road and the Borough boundary. They provide a continuously developed backdrop to the extensive public, open, lawned and planted area on the opposite side of the road, in close proximity to the highway and with a commonality of scale, height and inter-war theme. Although dating from the 1900s the majority of the properties are of inter-war origin. They comprise predominantly of two storey detached and semi-detached houses with small front gardens. They are of varied designs, and features contributing to the buildings' character include fairly steep pitched tiled roofs, infilled and open balconies and prominent gables. The Borough Council considers it essential that the characteristic features of buildings which contribute to the setting of the area and its attractiveness as a public promenade are maintained. Therefore, in applying Policy C11 to Marine Parade, Leigh-on-Sea, the Borough Council will expect development to comply with the following additional guidelines:

- (i) development, including hardstandings, should respect the setting and open character of the area and its attractiveness as a public promenade. In particular there should be planted areas fronting the promenade;*
- (ii) the erection of new buildings as a result of redevelopment will be allowed only if the characteristic form and scale of buildings on the Marine Parade frontage within the immediate vicinity are maintained;*
- (iii) new buildings and extensions should not exceed two storeys in height, should have pitched roofs and, as appropriate, include gables, bays and balconies; sympathetic external materials should be employed;*
- (iv) the provision of accommodation within roof spaces of existing and proposed buildings will normally be acceptable where traditional dormer windows or roof lights are used, where they are visually unobtrusive and the traditional pitched roof and/or gable remains dominant.*

Properties covered by these guidelines are 1-166 Marine Parade, Nos 1 and 2 Canvey Road and 1 and 2 Hamboro Gardens, Leigh-on-Sea.

In respect of front gardens and planted areas, many already incorporate hardstandings. The great majority provide incidental planting to give a satisfactory appearance to the promenade. A few recent hardstandings, however, are visually unsatisfactory. This situation and the need to seek an Article 4 Direction (see paragraph 2.38, page 36) to control hardstandings will be kept under review.

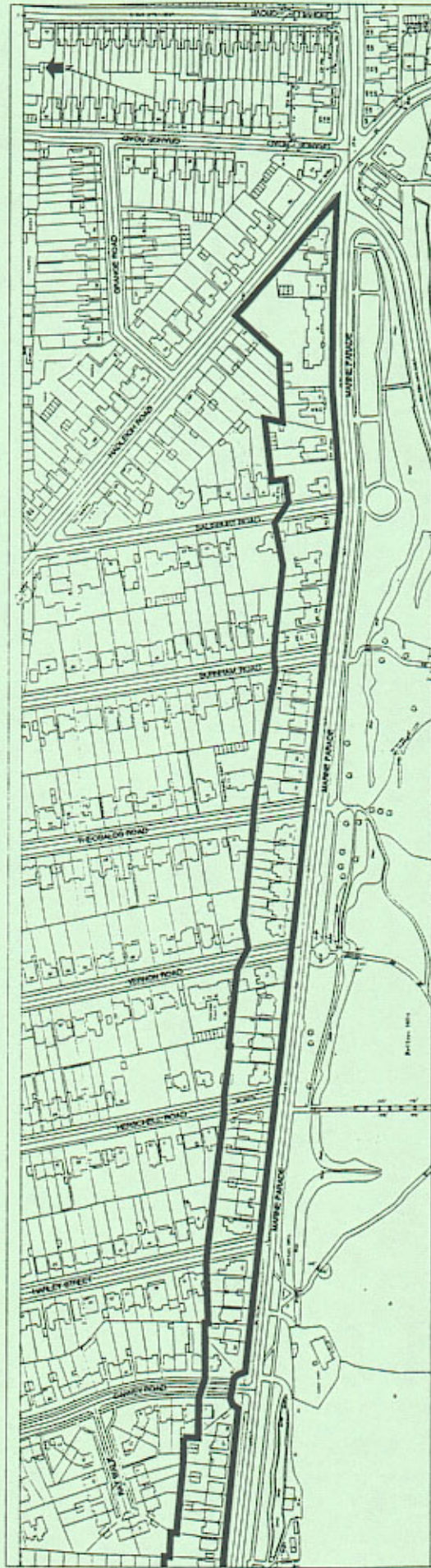
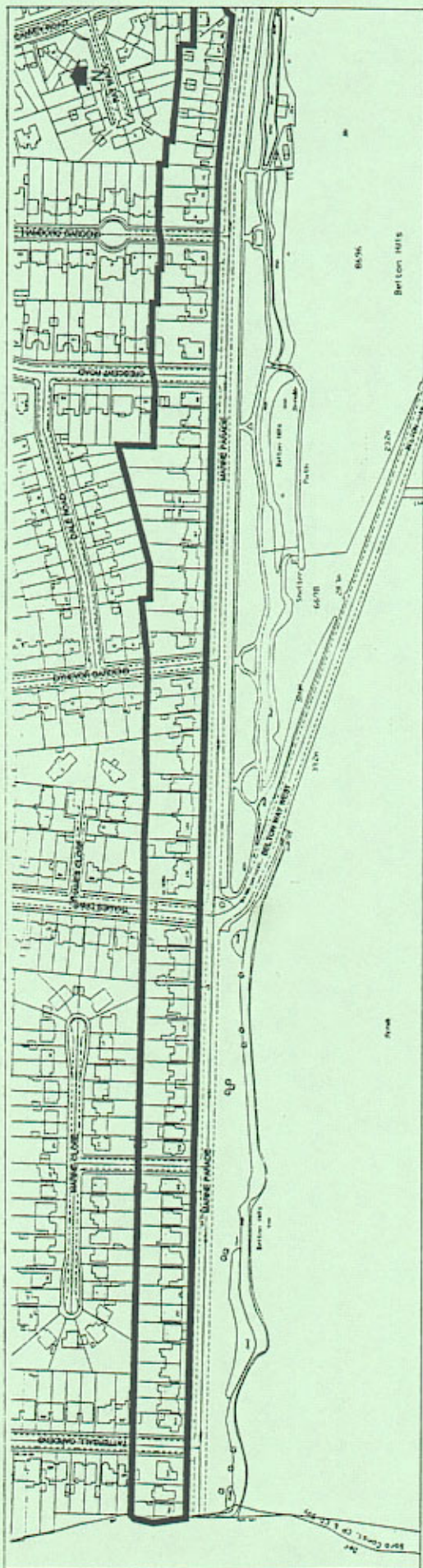
3. Amendments to Existing Text

