

PLANNING COMMITTEE

2 FEBRUARY 2016

REPORT OF THE HEAD OF PLANNING

A.1 CARAVAN/CHALET SITES OCCUPANCY RESTRICTION REVIEW

(Report prepared by Planning Services)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To update the Planning Committee of the extent of planning breaches relating to occupancy conditions in Point Clear Bay, Bel Air Chalet Estate and Clear Springs Chalet Park and to secure support to progress enforcement action.

EXECUTIVE SUMMARY

Cabinet received a report on 13th December 2013, which outlined the outcome of an initial review of seasonal occupancy restrictions on holiday parks/homes across the district. The review highlighted inconsistencies in planning conditions and Cabinet supported an on-going review and made recommendations as to its progress.

Cabinet received an update at its meeting in June 2014 on each of its previous recommendations including

- liaison with the Environment Agency to understand flood risk issues on a site by site basis;
- working with the sites owners and operators and individuals affected to improve emergency planning procedures;
- analysis of appeal decisions; and
- monitoring of compliance with conditions on sites in Tendring district.

Decisions relating to planning enforcement come within the terms of reference of the Planning Committee and subsequently, a further report was presented to the Committee on 9 December 2014 detailing the outcome of the review at that time. The Planning Committee resolved that:

- officers were to continue to monitor caravan/chalet parks' compliance with occupancy conditions during winter 2014/15, to provide a clearer picture of the degree of risk concerning the degree of lawful use that could be established; and
- the findings of the Caravan/Chalet sites occupancy review were to be reported to the Planning Committee with recommendations relating to enforcement of planning controls

In accordance with this decision, work has continued and the detailed review has:

1. identified occupancy restrictions on all holiday/caravan accommodation in Tendring District;
2. increased understanding of flood risk issues impacting on accommodation;

3. considered the policy context for occupation restrictions;
4. reviewed the planning enforcement options; and
5. considered the policy context for occupation restrictions.

This report sets out the recommended approach to on-going monitoring and enforcement of reported breaches of occupancy in the light of the review.

RECOMMENDATIONS

It is recommended that the Committee:

1. **Note the outcome of the review, including the monitoring of sites and the potential breaches of planning controls that have been identified;**
2. **Supports the principle of seeking voluntary compliance with planning controls relating to holiday caravan and chalet occupancy, and where this is not successful to serve Planning Enforcement Notices, giving priority to breaches at Point Clear Bay, Clear Springs and Bel Air; and**
3. **Receives an update report in relation to this enforcement action early in 2017.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The aims of the review reflect the Council's priorities contained within the Corporate Plan. In particular the review will reflect the Council's 3 priorities - 'Our Prosperity', 'Our People', and 'Our Place'.

The Council's priorities are to build a thriving local economy and ensure that all our residents are safe and have positive improvements in the conditions in which they live, work, travel and take leisure.

FINANCE, OTHER RESOURCES AND RISK

Financial:

Important financial issues including new homes bonus, council tax and local council tax support scheme were described in the 13 December 2013 report which is a Background paper to this report. In addition, if appeals are lodged against any Enforcement Notices served, there will be associated costs to defend them.

Flood risk:

Issues relating to flood risk were described in the reports to Cabinet on 13 December 2013 and 13 June 2014.

The number of people living lawfully in high flood risk areas and unsustainable locations, contrary to Council policy, will be increased if compliance (probably through formal enforcement action) with the planning regulations is not achieved. This would be contrary to the National Planning Policy Framework (the Framework), the Environment Agency's and Council's policies. It would place an increased pressure and risk on emergency services, when carrying out rescue operations, increased pressure on local services and unknown effects on areas of nature conservation. Delays in taking action will result in an

increased immunity from enforcement action and greater likelihood of successful applications for Certificates of Lawful Use.

LEGAL

A breach of planning control is defined in Section 171A of the Town and Country Planning Act 1990 (TCPA 1990) as:

- the carrying out of development without the required planning permission; or
- failing to comply with any condition or limitation subject to which planning permission has been granted.

Local planning authorities (LPA) have responsibility for taking whatever enforcement action may be necessary, in the public interest, in their administrative areas. There is a range of ways of tackling alleged breaches of planning control, and local planning authorities should act in a proportionate way.

