



# PLANNING POLICY AND LOCAL PLAN COMMITTEE

# AGENDA

<b>DATE:</b>	<b>Monday, 23 January 2023</b>
<b>TIME:</b>	<b>6.00 pm</b>
<b>VENUE:</b>	<b>Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE</b>

**MEMBERSHIP:**

**Councillor Turner (Chairman)**  
**Councillor Fairley (Vice-Chairman)**  
**Councillor Allen**  
**Councillor Bush**  
**Councillor Chapman BEM**

**Councillor Chittock**  
**Councillor Fowler**  
**Councillor Nash**  
**Councillor Winfield**

Most Council meetings are open to the public and press. The space for the public and press will be made available on a first come first served basis. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting. Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for up to 24 months (the Council retains one full year of recordings and the relevant proportion of the current Municipal Year). The Council will seek to avoid/minimise footage of members of the public in attendance at, or participating in, the meeting. In addition, the Council is obliged by law to allow members of the public to take photographs, film, audio record and report on the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact Ian Ford Email: [iford@tendringdc.gov.uk](mailto:iford@tendringdc.gov.uk) or Telephone on 01255 686584.

DATE OF PUBLICATION: Tuesday, 10 January 2023

## **AGENDA**

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 12)**

To confirm and sign as a correct record, the minutes of the meeting of the Committee, held on Monday 10 October 2022.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

### **4 Questions on Notice pursuant to Council Procedure Rule 38**

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

### **5 Public Speaking (Pages 13 - 16)**

The Council's Public Speaking Scheme for the Planning Policy & Local Plan Committee gives the opportunity for members of the public and other interested parties/stakeholders to speak to the Council's elected members on that Committee on any specific agenda item to be considered at that public meeting.

### **6 Report of Director (Planning) - A.1 - Local Development Scheme 2023 - 2027 (Pages 17 - 42)**

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' to update the proposed timetable for preparing planning documents including the Local Plan Review and the Development Plan Document for the Tendring Colchester Borders Garden Community.

### **7 Report of Director (Planning) - A.2 - Jaywick Sands Place Plan Consultation Report (Pages 43 - 68)**

To seek the Planning Policy and Local Plan Committee's comments on the initial consultation in relation to the Jaywick Sands Place Plan, which will inform the preparation of a first proper version of the Place Plan for further consultation and adoption as a Supplementary Planning Document.

### **8 Report of Director (Planning) - A.3 - Jaywick Sands Design Guide Supplementary Planning Document (Pages 69 - 144)**

To seek the Planning Policy and Local Plan Committee's comments on the Jaywick Sands Design Guide Supplementary Planning Document Draft April 2022 consultation exercise.

To seek the Committee's approval to recommend to Cabinet that the document is adopted with the proposed alterations.

**9      Report of Director (Planning) - A.4 - Conservation Area Character Appraisal and Management Plan: Brightlingsea Hall and All Saints Church (Pages 145 - 194)**

To report to Planning Policy and Local Plan Committee the Brightlingsea Hall and All Saints Church Conservation Area Appraisal and Management Plan prepared for the Council by Essex Place Services, and for the Committee to agree a recommendation to Cabinet that this be published for consultation.



### **Date of the Next Meeting**

*The next meeting of the Planning Policy and Local Plan Committee will be held on a date to be determined by the Chairman in due course.*

## **Information for Visitors**

### **FIRE EVACUATION PROCEDURE**

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the room and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN  
COMMITTEE,  
HELD ON MONDAY, 10TH OCTOBER, 2022 AT 6.01 PM  
IN THE COMMITTEE ROOM , TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Turner (Chairman), Allen, Bush, Chapman BEM, Chittock, Davidson, Harris and Winfield
<b>Also Present:</b>	Councillors Coley (except item 23) and White (Chairman of the Planning Committee)
<b>In Attendance:</b>	Gary Guiver (Acting Director (Planning)), Ian Ford (Committee Services Manager) and Mark Wilson (Development Technician - Technical)

**17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillor Fowler (with Councillor Davidson substituting) and Councillor Fairley (with Councillor Harris substituting).

**18. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 31 May 2022 be approved as a correct record and signed by the Chairman.