Appendix 3 - Townscape Policy Guidance (page 184 and 185 of the Adopted Borough Local Plan refers).

Amend paragraph number A3.19 and A3.20 to read 'A3.20 and A3.21'.

4. Alteration to Proposals Map

Boundaries defining properties included within the guidance provision for Marine Parade are defined on the Proposals Map overleaf.



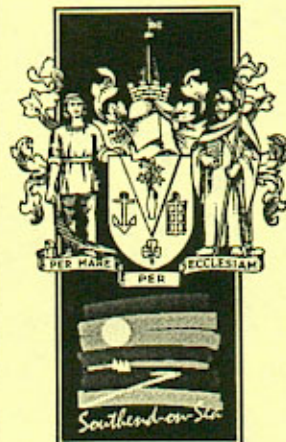
**Map No 1 - Notation Defining Extent of Area Subject to Guidance for the Control of Development in
 Marine Parade, Leigh-on-Sea (Policy C11 - Appendix 3)**

Draw No 100/463/4

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PART TWO

Non-Self Contained Residential Accommodation (Houses in Multiple Occupation)



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Southend-on-Sea Borough Local Plan First Alteration

PART TWO : Houses in Multiple Occupation

2. Reasons for Alteration

- 2.1 With increasing emphasis by society on the provision of owner occupied housing and subsequent decline in the private and public rented sectors, many people on low incomes have come to rely on cheaper shared housing, hostels and bed and breakfast accommodation, often referred to as Houses in Multiple Occupation (HMOs). Housing studies have shown that, within Southend, HMOs perform a valuable role in the housing market.
- 2.2 However, many HMOs are unauthorised, having been established without the necessary planning permissions. This has led to concern about the standards of such premises and their impact on adjoining residential amenities. Furthermore, because of the higher levels of occupation and density associated with HMOs and their greater potential for noise, intrusion and disturbance, their concentration in an area can have an adverse impact on the amenities of nearby residents and the character of the area.
- 2.3 Policy H9 (Non-Self-Contained Residential Accommodation) in the adopted Borough Local Plan seeks to limit the numbers and distribution of HMOs within any area in order to avoid problems of impact on adjoining residential amenities and the character of the area, whilst at the same time making provision within the Borough for this type of low cost accommodation. Proposals for HMOs are normally permitted, therefore, provided certain environmental criteria are met. These seek to prevent potential problems by making sure the proposal is compatible with the existing character of the area, that there is no clustering of such accommodation, and that the property can provide for appropriate facilities and accommodation standards to prevent adverse effects on the amenities of neighbouring residents.
- 2.4 Nevertheless, since the adoption of the Borough Local Plan, it has become apparent that in some areas of the Borough the residential character of certain streets and the amenities of local residents are being damaged as a result of the increasing number of family dwellinghouses being converted to HMOs. This situation is being compounded where other types of conversion already exist in the street. Poor repair and management of single isolated HMOs can also give rise to unacceptable levels of impact on the character and amenities of an area, particularly by way of noise and disturbance to other residents.
- 2.5 The First Alteration seeks to clarify and reinforce Policy H9 of the adopted Borough Local Plan and introduces more specific and tighter controls on the number and distribution of HMOs by amending Policy H6 (Protecting Residential Character).
- 2.6 The Borough Council considers that the changes relating to HMO policy provide for a balanced and robust policy approach that will continue to help meet local housing needs but provide for more stringent controls to protect the environment and amenities of established residential areas. However, it is recognised that HMOs provide a valuable source of low-cost housing. It will therefore be important to monitor the impact of the new policy provisions in order to ensure that an adequate stock of low-cost accommodation is maintained to meet required local needs.
- 2.7 The changes to the adopted policy and related preamble as contained in the Borough Local Plan are set out overleaf.