In accordance with the TCPA and Planning Guidance, LPA have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material considerations.

In considering any enforcement action, the LPA should have regard to the National Planning Policy Framework, in particular paragraph 207:

National Planning Policy Framework 207:

Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

The Council's Planning Enforcement Policy, adopted in 2010, reflects the government's concordat on the Principles of Good Enforcement Practice and includes guidance on consistency and proportionality.

Consistency: to carry out duties in a fair, just and consistent manner taking into account the particular aspects of each case. When we decide whether to take enforcement action, we must always consider meeting the objectives and policies of the development plan and other material considerations. This seeks to make sure that development does not take place in inappropriate locations. Each decision will also take into account: the particular circumstances of the site and surrounding area; the level of harm being caused; and any relevant planning history, such as previous refusals or grants of planning permission or appeals for similar developments.

Proportionality: to take action, when it is necessary, in relation to the risks posed and the seriousness of the breach. Some incidents or breaches of regulatory requirements have the potential to cause serious risk to public health and safety,

environmental damage or loss of public or residential amenity. One of the Council's responsibilities is to protect the public and prevent harm to the environment from occurring or continuing. There may be occasions when the breach of regulations will justify statutory action. Any such action will only be taken in accordance with the law, and after due consideration has been given to any Convention Rights, under the Human Rights Act 1998, that may be affected by such action. However, our resources are limited, and it is essential to use available resources to maximum effect. In planning terms, this means where there is the most harm to amenity or the environment. Our decisions are not based on who is complaining or how loudly.

The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering enforcement action. There is a clear public interest in pursuing a legitimate aim, by enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

4 YEAR AND 10 YEAR RULE

Section 171B TCPA 1990 provides for two different limitation periods for enforcement action.

- Four years is the time an authority has to take enforcement action where the breach of planning control comprises either operational development or the change of use of any building to use as a single dwelling house.
- Ten years is the time allowed for any other breach of planning control.

Section 336 TCPA 1990, defines "*building*" to include any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building.

The 4 year or 10 year rule relates to the period of time elapsed when immunity from enforcement action occurs. The rule depends upon whether the property is classed as a 'building', which in turn has been used as 'a dwelling house'. For caravans and mobile homes this has already been determined by previous appeal decisions and case-law that these are not permanent structures and therefore, the 10 year rule applies.

The enforcement options available to tackle possible breaches of planning control in a proportionate way are set out in within this report. Before any enforcement action is taken on a particular site, an Officer assessment will need to be undertaken taking into account and recording all the relevant facts and circumstances for that property, which is standard practice and adopted for all enforcement action.

OTHER IMPLICATIONS

Other implications in relation to flooding, housing, local services, local economy, education, health, housing, human rights, European Nature Conservation Sites, caravan site licensing and public consultation, past planning histories and the Council's emergency planning team, were all described in the 13 December 2013 and 13 June 2014 report to Cabinet and the 9 December 2014 report to Planning Committee. This information remains current.

PUBLIC CONSULTATION

The on-going review has included communication with various stakeholders, correspondence with representatives of residents associations and other public bodies concerning the breaches of occupancy at the caravan sites.

EUROPEAN NATURE CONSERVATION SITES

If permanent residential use is established by immunity from enforcement action the ability to mitigate impacts from the development will be lost. The importance of the impact on nature conversation sites has been highlighted in consideration of recent applications, as set out in the 13 June 2014 report to Cabinet.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Reports to Cabinet were presented in December 2013 and June 2014, details are summarised within the Executive Summary and are background papers to this Report.

In September 2014, a report was presented to the Local Plan Committee that proposed an amended policy in the Local Plan. This will be considered as part of the preferred options for the Local Plan.

A further report was provided in December 2014, to update the Planning Committee of the inconsistencies in occupancy restrictions across the district and of the issues highlighted in the previous reports to Cabinet and the Local Plan Committee.

Information relating to the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) with regard to flooding and tourism, as well as relevant planning appeal decisions, structural integrity of buildings and occupation were described in the reports to Cabinet and the Planning Committee and remain unchanged.