**19. DECLARATIONS OF INTEREST**

In relation to Agenda Item 7 – Report of Acting Director (Planning) – A.2 – Conservation Area Character Appraisal and Management Plans, Councillor Bush declared for the public record that he was both the Ward Councillor for The Oakleys and Wix Ward and a member of Great Oakley Parish Council.

**20. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

Councillor Coley had submitted the following question on notice pursuant to Council Procedure Rule 38 in relation to directional signs and advertising boards for planning developments:-

*“Would it result in a greater level of general compliance if Planning Officers drew all developers’ attention to their legal requirements regarding the placing of advertising signs etc., and make compliance with all aspects of these regulations standard Planning Conditions?”*

*The Secretary of State can suspend or remove permanently, Deemed Consent, in a particular area, on a request from a Local Authority. Should TDC not consider such an application in respect of sensitive conservation areas at least?”*

Context supplied by Councillor Coley to his Question

“At the end of July this year, Mistley Parish Council asked my opinion concerning yellow Directional Advertising Signs, which had been placed by a large Housing Developer, on

a Parish Council owned green space, affixed to a light standard, a few feet from a War Memorial, in a Conservation Area, directly opposite a Grade One Listed Monument.

I advised the Parish Council to carefully remove the signs and return them to the owning developers. The Parish Council notified the developer of their actions and asked where the signs should be delivered. This resulted in the developer aggressively threatening the Parish Council with legal action and claims for compensation. To say that I was enraged is an understatement in the extreme. I have taken the developer to task over this.

I was since advised by our Planning Department, that the yellow directional arrow signs that were placed around the area would potentially have had 'deemed consent', under Section 11 of the Advert Consent Legislation set out by the government. Except that the developers missed key points, which means the Parish or District Councils would be able to remove them, quite legally.

It seems that although developers have legal obligations regarding these signs they never comply with the requirements and our Council never bothers to ensure compliance. See below:

Class 11: directional advertisements:

Permits housebuilding firms to put up temporary directional signs, telling potential house buyers and other visitors how to reach a site where new residential development is taking place. The rules for Class 11 are:

- Signs must not exceed 0.15 of a square metre in area
- No sign may exceed 4.6 metres above ground level, or 3.6 metres in an Area of Special Control of advertisements
- Any lettering or other information on the sign must not be less than 40 millimetres or more than 250 millimetres high
- Retroflective material and illumination must not be used
- The sign must not look like an official traffic sign
- The sign must be near to, but not on, highway land and not within 50 metres of an official traffic sign facing in the same direction
- No sign may be more than two miles from the main entrance to the housebuilding site
- 14 days before any sign is put up, the local planning authority must be told where it is to be displayed and from what date
- No sign may continue to be displayed after development of the housebuilding site is completed; or for more than two years.

I have noted that many of these directional advertising signs have been in place for over 4 years. I have found that some are more than 5 miles from the relevant development site.

Another common and casual breach by developers is the erection of huge advertising boards and flagpoles. These require planning consent, but it seems rarely are these applied for and as a Council, we take no action unless a Member actually complains. Then a cosy chat with the developer results in a belated, begrudged and retrospective planning application being submitted.

I have two of these live applications in my Ward currently. One for 18 flagpoles and two huge illuminated advertising boards on a site building 485 homes. The other for 10 flagpoles and two huge advertising boards on a site building 235 homes.

The Town and Country Planning (Control of Advertisements) Regulations 2007, Class 7(B) permits the display of advertising flags at housebuilding sites and where new houses remain available for sale.

The 7(B) Rules state that:

- Each flag must be on a single vertical flagstaff
- A site where 10 houses or less are built, may have one flag.
- A site where 11 to 100 houses are to be built, may have two flags
- A site where over 100 houses are to be built, may have three flags.
- The flagstaffs may not exceed 4.6 metres in height.
- The flags must not exceed 2 square metres in area.
- The flags and flagstaffs must be removed at the end of one year after the last dwelling has been completed.

So why are these applications not routinely refused by Planning Officers?

Members, you may think that this is a minor issue and hardly worth your consideration. However, I liken this to the 'Broken Window Syndrome'.

"The broken windows theory is a criminological theory that states that visible signs of crime, anti-social behaviour, and civil disorder create an urban environment that encourages further crime and disorder, including more serious crimes."

The analogy is that unless you concern yourselves with the minor transgressions, then the offender considers you to be a soft touch, lacking the will or determination to ensure compliance with more serious transgressions. This leads to a casual and persistent failure to comply with legal obligations.

