

**EXAMINATION OF THE LONDON SOUTHEND AIRPORT AND
ENVIRONS JOINT AREA ACTION PLAN**

Please reply to the Programme Officer Kerry Freeman
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20 May 2014

Mr S Hollingworth
Planning Policy Team Leader
Rochford District Council

Mr M Thomas
Team Leader, Strategic Planning
Southend on Sea Borough Council

Dear Mr Hollingworth and Mr Thomas

**MODIFICATIONS TO THE LONDON SOUTHEND AIRPORT AND
ENVIRONS JOINT AREA ACTION PLAN (JAAP)**

1. As indicated in the final hearing session on 7 May and as confirmed by the subsequent Note (EXJ0030) I am writing to set out my interim views on the further modifications needed to make the JAAP sound. I shall also list other matters where I understand that the Councils may wish to make changes to the Plan in the light of the discussion that took place and in the interests of effectiveness.
2. I have given full consideration to all the representations made about the Plan including the oral contributions at the hearings. In particular, some are critical of the overall soundness of the JAAP as a whole. My final conclusions will be given in the final report which will be produced following consultation on the proposed main modifications. Nevertheless, having regard to the criteria for soundness and in order to assist at this stage, I shall provide brief explanations for my preliminary findings.
3. These may alter in the light of any further evidence that emerges through the consultation process and my views are given here without prejudice to the conclusions that will appear in the report. This will also cover other issues that arose during the examination but which are not dealt with in this letter.

Policy LS3

4. This policy is proposed to be revised to relate to any future planning applications in relation to the runway but it is unnecessary to have a separate policy in this respect as relevant considerations are contained in Policies LS1 and LS2.

Policy LS6

5. The last sentence of this policy should be removed to reflect the fact that the review of the Public Safety Zone (PSZ) has begun. It

is a matter for the Councils as to whether they wish to retain this policy given that it is largely covered in DfT Circular 01/2010. However, paragraph 157 of the National Planning Policy Framework indicates that Local Plans should identify areas where it may be necessary to limit freedom to change the use of buildings. With this in mind my view is that for the policy to be effective the area covered by the PSZ should be shown on the Proposals Map. The text of the policy should then make reference to that area or any area as subsequently revised by the Civil Aviation Authority.

Policy T2

6. Although I appreciate the value of local knowledge I heard nothing to warrant the preclusion of right turns into Cherry Orchard Way given the technical evidence that this would have no negative effects on the road network. The inclusion of this clause in the policy is not justified and should be removed to ensure soundness.

Policies E1, E2 and E3

7. These policies contain specific figures relating to the delivery of additional jobs. Even if the numbers themselves are realistic they do not assist a future decision maker in determining what will or will not be permitted since the quantum of employment generated by any development is not enforceable. I take the point that these figures are a helpful indication of the goals and aspirations of the JAAP. However, applying the guidance in paragraph 154 of the Framework leads me to the view that job numbers should be removed from the policies and included in the supporting text.

Other possible changes

8. I also believe that the Councils are considering further changes to the JAAP. These are:
 - Whether Policy LS1 should refer to supporting the growth of the airport to 2 million passengers a year by 2020;
 - Confirming that the noise controls in the Environmental Controls Schedule applies to the maintenance, repair and overhaul areas (Policies MRO1, MRO2 and MRO3) and whether further restrictions should be imposed close to the golf course;
 - Reviewing whether the references to the various Use Classes in Policy E3 provide for sufficient flexibility; and
 - Re-assessing the phasing requirements of Policy E4 having regard to the initial Master Plan work.
9. In addition, there are other areas where adjustment and updating is required. These comprise a general review of references to national policy documents; aligning the wording in Section 5 with the

infrastructure requirements of the JAAP policies; providing a clearer definition of the future Master Plan and distinguishing this from development briefs; finding a more effective word than “welcome” in various policies; ensuring that the wording referring to the Environmental Controls Schedule is consistent; including reference to the amenities of any affected residential occupiers in the employment policies; adding further walking and cycling schemes to Policy T5 and including additional references to heritage assets and possibly archaeology in Policies LS2, E1, E2, E7 and MRO1.

Next steps

10. I am not inviting comments from the Councils or anyone else on the interim views expressed in this letter. They are primarily provided for the purpose of identifying the matters where I consider further modifications are required to achieve soundness. Not all of the above matters necessarily have a bearing on soundness but I set them out for completeness and to confirm the ‘state of play’. Could the Council let me know as soon as possible if there are any points of fact or clarification that it wishes me to address.
11. I therefore now invite the Councils to propose further Main Modifications to the JAAP in order to deal with the matters referred to in this letter after carrying out any necessary Sustainability Appraisal and Habitats Regulations assessment. As a result of these it may be necessary for other, consequential changes to be made to the Plan that are not covered in this letter. The Councils should ensure that the Plan reads coherently as a whole after these have been undertaken.
12. Once the Councils have considered their position and produced a consolidated set of Main Modifications in response to this letter it would be prudent for me to see the updated schedule in order to avoid any obvious procedural or soundness issues.
13. On the conclusion of this process the Main Modifications should be the subject of a period of consultation of at least 6 weeks. Could the Councils please keep me informed of progress in this respect. In carrying out further consultation the Councils should consider providing information about the nature of the main proposed changes and make it clear that comments should solely address those changes. I confirm that I will take the responses to that consultation into account in compiling my final report.

David Smith

INSPECTOR