Alteration Relating to Houses in Multiple Occupation

1. Amendments to existing text and policies (amendments to adopted Borough Local Plan are depicted in *bold italics*)

- a) Chapter 3 - Housing Provision and Residential Environment, paragraphs 3.27 to 3.32 and Policy H6. Pages 51 and 52 of the Adopted Borough Local Plan refer.

"Protecting Residential Character

3.27 The need to provide a wide range of dwelling sizes and types to meet current and future housing needs has already been emphasised. One way of providing small, low cost accommodation is by the development of general purpose flats, *non-self-contained units (houses in multiple occupation)*, and grouped accommodation suitable for the elderly. Since the early 1980s there has been a rapid increase in these forms of housing by the development of infill plots and the redevelopment and sub-division of existing premises. Whilst they continue to provide a valuable way to meet housing needs, the Council is concerned at the cumulative effect of these new forms of housing on the character of established residential areas in the town, particularly in terms of on-street parking stress, *increased activity associated with higher density development* and the impact on visual and residential amenities. Unless the character of these areas is protected, they no longer remain attractive for family housing use, and the pressures for change increase.

3.28 This concern is recognised in Planning Policy Guidance Note 3 (PPG3 - Housing, March 1992) which states that, where pressure for development and re-development is such as to threaten seriously the character of an established residential area which ought to be protected, the local authority may include density and other policies in their local plans for the areas concerned. The guidance note also advises that development proposals should be considered having regard to their relationship to their setting and by reference to the character and quality of the local environment, including adjacent buildings. Relevant considerations include the overall scale and density of the development; the height and massing of its various elements; the layout of the scheme and its landscaping; and access and parking arrangements.

3.29 Schemes for the provision of small units of accommodation in the form of flats, *non-self-contained residential accommodation*, sheltered housing and residential institutions will therefore be subject to specific density, design and other controls in addition to limits on the level of provision and concentration of these more intensive types of development. Following an assessment of many family housing areas in the Borough and the effects of new development on their environment, the Council considers that these residential street frontages can normally absorb satisfactorily 10% conversions together with 10% redevelopment schemes without detriment to the character

and amenities of the remaining properties. This distinction between redevelopment and conversion reflects the differing nature of their impacts, particularly with regard to on-street parking and residential amenities, and the need to restrict both forms of development whilst permitting an acceptable housing mix. These limitations will be implemented having regard to the particular character of the area concerned and the viability of the site for future single family dwellinghouse use.

- 3.30 In view of the restrictive nature of these environmental provisions, developers may be tempted to 'stockpile' permissions for future use within particular areas or streets of the town. This could inhibit the aims and objectives of the Council in trying to preserve the character and amenity of established residential areas whilst also meeting current and future housing needs. To prevent such occurrences, the Council will normally limit any planning permission which is granted in accordance with these restrictions, to a three year period instead of the normal five years. If after three years the development has not commenced, planning permission may then be granted for another infill, redevelopment or conversion scheme within the same street block.
- 3.31 Where, in exceptional cases, *non-self-contained residential accommodation*, sheltered housing and residential institutions are permitted to exceed these limitations, it is considered essential that they are not allowed to become concentrated in an area. *Because of the higher levels of occupation and density associated with non-self-contained residential accommodation, their concentration in an area can have an adverse impact on the amenities of nearby residents by reason of additional noise, intrusion and disturbance and adversely harm the character of the area. Limitations on the number of sheltered housing and residential institutions are required* in the interests of retaining a balance between the various sections of the community and preventing undue pressure on local medical and social services.
- 3.32 In addition, where a particular community facility or other non-residential use is proposed in a residential street, in accordance with policies elsewhere in this Plan, the Council will seek to ensure that it does not result in the undue concentration of such facilities in an area (see Policy E5, Chapter 4, page 74).