HOLIDAY OCUPANCY

There are many developments in the Tendring District that would not have been granted planning permission if it were not for the fact that the developments had been restricted for holiday purposes only. The developments were to provide self catering accommodation in the form of caravans, cabins and chalets. These planning conditions were to ensure that the accommodation does not become the person's sole or main residence. If they were to become residential then it could put undue pressures on services and be contrary to long-established planning policies to protect the countryside and to deliver sustainability objectives and the positive impact on the economy that tourism provides would be lost.

Enforcement action already taken

32 Breach of Condition Notices were served on the freehold owners of each of the individual chalets within Point Clear Bay on 28 June 2012 relating to breaches of occupancy.

Milesahead Properties, the owners of the Bel Air Chalet Park at that time, were prosecuted on 29 June 2011 for breaches of the occupancy restrictions imposed upon use of the sites at Bel Air following non-compliance with Breach of Condition Notices

CURRENT POSITION

RELEVANT PLANNING APPEAL DECISIONS

Since the 9th December 2014 report to Planning Committee, additional appeal decisions relevant to this report have been issued and are summarised below.

117 Colne Way, Point Clear, St. Osyth, Essex, CO16 8LW - Proposal for permanent residential use dismissed:

A planning application in February 2015 was refused planning permission. The application sought planning permission for the change of use from holiday to residential use without complying with a condition attached to planning permission TEN/994/77. The condition was the use of the chalet was restricted to holiday occupancy during weekends from noon on Friday until noon on Monday between 1 November in any year and the end of February in the following year and during any period of 10 consecutive days which shall include both Christmas Day and New Years Day.

The Appeal Inspector found that the appeal property would not provide a suitable site for permanent residential use, having regard to the principles of sustainable development. The Appeal Inspector also concluded that the flood risk assessment for proposed residential use, undertaken by the Environment Agency would elevate the classification of the appeal property to 'highly vulnerable' on the flood risk vulnerability and flood zone compatibility table. The proposed residential use would therefore be at risk from flooding and as such would conflict with the principle in the Framework that inappropriate development in areas at risk of flooding should be avoided. The appeal was dismissed due to the fact that the adverse impacts of granting planning for the proposed residential use would demonstrably outweigh the benefits.

Humberside Fitties Chalet Park, Cleethorpes, N.E. Lincolnshire DN36 4HB - Proposal to extend holiday season dismissed:

A planning application sought permission to extend the holiday season, so that no unit of accommodation shall be used for holiday purposes for at least eight consecutive weeks during the month of November, December, January, February and March without complying with the condition attached to planning permission Ref 08/92/0213.

The appeal inspector concluded that if the proposal was allowed and the holiday season was extended the proposal would then fall into the 'Highly Vulnerable' flood risk classification. The inspector's reasoning for this was that the removal of the time restrictions is likely to result in the chalets, which come within the caravans, mobile homes and park homes category, being permanently occupied. National guidance indicates that such highly vulnerable uses should not be permitted on sites in Flood Zone 3a as this site is. The inspector also considered the predicted force, speed and depth of future flooding (hazard classification), and the single storey nature of the chalets but also the evacuation plan for the area. He concluded that the residents would be in considerable danger and there would be a risk to the emergency services were they obliged to attempt a rescue. The appeal inspector did not want to increase the danger to human life by extending the occupancy period.

The appeal was dismissed.

Lakeminster Park, Hull Road, Beverly - Proposal for permanent residential use dismissed:

An appeal for retrospective planning permission to change the use of 73 existing park homes for permanent residential use was dismissed and enforcement appeals quashed. It was found that there was residential use of 70 of the 88 units on the site. The Appeal Inspector concluded the park home development does not result in an overall net positive contribution to economic, social and environmental gains. Therefore, it was not a sustainable form of development and there was no presumption in its favour. In addition, the Park home development is not in accordance with the spatial strategy of the development plan.

The appeal inspector considered human rights issues as dismissal of the appeal would have a direct impact on the ability of the residents to live in their homes. He explained that interference would be in accordance with the law, provided that planning policy was lawfully applied and in pursuit of a legitimate aim of the economic well being of the country, which encompasses the protection of the environment through regulating land use. The inspector concluded that the interference with the residents rights would be justified and would strike a fair balance and that dismissing the appeals would not result in a violation of their rights under Article 8.