In our Ward, we have battled with developers consistently breaching numerous and various planning rules and obligations over the last four years. Seemingly, because they know they can.

Our Ward is undergoing a huge amount of housing development and will do over the next eight to ten years. There are several developers involved in these works. Signs, hoardings, flags and direction boards are invading every open space.

In almost all cases these signs and flags have been erected without compliance with any of the legal requirements. If the impression given by this Council is that we don't care, then why should any of the developers care, about any compliance?"

The Chairman of the Planning Policy & Local Plan Committee (Councillor Turner) replied as follows:-

*"The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and Circular 03/07: Town and Country Planning (Control of Advertisements) (England) Regulations 2007 detail the advert regulations. On this basis deemed consent is available across the District for adverts and this includes those available to*

developers who may wish to advertise the routes to get to their site and on-site advertising of their development.

*In respect of question 1. Failure to comply with the requirements of the advertisement regulations can be reported to our enforcement team for them to investigate. This would include enforcement of the 5 standard conditions under said regulations that would apply in all cases. In summary, these refer to ownership, endangerment of the highway, visual amenity, maintained in condition not to endanger the public, and restoration of sites. Making developers more aware of advert regulations when dealing with planning applications for other development maybe helpful to applicants/developers, perhaps as further informative notes. Further awareness could be a consideration for the future web site review and pre application discussions. It would not be reasonable or possible to condition adverts when they are not part of the proposal before the Local Planning Authority to consider and/or not part of the application site to reasonably control in some cases.*

*However, it is often a need to control construction management of a development site to protect amenity and this may include understanding routing options for construction development. It may be possible to add to the standard condition for said management for the inclusion of directional signs and that may be reasonable.*

*In respect of question 2. The Secretary of State can restrict deemed consent for adverts in an area. Government guidance is available on this point, but in summary: "it must be clear that one or more of the deemed consent provisions has had such adverse effects on the amenity or public safety of the area that there is no prospect of an improvement in the quality of advertising in the locality, unless the local planning authority are given the power to control that particular type of advertisement." Accordingly, it is unlikely that blanket restriction would be successful and evidence for certain areas in these terms would be needed. Historic interests in respect of Conservation Areas are not a specific criteria in this matter, but it is noted conservation areas already means adverts are restricted in those areas. In addition, the Secretary of State must publicise a local planning authority's proposal for any restriction, allow an opportunity for representations to be made and taken into account. This may result in publication of the proposal and a public hearing to examine the proposal and any representations. If successful, the details of the direction must be published and those owners / occupiers displaying advertisements which are affected by the direction in the area(s) must be notified. Accordingly, there is a process for such request, but resource, evidence and reasonable justification would be required to seek such a restriction and such evidence is not considered to be available at this time.*

*In summary therefore:-*

*Q1: Making developers more aware of advert regulations when dealing with planning applications for other development maybe helpful to applicants/developers, perhaps as further informative notes. Further awareness could be a consideration of the future web site review and pre-application discussions. It would not be reasonable or possible to condition adverts when they are not part of the proposal before the Local Planning Authority to consider and/or not part of the application site to reasonably control in some cases.*

*Q2: The Secretary of State can restrict deemed consent for adverts in an area. Government guidance is available on this point, but in summary "it must be clear that*

*one or more of the deemed consent provisions has had such adverse effects on the amenity or public safety of the area that there is no prospect of an improvement in the quality of advertising in the locality, unless the local planning authority are given the power to control that particular type of advertisement.” There is a process for such request, but evidence and reasonable justification would be required to seek such a restriction and such evidence is not considered to be available at this time.”*

With the permission of the Chairman, Councillor Coley then asked a supplementary question in which he sought clarification of the advice given in answer to Question 1 and specifically with regards to enforcement.

The Acting Director (Planning) then responded to that supplementary question.

## **21. PUBLIC SPEAKING**

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question regarding the matters contained in the reports of the Acting Director (Planning).

Bill Marshall made a statement regarding the matters contained in report item A.1 – Updated Housing Supply Position and Housing Trajectory (Agenda Item 6). He felt that small to medium sized developers were concerned that, since the adoption of the new Local Plan (Section 2) and the greater level of control, that it had given to this Council, the pipeline of small development sites that might be of interest to local builders had been stifled and proposals such as the Fox Street (Ardleigh) Deliverable Residents' Proposal Plan had been hindered.