POLICY H6 - PROTECTING RESIDENTIAL CHARACTER

In order to protect the character and amenities of residential streets and to ensure that they remain attractive for single family housing use, the Borough Council will limit proposals for residential redevelopment, infill or conversion to form flats, to a level which would not have an adverse effect on the environment, having regard to the following considerations;

(i) Redevelopment and Infill

Redevelopment and infill proposals for purpose built self-contained flats, sheltered housing, residential institutions *and non-self-contained residential accommodation* will normally be limited so that the proportion of such schemes, both existing and committed*, does not exceed 10% of the total residential frontage in the street block. In addition in those streets where the proportion of such schemes already exceeds 10%, the Council will also normally refuse permission for further intensification by redevelopment.

(ii) Conversions

Conversion proposals for self-contained flats, sheltered housing, residential institutions *and non-self-contained residential accommodation* will normally be refused where the number of properties originally constructed as single family dwellinghouses which have already been converted into such uses, both existing and committed*, represents more than 10% of the total residential frontage in the street block.

(iii) Exceptions

The Borough Council will consider granting permission as an exception to (i) and (ii) above only where it can clearly be demonstrated that the application site is unlikely to be viable or appropriate for single family dwellinghouse use, due to its location or the character of the street block or the size, age and condition of the property proposed to be converted.

In addition, the Council will, in considering exceptions, normally refuse applications for sheltered housing, residential institutions *or non-self-contained residential accommodation* which would result in the undue clustering* of such accommodation (both existing and committed*) in a residential *area* in order to prevent residents from becoming isolated

(continuation of Policy H6 - Protecting Residential Character)

from the wider community *or to protect the character and amenities of residential streets.*

(iv) Permissions

In order to discourage the stockpiling of permissions for residential redevelopment, infill or conversion, any permission granted in accordance with the percentage limitations detailed above will lapse unless commenced within three years of the date of approval.

(v) Other Considerations

Where the above character and location criteria can be satisfactorily achieved, the Borough Council will also require each scheme to be in accordance with Policies H3, H7, H8 *and H9* as appropriate."

Policy Cross References : H3 Retention of Small Family Houses, page 48; H7 The Formation of Self-Contained Flats, page 54; H8 Sheltered Housing and Residential Institutions, page 55; *and H9 Non-Self-Contained Residential Accommodation, page 57.*

- b) Chapter 3 - Housing Provision and Residential Environment, paragraphs 3.39 to 3.42 and Policy H9. Pages 56 to 58 of the Adopted Borough Local Plan refer.

"Houses in Multiple Occupation and Hostels

3.39 With increasing emphasis on the provision of owner occupied housing and a subsequent decline in the private and public rented sectors, many people on low incomes have turned to cheaper shared housing, hostels or bed and breakfast accommodation, often referred to as houses in multiple occupation (HMOs). These developments usually involve the adaptation of family dwelling houses.

3.40 Research by the Centre for Urban and Regional Studies has shown that existing HMOs perform a valuable series of roles in the housing market. They provide accommodation for households of all ages, but particularly for the single elderly and young single persons. With this research also indicating that some two-thirds of local households who are not already home owners have insufficient incomes to enter the owner occupied market, the retention of such accessible accommodation will be essential. Although there is some evidence of a recent increase in the supply of privately rented housing as a result of the introduction by the Government of new and greater incentives for landlords to let property, with this initiative has come increased rents which are likely to be a significant constraint. For many, HMOs will remain the only available source of affordable housing.