MONITORING

Monitoring took place in 2014 and 2015. Officers monitored the holiday parks and their individual sites below for evidence of occupancy, e.g. lights and/or TVs on. This exercise was to gauge the broad level of breach of planning controls to inform this report. Further monitoring will continue to be undertaken to inform any enforcement action that might be pursued in relation to suspected breaches.

Table 1. The number of occupancy breaches found in 9 holiday parks in the district.

Holiday Park	Units in potential breach of occupancy conditions 2014	Units in potential breach of occupancy conditions 2015
Bel Air Chalet Park	24 breaches	20 breaches
Brightlingsea Haven	3 breaches	Not monitored
Clear Springs, Dovercourt	11 breaches	8 breaches
Great Bentley Country Park	1 breach	Not Monitored
Homestead Caravan Park	0 breaches	0 breaches
Orchards Holiday Park	11breaches	7 breaches
Point Clear Bay	46 breaches	52 breaches
Seawick Holiday Village	9 breaches	2 breaches
St. Osyth Beach	3 breaches	0 breaches

Holiday Park		
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Of the 9 Caravan and Chalet parks monitored (Table 1), the highest number of breaches of occupancy conditions were at Bel Air, Clear Springs and Point Clear Bay. The breaches may indicate that the units were being used as holiday accommodation outside the permitted periods or they may indicate that the units are being used as permanent residential accommodation.

PROPOSED ENFORCEMENT ACTION

Given the high number of potential breaches and their location in Flood Zone 3 it is recommended that enforcement action is prioritised at Point Clear Bay, Bel Air, and Clear Springs. A number of these properties are also close to immunity from enforcement action.

POINT CLEAR BAY

This site consists of buildings owned by individuals and no site operator. The site gained permission under TEN/119/59. There are however presently a wide variety of occupancy conditions within this site and although a number of dwellings have obtained permanent residence due to planning history, this site is not suitable for permanent residential use. Due to the evidence concerning flood risk to this area for example, the maximum flood depth would be between 1.5m to 3m across the site (Fig 1, Appendix 1), the Hazard Rating would be Extreme (Fig 2, Appendix 1) and in the event of a breach inundate in 15 minutes (Table 1(b) in Appendix 1), an application for permanent residence would not outweigh flood risk as shown in the recent appeal for 117 Colne Way, Point Clear Bay (see above).

BEL AIR

This site consists of chalets that gained planning permission under TEN/5/60. The site is now owned by Goldenbell Limited, London with individual chalets being leased and a number freehold. The majority of the site has permission (TEN/1352/87) for an occupancy period of 1 March to 31 October, at weekends from noon on Friday until noon on Monday, and during any period of 10 consecutive days which shall include Christmas Day and New Years Day. There are a number of variations of occupancy conditions within the site. The site is located in Flood Zone 3, the maximum flood depth would be between 0.5-1.5 metres (Table 1b, Appendix 1)

CLEAR SPRINGS

This site consists of chalets that gained permission under HAR 74/64. The site was managed by Clear Springs Chalet Management Limited and the current status of the business is liquidation. An appeal was dismissed in 2000 (00/00023/REFUSE) for the relaxation of condition 5 of TEN/94/1532 to allow permanent occupation of chalets for a trial period of twelve months. The appeal inspector concluded that even though the appeal proposal was for a trial period of twelve months only, it would be likely to eventually lead to a permanent loss of holiday accommodation. The site currently has planning permission (07/01151/FUL) for an occupancy period of 10½ months. The site is located in Flood Zone 3 apart from two chalets that are located in Flood Zone 1. The maximum flood depth would be between 1.0 – 1.5 metres (Table 1b, Appendix 1) and the hazard rating ranges from moderate to extreme (Table 1b, Appendix 1).

OPTIONS

The options that have been considered in coming to the recommendations are:

1 Do nothing:

The breaches of planning controls that have been identified are considered to be of a serious nature as they result in development occurring in inappropriate locations and having the potential to cause serious risk to public health and safety. Doing nothing in relation to the breaches is therefore not an appropriate response, even by acknowledging certain rights enjoy protection under the Human Rights Act 1998, interference can be justified if pursuing a legitimate aim.