The Acting Director (Planning (Gary Guiver) responded to Mr Marshall's points during his oral presentation of item A.1 of his report.

## **22. REPORT OF ACTING DIRECTOR (PLANNING) - A.1 - UPDATED HOUSING SUPPLY POSITION AND HOUSING TRAJECTORY**

The Committee gave consideration to a report of the Acting Director (Planning) (A.1) which reported to it:-

- the number of new homes built in Tendring during the 2021/22 financial year and the up-dated year-by-year 'trajectory' for future housebuilding; and
- the current housing land supply position (the 'five-year' supply).

### **Key Points**

It was reported that 777 (net) new homes had been built in the 2021/22 financial year, which meant that the annual housing requirement of 550 homes a year in the Local Plan had been achieved for the sixth year running. More homes had been completed in 2021/22 than had been expected in last year's housing trajectory.

Members were informed that there was sufficient land allocated for housing development in the adopted Local Plan, along with sites that already had planning

permission, to comfortably achieve the District's housing requirement up to 2033 without the need to consider the release of additional sites.

The Committee was advised that the Council could demonstrate a **6.89 year supply** of deliverable housing sites against the Government requirement to demonstrate a 5 year supply. This meant that the Council remained in a strong position to resist speculative and unwanted housing developments that fell outside of the settlement development boundaries of the Local Plan unless there were material benefits that might exceptionally justify a departure from Local Plan policy.

#### Housing Requirement

Members were aware that Section 1 of the Local Plan set out the 'objectively assessed housing need' (OAN) for Tendring of 550 homes a year, and the housing requirement for the period of the Local Plan 2013-2033 was therefore 11,000 homes. With approximately 5,000 homes already built between 2013 and 2022, the remaining requirement between now and 2033 stood at approximately 6,000 and the historic shortfall in housing delivery had now been addressed.

#### Housing Completions and Future Trajectory

It was reported that Officers had updated the Council's 'Strategic Housing Land Availability Assessment' (SHLAA) which contained a trajectory for future housing building up to 2033. Information from developers as well as officers' own monitoring of building sites had informed the forecast for the coming years.

#### Five Year Housing Supply and Decision Making

The Committee was reminded that the Government required Councils to demonstrate an ongoing 'five year supply' of deliverable housing sites to ensure that they were well placed to meet their future housing needs. Following the adoption of Section 1 of the Local Plan in January 2021, the Council's local housing need had been confirmed as 550 homes per year.

Taking into account the future trajectory set out in the SHLAA, the Council can demonstrate a 6.89 years supply of deliverable housing sites. Around 4,000 homes were expected to be built within the five years 2022/23 – 2026/27, against a five year requirement of approximately 2,900 homes.

Having considered and discussed all of the information contained in the Officer report (A.1):-

It was moved by Councillor Turner, seconded by Councillor Chittock and:-

**RESOLVED** that the Planning Policy and Local Plan Committee both endorses the contents of this report and notes that the new Strategic Housing Land Availability Assessment demonstrates an up-to-date housing land supply position for the purposes of determining planning applications and contesting planning appeals.

### **23. REPORT OF ACTING DIRECTOR (PLANNING) - A.2 - CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS**



Earlier on in the meeting, as reported under Minute 19 above, Councillor Bush had declared for the public record that he was both the Ward Councillor for The Oakleys and Wix Ward and a member of Great Oakley Parish Council.

The Committee gave consideration to a comprehensive report of the Acting Director (Planning) (A.2) which reported to it the third tranche of 'Conservation Area Appraisal and Management Plans' prepared for the Council by Essex Place Services, and requested that the Committee agreed a recommendation to Cabinet that they be published for consultation purposes.

Members were presented with the next two draft Conservation Area Appraisals, namely:-

Great Oakley Conservation Area; and  
Kirby-le-Soken Conservation Area.

#### Alterations to Boundaries

After a detailed assessment, the boundary of the Great Oakley Conservation Area would remain unchanged.

For Kirby-le-Soken minor changes to the boundary were recommended.

Additions: The Conservation Area boundary should include the gardens of the properties within the Conservation Area. They formed the domestic curtilage and contribute to the understanding of land use, layout and an indication of the area's development.