- 3.41 However, many HMOs are unauthorised, having been established without the necessary planning consent. This has led to concern about the standards of such premises and their impact on adjoining residential amenities and the character of an area. Problems include inappropriate location, overcrowding, lack of basic amenities, fire hazard and poor management, leading to noise and other disturbances. Such problems affect not only planning but also housing and environmental health considerations. From the planning point of view, a balance needs to be struck between permitting satisfactory and suitable shared accommodation accessible to the financially disadvantaged, and conserving the environment, character and amenity of residential areas.
- 3.42 Accordingly, whilst considering that self-contained flats and bedsits are the most satisfactory way of providing low-cost housing, the Borough Council may permit the adaptation of additional property to non-self-contained residential accommodation, subject to certain conditions. *In order to safeguard the local environment and residential amenities, all proposals for non-self-contained residential accommodation will be required to meet the locational criteria detailed in Policy H6 above and to avoid the clustering of such uses in any residential area, or the saturation of that area by such uses. To further safeguard the local environment, schemes will normally be limited to properties which are detached or semi-detached (where, in the latter case, the adjoining unit is not in use as a single family dwellinghouse) and which have a floorspace of at least 160 square metres. Following research, the aforementioned size criterion is considered to be necessary to ensure the provision of appropriate facilities, accommodation standards and to prevent adverse effects on residential amenity.*
- 3.43 *The Borough Council considers that these provisions will provide for an appropriate balance between protecting the character and amenities of residential areas and meeting local housing needs. However, it is recognised that HMOs provide a valuable source of low-cost housing and that it is important to ensure that an adequate supply is maintained to cater for future local housing needs. The Borough Council will therefore keep under review the impact of the planning policy provisions to ensure that there are enough suitable properties available that can be satisfactorily converted into HMO use to meet required local needs.*
- 3.44 With regard to unauthorised HMOs, in certain circumstances it will be appropriate to take planning enforcement action where the use materially affects residential amenity and the character of the area. In all other cases, where such uses are well established and cause little detriment to the environment, their retention will normally be acceptable, subject to the implementation of environmental health standards. The Council will also encourage and support the provision of low cost rented accommodation as part of new build schemes where appropriate.

- 3.45 *Under the Housing Acts the Borough Council has powers to restrict the number of residents, and to control the provision of basic amenities and management of HMOs to ensure the provision of appropriate facilities and standards. These powers are operated by the Council's Housing and Environmental Services Department. It is essential that operators of existing and proposed HMOs liaise with that Department to ensure that the various legislative requirements and standards are met, in addition to acquiring the necessary planning permission. In order to promote good practice, the Borough Council has prepared a guidance note setting out the various planning and environmental health considerations relating to HMOs.*

POLICY H9 - NON-SELF-CONTAINED RESIDENTIAL ACCOMMODATION

Whilst considering that self-contained flats and bedsits are the most satisfactory way of providing low-cost housing accommodation, the Borough Council recognises the contribution made by non-self-contained rented accommodation in meeting local housing needs. Accordingly, proposals for such accommodation *may* be permitted, provided that the *criteria set out in Policies H3 and H6 and the following considerations are met:*

- (i) the proposal is compatible with the existing character of the area, and the residential amenities of adjoining occupiers would not be adversely affected, particularly by way of noise, overlooking, lack of privacy or general disturbance, having regard to the nature of the use and the levels of activity which can be generated.
- (ii) in conversion schemes the property:
 - (a) has a gross floor area, as originally constructed, of 160 square metres (1720 square feet) or more,
 - (b) *is detached, or semi-detached, and in the latter case the adjoining unit is not in use as a single family dwellinghouse.*
- (iii) the proposal would not result in the clustering* of non-self-contained residential accommodation (both existing and committed*) in any residential *area, or the saturation* of that area by such uses.*

(continuation of Policy H9 - Non-Self-Contained Residential Accommodation)

- (iv) the provisions of Policy H5 can be achieved, to ensure compatibility with existing development, the protection of residential amenity and the satisfactory provision of off-street parking facilities. Conversions involving property originally constructed as a single family dwelling house should retain the external appearance of the property as a house.

These considerations will also apply to extensions and alterations to previously approved/unauthorised multiple occupation premises.

Unauthorised Uses

Where any unauthorised use is identified as being materially detrimental to the character of the street and/or the residential amenities of adjoining occupiers, appropriate action will be taken by the Borough Council to gain the cessation of the use as a matter of priority. In all other cases, such unauthorised uses will be subject to normal planning control in accordance with adopted planning policies, except where such development has been established for at least five years (and has remained in that use) and the local environment is not adversely affected, when no action will normally be taken.

Policy Cross references: *H3 Retention of Small Family Houses, Page 48*; *H5 Residential Design and Layout Considerations, page 51*; and *H6 Protecting Residential Character, page 52*.

* See Appendix 9 - 'Definition of Terms Used'

- c) Chapter 3 - Housing Provision and Residential Environment, paragraphs 3.43 to 3.52. Pages 58 to 64 of the Adopted Borough Local Plan refer. Amend paragraph numbers 3.43 to 3.52 to read '**3.46 to 3.55**'.