2 Breach of condition notices:

Breach of condition notices (BCN) can be served on developers or occupiers when they do not comply with conditions imposed on a planning permission. If they do not comply with the requirements of the BCN legal action can be taken. BCN notices were served on properties in Point Clear Bay in 2012 and the owners of Bel Air were prosecuted and fined in 2011 for non-compliance with a BCN's. However, although there was a financial penalty, this action has not resulted in compliance with the notices.

3 Planning Enforcement notices:

Enforcement notices can be served where the Council is satisfied that there has been a breach of planning control and that it is appropriate to take action. The notice sets out steps that must be taken and the time period for compliance. There is a right of appeal against enforcement notices and once an appeal is lodged the action is suspended until the appeal is concluded. This approach therefore allows the alleged breaches and the enforcement actions of the Council to be considered by an independent inspector before anyone affected by a notice has to take action to remedy the alleged breach, if an appeal is lodged.

It is considered that service of planning enforcement notices is proportionate with the breaches that are occurring and is necessary and appropriate in this case, because subsequent appeals enable independent consideration of the cases, including Human Rights considerations. This is reflected in the recommendations to committee.

BACKGROUND PAPERS FOR THE DECISION

- Report to Cabinet (13 December 2013)
- Report to Cabinet (13 June 2014)
- Report to Local Plan Committee (21 October 2014)
- Report to Planning Committee (9 December 2014)

TABLES, FIGURES & APPENDICES

MAIN REPORT

- Table 1 – A table to show the number of occupancy breaches found in 9 holiday parks in the district

Appendix One

- Table 1 (a) Flood Hazard Classifications
- Table 1 (b). Site by site summary of flood zones, flood type, flood hazard rating, flood depth and time until total inundation.
- Fig 1. A map to show the maximum depth of flood waters in the event of a breach for the Point Clear Bay and Brightlingsea area (Tendring District SFRA Final Report 2009).
- Fig 2. A map to show the hazard rating from a breach inundation for the Point Clear Bay and Brightlingsea Area (Tendring District SFRA Final Report 2009).

Appendix 1

The table below is taken from the Flood Risk the Defra guidance Flood Risk to People⁸, flood hazard is calculated as a function of both the velocity of flood water and the depth. This is referenced to a level of risk based on the categories shown in Table 1 (a). The hazard maps (Fig 2 and 3) are based on this classification.

Table 1 (a) Flood Hazard Classifications

Hazard Classification $D \times (v + 0.5)$	Degree of Flood Hazard	Description
<0.75	Low	Caution "Flood zone with shallow flowing water or deep standing water"
0.75 – 1.25	Moderate	Dangerous for some (i.e. children) "Danger: Flood zone with deep or fast flowing water"
1.25 – 2.5	Significant	Dangerous for most people "Danger: Flood zone with deep, fast flowing water"
>2.5	Extreme	Dangerous for all "Extreme danger: Flood zone with deep, fast flowing water"

Of the 44 caravan and chalet parks there are in the district, 25 are located within flood zones. The table below shows which flood zone, flood type and hazard rating each caravan park is classified under. The hazard rating definitions can be found in Table 1(a).

Table 1 (b). Site by site summary of flood zones, flood type, flood hazard rating, flood depth and time until total inundation.

Site	Flood Zone	Flood type	Hazard rating from breach inundation (2007 0.5% AEP Event (1 in 200 year)) & Maximum flood depth (m) & Time for flooding to reach the site	Hazard Rating from Breach Inundation with Climate Change (2107 0.5% AEP Event (1 in 200 year)) & Maximum Flood Depth (m) & Time for flooding to reach the site
Bel Air Holiday park	FZ3	Tidal	Significant	Significant/Extreme
			0.5-1.5	1.0-2.0
			1hr75	No Data
Bentley Country park	Parts of site in FZ1, FZ2 and FZ3	Tidal and Fluvial	No data	No Data
			No data	No data
			No data	No data
Brightlingsea Haven Leisure Park	FZ3	Tidal and Fluvial	Moderate/Significant/Extreme	Extreme
			0.5-1.0	1.0-2.5
			2hr75	2hrs
Castle Hill Park (Residential)	Half the site in FZ 2 & 3, Half in FZ1	Fluvial (Picker's Ditch)	No data	No data
			No data	No data
			No data	No data
Clear Springs	Majority of site in FZ 3	Tidal	Part of the site low and part medium	Majority High
			0.0-1.0	1.0-1.5
			No Data	No Data
Dovercourt Haven Caravan Park	FZ3	Tidal	Part of the site low, part medium and part high	High
			1.0	1.0-1.5
			No Data	No Data
Fletchers Caravan Site	FZ 3	Tidal	Extreme	Extreme
			2.0-3.0	2.0-3.0
			30 mins	1hr30
Greenacres Caravan Park	FZ3	Tidal	Majority high, part medium	High
			1.0-1.5	1.0-1.5
			No Data	No Data
Greenlawns (Residential)	Part of the site in FZ2 & FZ3. Part of the site in FZ 1.	Fluvial	No Data	No Data
			No Data	No Data
			No Data	No Data