It was recommended to include the Oxborrows Yard, Maltings Lane. The site had historically been a service yard as noted on the Tithe Apportionment (1841). Therefore, it was considered to contribute to the Conservation Area's historic development and character. The site had been formerly occupied by Oxborrow Engineering but at the time of the assessment was vacant. The Oxborrow Family, Blacksmiths and Engineers, had a long-standing association with Kirby-le-Soken and Tendring dating from 1812. The early nineteenth century forge had been demolished for residential development in 2004. The property was visible from within the Conservation Area and was an attractive nineteenth century industrial building, unique within the area, contributing to local character and appearance.

Reductions: It was proposed to remove the back land development behind Number 44-64 The Street as it undermined, and was inconsistent, with the historic grain of development. The development was of a low scale, however, it was visible in the skygaps between the properties fronting The Street; this detracted from appreciation of Kirby-le-Soken as an isolated settlement. The quality of the development did not positively respond to the character and appearance of the Conservation Area.

#### Designated Heritage Assets

The appraisals made note of the listed buildings, scheduled monuments and registered parks and gardens in each Conservation Area.

#### Proposed Non-designated heritage assets

Those buildings had been identified as they were either considered to be good examples of their type or architectural style; were prominent local landmarks, demonstrated use of local materials or design features, or were connected to local historical events, activities or people, and were all relatively complete in their survival.

At Great Oakley these were:

- The Three Cups, High Street
- Mill House Cottages (2 – 5 High Street)
- Cambria House, High Street
- Apple Tree Cottage and No. 2, High Street
- Pillbox outside Apple Tree Cottage, High Street
- Romaric, Queen Street
- The Maybush Inn, Farm Road

For Kirby-le-Soken these were:

Number 57, The Street was a one and a half storey weather-boarded dwelling with a slate roof. The property sat perpendicular to the road, gable ended with decorative barge boards and a finial painted white. There was a single storey porch entrance to the east elevation and a lean to on the west elevation, both covered in red clay pantiles. There was a slender red brick chimney to the rear. The small scale and attractive detailing made it a noticeable dwelling within the street scene. The property did have a larger modern extension to the rear, however, this did not visibly detract from the original scale and historic core of the property.

Waterloo House (Number 34, The Street) was a large, detached and double piled dwelling of two-storeys and rendered elevation. The frontmost pile sat under a slate roof and the rear was covered in red clay tiles. It was one of the larger dwellings running parallel to The Street, making it a visually prominent within the streetscene. The single storey outbuilding to the west of the property was present of the first edition Ordnance Survey map (1897) and could be contemporary with the principal dwelling. The first floor had six over six sash windows; the windows to the ground floor windows and central entrance appeared to be modern alterations.

#### Heritage at Risk

Neither of the Conservation Areas contrailed buildings or structures at risk. The Conservation Areas themselves were also not at risk.

#### Archaeology

Throughout those Conservation Areas there was the potential for a multitude of below-ground heritage assets yet to be discovered. In general, the appraisals promoted a cautious approach to development which might disturb or destroy those assets.

#### Assessment of significance

A detailed assessment of significance of each of the Conservation Areas had been carried out. Many of the Conservation Areas were split into distinct character areas. Each assessment considered the following features:

- Layout
- Building materials and boundary treatments
- Listed buildings and non-designated heritage assets
- Other buildings
- Landscaping and open spaces
- Views

#### Opportunities for Enhancement

This section of each appraisal identified the issues facing the Conservation Areas which had been reviewed. A large number of the issues were common to all Conservation Areas, but where they were unique, that had also been highlighted, such as:

- *Both of the Conservation Areas could benefit from enhancement to car parking including planting trees and a review of hard landscaping to ensure its historic appropriateness.*
- *For both areas, on-street parking detracted from the historic character of the Conservation Area.*
- *Kirby suffered from empty properties which could have a detrimental impact on the character of a place over time.*
- *Both Conservation Areas suffered from the loss of, or inappropriate use of, architectural detailing such as UPVC windows and doors, rainwater goods and external paintwork.*
- *In the Conservation Areas modern development usually resulted in a negative or neutral impact on the area as a whole.*
- *The Conservation Areas suffered from some poor maintenance of buildings.*

For Great Oakley a couple of specific issues had been highlighted namely:

A number of buildings within the Conservation Area had been fitted with solar panels on their roofs, including several modern buildings at the eastern end of the High Street. While solar panels were an important element in the move towards sustainable energy sources, they were a modern intervention which could be visually intrusive, introducing large expanses of dark, reflective surfaces onto the traditional roofscape of the Conservation Area which were at odds with its vernacular character and appearance. Some traditional roofscapes, such as thatched roofs and those on listed buildings, were unsuitable for solar panels. Generally, solar panels should be confined to rear roof slopes or secondary roof pitches which faced away from the main thoroughfares or placed on outbuildings, to reduce their impact on the character of the Conservation Area.