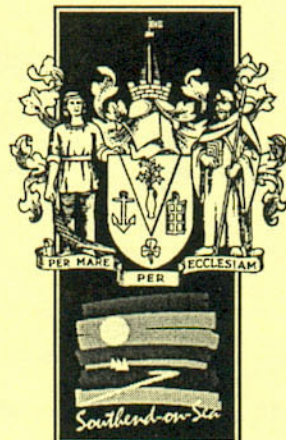
2. New Section

Appendix 9, Definition of Terms Used (Chapter 3), paragraph A9.1. Pages 251 and 252 of the Adopted Borough Local Plan refer. New definitions to be added to read as follows:

- (xi) *Clustering is considered to occur where there are, or would be, a number of the same uses (existing and committed) in close proximity to each other within part of the street defined as including five properties either side of the application site and, where appropriate, the same length of frontage immediately opposite.*
- (xii) *Saturation is considered to occur where there are, or would be, a substantial number of the same uses (existing and committed) within the street block containing the property and the street block opposite, the street blocks immediately adjoining and to the rear, and all residential frontages facing these street blocks together with any return frontages contained within this area.*

PART THREE

Gypsy Caravan Sites



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Southend-on-Sea Borough Local Plan First Alteration

PART THREE : Gypsy Caravan Sites

3. Reasons for Alteration

- 3.1 The Government has repealed the statutory duty of local authorities to provide caravan sites for Gypsies residing in or resorting to their areas. This is expected to lead to more planning applications for private Gypsy sites. In recognition of this, the Government has issued new planning guidance (Circular 1/94 - Gypsy Sites and Planning, January 1994). This advises that, although Gypsies make up only a tiny proportion of the population, their land requirements need to be met. Local planning authorities must therefore be aware of the accommodation and occupational needs of Gypsies and must continue to indicate the regard they have had to meeting these needs in preparing or amending their development plans.
- 3.2 In view of these changes, the Essex County Council requested all District Councils to undertake urgent reviews of their Local Plans in order to ensure that appropriate policies and proposals for Gypsy site provision are incorporated.
- 3.3 The Borough Council has undertaken such a review as part of the preparation of the First Alteration. This concluded that, in the light of the limited land resources in the town and the lack of demand for such sites, it would be inappropriate to seek to identify any sites for Gypsy caravans within the Borough at the present time.
- 3.4 Given these circumstances the First Alteration introduces a criteria based policy for assessing the merits of any planning application for Gypsy caravan provision. This is in accordance with Circular 1/94 which provides that where it is not possible to identify specific Gypsy sites the local planning authority should set out clear, realistic criteria for suitable locations as a basis for site provision policies. The new policy and related preamble are set out overleaf.

Alteration Relating to Gypsy Caravan Sites

1. New Sections

- a) Chapter 3 Housing Provision and Residential Environment.

New text and policy to be inserted after Policy H13. Page 62 of the Adopted Borough Local Plan refers.

"Gypsy Caravan Sites

3.49 *Following changes in legislation the Government has repealed the statutory duty placed on local authorities to provide caravan sites for Gypsies residing in or resorting to their area. This is expected to lead to an increase in the number of planning applications for Gypsy sites. To guide local planning authorities in the determination of such applications the Department of the Environment has issued Circular 1/94 (Gypsy Sites and Planning - January 1994). This emphasises the need for local authorities to be aware of the accommodation and occupational needs of Gypsies, and the importance of having in place appropriate policies in development plans.*

3.50 *The Circular advises that local planning authorities should make a quantitative assessment of the amount of accommodation that is required, taking into consideration the number of Gypsy caravans in their area, particularly the six-monthly counts undertaken by local authorities which are collected and published by the Department of the Environment. However, it also notes that proposals for Gypsy caravan sites should continue to be determined solely in relation to land use factors. Local Plans should therefore, wherever possible, identify locations suitable for Gypsies and where this is not possible set out clear, realistic criteria for suitable locations as a basis for site provision policies. Proposals should be consistent with agricultural, countryside and environmental policies and Gypsy sites are not regarded as being among those uses of land which are normally appropriate in Green Belts. Green Belt land should not, therefore, be allocated for Gypsy sites in development plans. The Circular advises that local planning authorities might, for example, consider locations outside existing settlements within a reasonable distance of services and facilities. Regard should be had to highway considerations and the potential for noise and other disturbance from the movement of vehicles to and from a site, the stationing of vehicles on the site, and on-site business activities. The guidance also states that, wherever possible, sites should be suitable for mixed residential and business use having regard to the safety of the occupants and their children.*