Hutleys Caravan Park	FZ3	Tidal	Significant	Significant
			1.0-1.5	0.5-1.5
			1hr75	No Data
Lakeside Caravan Park	FZ3	Tidal/Fluvial	Moderate to Extreme	Extreme
			0.5-2.0	0.5-2.0
			3hrs	2hrs
Lee over Sands	FZ3/3b	Tidal	Significant/Extreme	Significant/Extreme
			2.0-3.5	2.0-3.5
			1hr	No Data
Martello Beach Holiday Park	FZ3	Tidal	Significant/Extreme	Extreme
			2.0-3.0	2.0-3.0
			1hr75	No Data
Martello Caravan Park	Part of the site in FZ2 & FZ3	Tidal/Fluvial	No Effect from Breach	No Effect from Breach
			n/a	n/a
			n/a	n/a
Naze Marine Holiday Park	FZ3	Tidal	Extreme	Extreme
			1.0-3.0	2.0-3.0
			2hr15	1hr30
New Hall Lodge Park	FZ3 and part in FZ1	Tidal	Part Low	Part Medium, part High
			0.5-1.0	0.5-2.0
			No Data	No Data
Orchard Holiday park	FZ3	Tidal	Extreme	Extreme
			2.0-3.0	2.0-3.0
			15-30 minutes	1hr15
Pretoria Caravan Park	FZ3	Tidal	Extreme	Extreme
			2.0-3.0	2.0-3.0
			30 mins	1hr45
Point Clear Bay Estate	FZ3	Tidal	Extreme	Extreme
			1.0-3.0	1.0-3.0
			15mins	1hr
Seawick Holiday Village	FZ3	Tidal	Significant	Moderate/Significant
			0.5-1.5	0.5-1.0
			1hr75	No Data
Shore Farm Caravan Park	Part of the site in FZ2 & FZ3	Tidal	No Data	No Data
			No Data	No Data
			No Data	No Data
St. Osyth Beach Holiday Park	FZ3	Tidal	Significant	Moderate/Significant
			1.0-1.5	1.0-1.5
			1hr75	No Data
Valley Farm Caravan Park	Over half the site in FZ1, part of the site in FZ2 and FZ3	Fluvial	No Data	No Data
			No Data	No Data
			No Data	No Data

Weeley Bridge Holiday Park	Part of the site in FZ2 & FZ3	Fluvial	No Data	No Data
			No Data	No Data
			No Data	No Data
Willows Caravan Park	Over half of the site in FZ2 and FZ3	Tidal	Part Extreme	No rating
			1.0-1.5	n/a
			3hrs	2hrs25
Wrabness Foreshore	Flood zones 1,2 and 3	Tidal	No Data	No Data
			No Data	No Data
			No Data	No Data

Note: The above table shows hazard rating from a breach. Surge overtopping presents a Significant to Extreme risk in areas such as Bel-Air, Seawick Holiday Village, Hutleys Caravan Park, St. Osyth Beach Holiday Park and Martello Beach Holiday Park and an extreme risk to Lee Over Sands with depths reaching up to 2.5metres. The EA have flood warning publications informing the public that six inches (15.24cms) can knock you off your feet, two feet (60.26cms) can float a car.

Table 1b is based on information gathered from the EA and the Tendring District SFRA Final Report 2009 which will both contribute to inform the suggested approach to future planning applications on a site by site basis depending on which Flood Zone they are located in the acceptable uses for those areas according to National Policy.