The Convenience Store at 9-10 High Street had suffered some unsympathetic alterations, most noticeably the overpainting of the red brick façade, leading to loss of historic detailing and lack of coherence with its neighbours. The large plastic signage blocked the lower part of one of the first floor windows, whilst the ground floor shop window was obscured with vinyl signage. Those features detracted from the character of the Conservation Area. Removal of the paint from the brickwork elevation, removal of the vinyl stickers and installation of a smaller painted timber sign would improve its appearance. This should be in line with the Essex County Council's Shopfront Guidance.

There was also an area-specific issue at Kirby-le-Soken:

The Red Lion Public House had a large, tarmacked car park to the side stretching to Maltings Lane. The large expanse of hardstanding did have an urbanising effect, which detracted from the rural character and appearance of the Conservation Area. There was an opportunity to soften the appearance of the carpark through the addition of boxed planters or a gravel surface. Any changes to the carpark, however, should not undermine the openness of this section of the Conservation Area.

### Management Proposals

As outlined above, there were a wide range of issues facing each of the Conservation Areas, many of which shared common themes. This section recommended management proposals which addressed those issues in both the short and long term.

- The preparation a Local Heritage List of non-designated heritage assets was suggested for both Conservation Areas.
- The Council was encouraged to use its enforcement powers to prevent inappropriate development within both of the Conservation Areas.
- Joint working between different Council departments to promote public realm improvements was also suggested.
- The monitoring of trees and additions to tree planting within public open space was recommended.
- Publishing guidance for homeowners and businesses in Conservation Areas could help owners identify appropriate alterations to their properties within Conservation Areas.
- The timely renewal of those Conservation Area Appraisals could help to monitor change within the Conservation Areas more accurately.
- Wayfinding could help with legibility.

### Funding Opportunities

- Heritage lottery fund
- S106 Agreements
- Partnership Schemes in Conservation Areas

At the invitation of the Chairman, Councillor White, present in his capacity as Chairman of the Planning Committee, spoke of his positive experience and involvement with the review of the St Osyth Conservation Area and he encouraged Councillor Bush and other relevant Members to fully engage in the consultations around their own, specific Conservation Areas.

The Chairman (Councillor Turner) then read out the following statement:-

*"I am pleased that this Committee and our Officers are progressing so well with the review of our Conservation Areas, with the rest to come by the end of this Municipal Year. I am also pleased that we have been able to write specifically to the properties in each of the respective areas to promote these important consultation activities.*

*Despite this, it strikes me from things I have seen both in my Ward and other areas, that there are still many residents and businesses with properties in our Conservation Areas who may be completely unaware of their location in an area of special architectural and historic character and the fact that there are certain responsibilities and controls placed upon them in respect of development, alterations and trees.*

*As we have demonstrated that it is possible to identify the properties that lie within each Conservation Area and we are aiming to have undertaken consultation in each of the 20 areas by the time our Council Tax bills go out in 2023, I would like to suggest to the Cabinet that we prepare a simple leaflet on Conservation Areas and their purpose and their implications and that this is printed in time to go out with the Council Tax Bill to all properties in those Conservation Areas. Communication and information is a key part of this Council's adopted Heritage Strategy and I think this leaflet will support the objectives of that strategy."*

Having considered and discussed all of the information and advice contained in the Officer report and its appendices:-

It was moved by Councillor Bush, seconded by Councillor Chapman BEM and:-

**RESOLVED** that the Planning Policy and Local Plan Committee:

1. endorses the new Conservation Area Appraisal and Management Plans for Great Oakley (Appendix 1) and Kirby-le-Soken (Appendix 2) Conservation Area;
2. recommends to Cabinet that the above documents (forming Appendices 1 and 2) be published for consultation with the public and other interested parties;
3. notes that Conservation Area Appraisal and Management Plans for the District's other un-reviewed Conservation Areas will be brought before the Committee in due course over the next 6 months; and
4. recommends to Cabinet that a leaflet be produced by Officers for the residents of properties in all of the District's Conservation Areas and areas proposed, through the Conservation Area reviews, to be included in the Conservation Areas. Such leaflet to inform residents, in basic terms, of the purpose, implications and controls in relation to Conservation area status; and that the leaflets be distributed to the relevant households in those areas with the 2023 Council Tax Bill.