3.51 *In seeking to identify appropriate locations for Gypsy caravans, it has to be recognised that in the Southend context land resources for all forms of development are limited. Southend is a densely*

developed area which has now expanded to the extent that the urban area tightly abuts the Green Belt. Having regard to this, Government guidance and the policies for environmental safeguards contained in this Plan, it is extremely difficult to identify any site within the Borough which could be regarded as suitable for Gypsy caravans. The Borough Council does not therefore consider it possible or appropriate for a policy to be formulated which is site specific as no suitable locations are available within the Borough at the present time. Such an approach is consistent with the Council's policy for tourist caravan accommodation which recognises that, whilst demand indicates that it would be desirable to expand the tourist caravan facilities in the town to beyond the one long-standing site in the Borough at Shoebury East Beach, no other sites in the Borough can provide additional facilities due to policy constraints (see paragraph 6.29 and Policy L9).

- 3.52 *In relation to needs, Borough Council records indicate that very few Gypsies have resided in or resorted to Southend in recent years and that there is no need for Gypsy caravan site provision in Southend at the present time. This was borne out following a planning inquiry in March 1993, when the Secretary of State in considering a proposal by Essex County Council to establish a Gypsy caravan site at Eastwood concluded that there was no genuine need for a permanent Gypsy site in Southend, or in South-East Essex as a whole, at that time. Nevertheless, it is recognised that the needs of Gypsies, particularly for transit facilities, should be kept under review. However, given the particular land-use constraints that apply in Southend and its inability to find suitable sites for Gypsy caravans, the Borough Council considers that an evaluation of potential sites within South-East Essex as a whole should be undertaken.*
- 3.53 *In the light of these factors, the Borough Council will apply the following policy in considering proposals for Gypsy caravan site provision in the Borough.*

POLICY H14 - GYPSY CARAVAN SITES

In the light of the very limited land availability for all forms of development and the lack of need for a permanent Gypsy caravan site at the present time, no specific allocations are made in this Local Plan for such provision. The need for Gypsy caravan sites within the Borough will, however, be kept under review.

In considering applications for Gypsy caravan site facilities regard will be had to the following criteria:

- i) proposals will only be permitted where it can be shown that Gypsies reside in or regularly resort to the area. Any planning permission granted will be limited to use by Gypsies,*
- ii) sites shall not be in close proximity to residential properties and their location should not give rise to noise or other disturbance, including disturbance at unsocial hours, from the movement of vehicles to and from the site, the stationing of vehicles on the site and on-site business activities. In addition proposals should not harm the visual character of the area and amenities of adjoining land uses, in accordance with Policies C11 and E5,*
- iii) sites will not be permitted in the Green Belt, on land identified as being of High Grade Agricultural Quality or within designated Special Landscape Areas, Sites of Special Scientific Interest, Nature Reserves, Ancient Woodland and the Coastal Protection Area (see Policies G1, G2, G5, G6 and G7),*
- iv) proposals should not give rise to serious problems of access, road safety or traffic congestion, and should make provision for parking and the safe turning of vehicles on site,*
- v) proposals should not materially prejudice the provision of other major land use needs in the Borough, particularly the supply of land for open space and employment. Proposals will be considered against the provisions of Policies C15 and E4,*

cont/.....

- vi) any proposal sites and (where they are appropriate) any working or storage areas, shall be of sufficient size to allow them to be adequately screened with landscaping both within and on the boundaries of the site in order to give privacy to occupiers and to protect the amenities and appearance of the surroundings. Earth mounding and planting will also be required in certain circumstances on site boundaries (see also Policy C14),*
- vii) sites should be provided with necessary services to include electricity, drinking water, washing facilities, sewage disposal and refuse collection point, and be capable of providing for an acceptable living environment. Arrangements should also be made for securing the site in the event of its seasonal or other temporary unoccupation,*
- viii) in dealing with unauthorised caravan sites, the Borough Council will have regard to the considerations set out above*

Policy cross references: G1 (Development Within the Green Belt), page 13; G2 (Land of High Grade Agricultural Quality), page 14; G5 (Special Landscape Areas), page 16; G6 (Nature Conservation), page 18; and G7 (Coastal Protection), page 19, C11 (New Buildings, Extensions and Alterations), page 30; C14 (Trees, Planted Areas and Landscaping), page 33; C15 (Retention of Open Spaces), page 33; E4 (Industry and Warehousing), page 73; E5 (Non-Residential Uses Located Close to Housing), page 74;

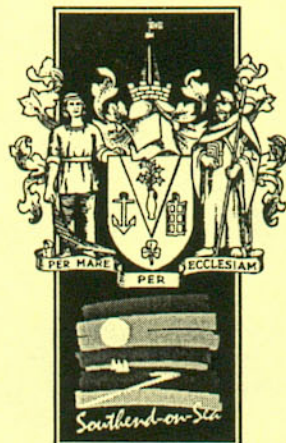
2. Amendments to Existing Text

Chapter 3 - Housing Provision and Residential Environment, paragraphs 3.49 to 3.51. Pages 62 to 64 of the Adopted Borough Local Plan refer.