Fig 1. A map to show the maximum depth of flood waters in the event of a breach for the Point Clear Bay and Brightlingsea area (Tendring District SFRA Final Report 2009).

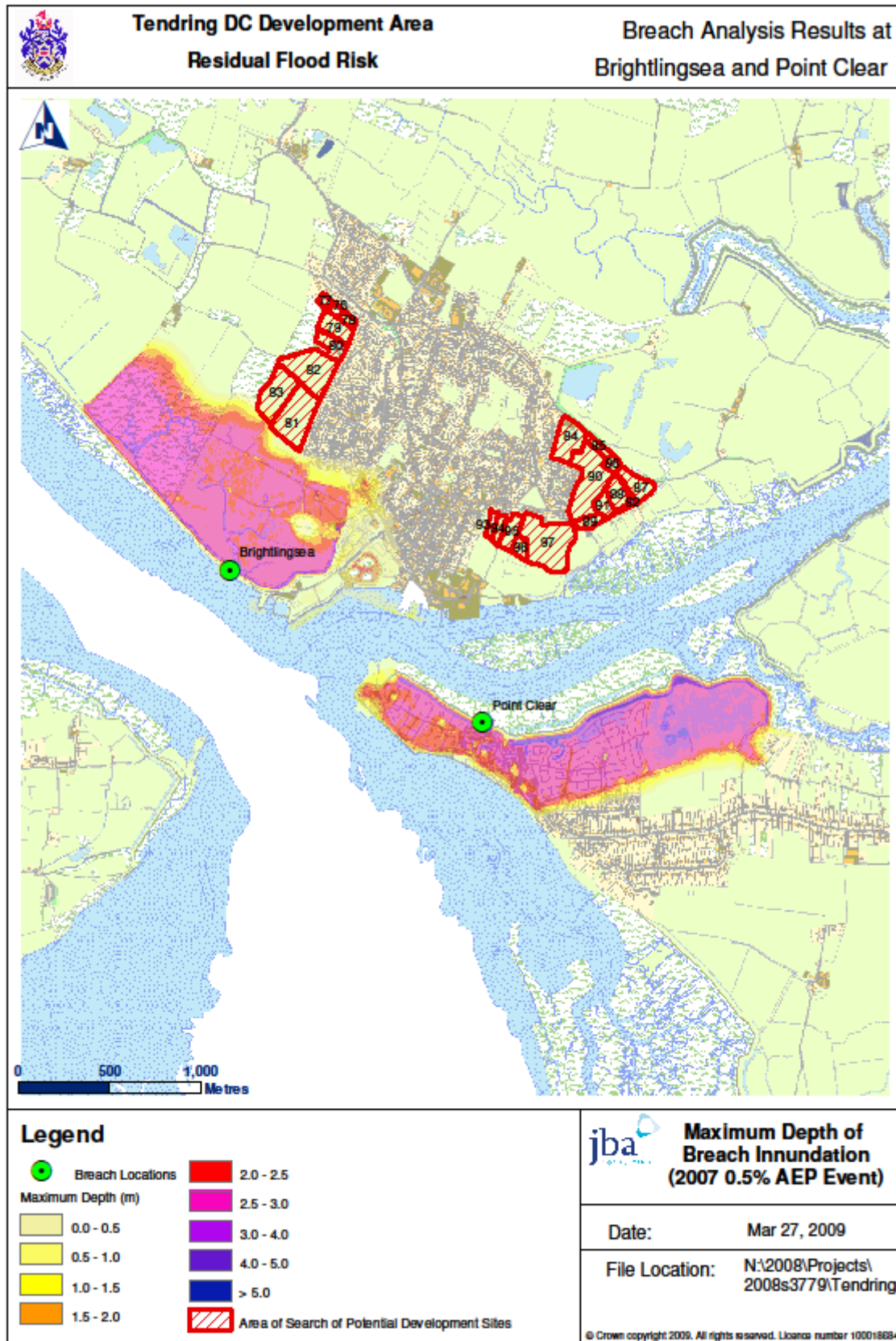


Fig 2. A map to show the hazard rating from a breach inundation for the Point Clear Bay and Brightlingsea Area (Tendring District SFRA Final Report 2009).