The meeting was declared closed at 7.19 pm

**Chairman**

This page is intentionally left blank

# *Tendring* **District Council**



## **PUBLIC SPEAKING SCHEME – PLANNING POLICY & LOCAL PLAN COMMITTEE**

**JANUARY 2016**

### **GENERAL**

The Public Speaking Scheme ("the Scheme") is made pursuant to Council Procedure Rule 40 and gives the opportunity for a member of the public and other interested parties/stakeholders to speak to the Council's elected members on the Planning Policy & Local Plan Committee on any specific agenda item to be considered at that public meeting.

The Scheme covers both questions and statements to the Committee on a particular agenda item. Any individual wishing to speak must contact Committee Services (see details below).

### **NOTICE OF QUESTION**

If an individual wishes to ask a question, at the Planning Policy & Local Plan Committee meeting, prior notification of that question must be received. The principle is to provide the Chairman (or an Officer, if the Chairman decides appropriate) the ability to fully answer questions, which have been received in advance.

**Notice of a question is received by delivering it in writing or by email to Committee Services on [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk), by midday on Wednesday 18 January 2023.**

At the meeting, you will be given an opportunity to read out your question to the Committee and an answer will be provided. Supplementary questions are not permitted and there is no debate by the Committee at this stage.

### **STATEMENTS**

Advance notification of the content of a statement on specific agenda items is not required, but to assist the running of the agenda, notification of wishing to speak should

be given prior to the meeting. Please contact Committee Services (email [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk) or telephone 01255 686584).

## **NUMBER AND TIMING OF QUESTIONS**

At any Planning Policy & Local Plan Committee meeting an individual is limited to asking one question **or** making a statement per agenda item. On each agenda item, no public speaker may speak for longer than three minutes.

Consistent with the Council Procedure Rules, the time allocated for receiving and disposing of questions shall be a maximum 45 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, and published with the minutes of the meeting.

## **SCOPE OF STATEMENTS OR QUESTIONS**

**Please be straightforward and concise and keep your comments to the content of the agenda item. Please be courteous and do not make personal remarks. You may wish to come to the meeting with a written statement of exactly what you wish to say or read out, having checked beforehand that it will not overrun the three minutes allowed.**

Any question or statement which is not directly related to an agenda item for that meeting of the Committee will be rejected. For questions, any rejection will be communicated in advance of the meeting by Officers, and for statements made at the meeting, this will be confirmed by the Chairman.

The Council also reserves its right to reject questions or statements if in its opinion the content is defamatory, frivolous or offensive or requires the disclosure of confidential or exempt information.

## **PLANNING POLICY & LOCAL PLAN COMMITTEE MEMBERS & POINTS OF CLARIFICATION**

No public speaker can be questioned by the Committee however, through the Chairman, relevant points of clarification arising out of the public speaking can be requested at the specific agenda item, before the debate commences. Points of clarification can be given by Officers, with the Chairman's permission.

## **WHO DO I CONTACT FOR MORE INFORMATION**

The Council's website will help you access documents (web: [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk))

If you have a query with regard to public speaking, or wish to register to speak, please email [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk) or telephone 01255 686584.

If your query is in relation to the Local Plan, please contact:



Tendring District Council, Planning Services, Town Hall, Station Road, Clacton-on-Sea, Essex CO15 1SE Tel: 01255 686177 email: [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)

**Monitoring Officer, Tendring District Council, in consultation with Head of Planning and Chairman of the Planning Policy & Local Plan Committee**

**(Council Procedure Rule 40)**

**(January 2016)**

This page is intentionally left blank

## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JANUARY 2023

### REPORT OF THE DIRECTOR OF PLANNING

#### A.1 – LOCAL DEVELOPMENT SCHEME 2023-2027

(Report prepared by Paul Woods)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' (LDS) to update the proposed timetable for preparing planning documents including the Local Plan Review and the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community (TCBGC).