Amend paragraph numbers 3.49 to 3.52 to read '*3.54 to 3.57*'.

ANNEX ONE

Preparation of the First Alteration



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Annex One - Preparation of the First Alteration

Introduction

A1.1 The Southend-on-Sea Borough Local Plan First Alteration has been prepared in accordance with statutory requirements and having regard to the representations made by statutory bodies, government departments, local associations and the general public. The various stages of plan preparation and public consultation are detailed below.

Public Consultation Stages

August 1994 Southend-on-Sea Borough Local Plan First Alteration Pre-Deposit Consultation Draft published for public comment

Public Consultation : 8th August 1994 to 23rd September 1994

May 1995 Certificate of Conformity issued by Essex County Council

June 1995 Southend-on-Sea Borough Local Plan First Alteration Deposit Draft placed 'on deposit' for public consultation.

Public Consultation : 5th June to 14th July 1995

February 1996 Public Local Inquiry - held at the Civic Centre Southend-on-Sea on 6th February 1996.

Inspector : Paul Graham DMA FCIS Solicitor, and Legal Associate of the RTPI.

April 1996 Inspector's report and recommendations published 17th April 1996.

October 1996 Southend-on-Sea Borough Local Plan First Alteration Proposed Modifications published.

Public consultation : 28th October 1996 to 13th December 1996.

February 1997 Southend-on-Sea Borough Local Plan First Alteration Proposed Further Modifications published.

Public Consultation : 28th February 1997 to 18th April 1997

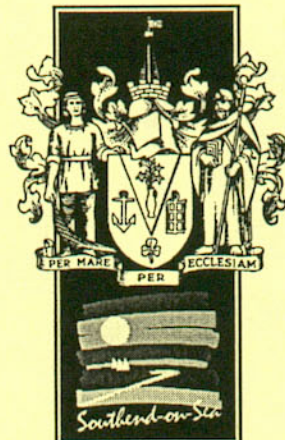
August 1997 Borough Council resolved to give notice of its intention to adopt the Borough Local Plan First Alteration on or after 13th October 1997, thereby providing the Secretary of State with at least 28 days to raise any points with the local planning authority pending the First Alteration's adoption. (The adopted Plan to incorporate the Borough Local Plan First Alteration placed on deposit in June 1995, the Proposed Modifications, October 1996 and Proposed Further Modifications, February 1997).

Documents placed 'on deposit' for public inspection.

October 1997 Southend-on-Sea Borough Local Plan First Alteration adopted by the Southend-on-Sea Borough Council on 13th October 1997 on which date it also became operative.

ANNEX TWO

Publications Referred to in the Plan



Southend-on-Sea
Borough Local Plan
First Alteration
Adopted October 1997

Annex Two - Publications Referred to in the Plan

Introduction

A2.1 To assist the Plan user, this Annex lists those publications referred to in the First Alteration which were relevant at the time of its adoption. These documents can be viewed at the offices of the Technical Services Department, Civic Centre, Victoria Avenue, Southend-on-Sea, or they may be purchased directly from the publishers.

The Publications

a) **Town Planning Guidance**

Planning Policy Guidance Notes:

No 1 General Policy and Principles, February 1997

No 3 Housing, March 1992

Circulars:

Circular No 1/94 Gypsy Sites and Planning, January 1994

Copies may be purchased from The Publications Centre, PO Box 276, London SW8 5DT (telephone 0171 873 9090).

b) **Borough Council Publications**

i) ***Southend-on-Sea Borough Local Plan*** (March 1994)

Sets out planning policies and proposals to guide future development in the Southend Borough to the year 2001.

ii) ***Advice Note : Houses in Multiple Occupation*** (October 1995)

Sets out the Borough Council's corporate approach to the provision of Houses in Multiple Occupation, detailing planning policy and environmental health standards - to be updated in light of the adoption of the First Alteration.

iii) ***Housing Need in Southend-on-Sea*** (March 1996)

Comprehensive study of housing needs undertaken by the Centre for Urban and Regional Studies, Birmingham University on behalf of the Borough Council. The study updates the original housing need assessment undertaken in 1990.

Copies may be purchased from Southend-on-Sea Borough Council. Prices on request.