##### EXECUTIVE SUMMARY

The purpose of the Local Development Scheme (LDS) is to set out an indicative timetable for preparing key Planning documents. It is particularly useful for the public, partner organisations and third parties to understand the broad programme of work and how the Council proposes to resource and manage it.

The LDS covers the review of the Local Plan, the preparation and adoption of Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), and the production of other key planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to, and can therefore forward plan and organise their time and resources accordingly.

National policy requires a Local Plan to be reviewed within 5 years of its adoption. The timetable for reviewing our Local Plan begins in 2023, in order for each of the statutory stages (including Examination by a Planning Inspector) to be completed ready for adoption by January 2027. The indicative timetable for the TCBGC DPD has also been updated to reflect the most recent stages of work that have been completed and the anticipated timeframes of the next steps – with adoption of that document anticipated in the winter of 2023/24.

##### RECOMMENDATION

**That the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2023-2027 (attached as Appendix 1) for publication on the Council's website.**

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

Priorities within the Corporate Plan 2020-2024 include the Garden Community, having effective Planning policies and having a proactive Planning service. Having an up-to-date framework of Planning policies, other Planning documents and supplementary guidance in place is critical to achieving such priorities and the LDS is a requirement of Local Authorities to set out the timescales and resources required to achieve that.

### RESOURCES AND RISK

The Local Development Scheme (LDS) has been prepared by the Council's Officers in the Planning Policy Team within the agreed Local Plan Budget. The LDS itself identifies the resources required to progress the Local Plan Review and the Garden Community DPD. Without an up to date LDS containing a realistic timetable for reviewing the Local Plan and preparing other Planning documents, it will be difficult to ensure the Council makes the most efficient use of its resources.

The LDS itself contains an assessment that identifies the possible risks to delivering the Local Plan Review and other Planning documents on time and the likelihood and potential impact of these risks which include public opposition, the loss or turnover of Planning staff, a financial shortfall, changing political priorities and legal challenges.

### LEGAL

Every Local Planning Authority must prepare and maintain a Local Development Scheme (LDS) in accordance with section 15 of Planning and Compulsory Purchase Act 2004 (as amended). The LDS is the Council's rolling project plan (often covering a period of three years) for producing its Local Development Documents and sets out a timetable for their delivery.

The LDS must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The Local Development Scheme must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.

### OTHER IMPLICATIONS

**Area or Ward affected:** All wards.

**Consultation/Public Engagement:** The Local Development Scheme (LDS) sets out the anticipated timetable for public consultation on the Local Plan Update and other planning documents.

## PART 3 – SUPPORTING INFORMATION

### Background

The Local Development Scheme (LDS) is designed to set out the process for preparing key Planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption for the Local Plan Review and the Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD). Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to and can organise their time and resources accordingly. The LDS is usually updated to cover three-year cycles of Plan preparation.

Following the adoption of Section 1 of the Local Plan in January 2021 and Section 2 in January 2022, the main focus of the LDS is now the 5-year review of the Local Plan as well as the TCBGC DPD.

The review of the Local Plan will follow the same statutory process as the preparation of the Local Plan itself. A the provision timetable which covers the period 2023-2026 is proposed, enabling the updated Local Plan to be examined by a Planning Inspector and adopted before January 2027.

The timetable for the Garden Community DPD has also been updated, reflecting the stages that have now been completed to date and the revised timescale for the subsequent steps. With adoption of that document anticipated in the winter of 2023/24.

The LDS includes broad timescales for the following Supplementary Planning Documents and Neighbourhood Plans:

- Hartley Gardens SPD
- Jaywick Sands Design SPD
- Open Space SPD
- Climate Change SPD
- Elmstead Market Neighbourhood Plan and Neighbourhood Development Order
- Ardleigh Neighbourhood Plan
- Brightlingsea Neighbourhood Plan
- Community Infrastructure Levy (CIL) Charging Schedule

### APPENDICES

Appendix 1 – Local Development Scheme (LDS) 2023-2027.

This page is intentionally left blank



## **Local Development Scheme (LDS) 2023-2027**

January 2023

Table of Contents

1 Introduction ..... 3

2 Background..... 5

3 Documents to be Prepared ..... 6

4 Programme for Preparing Local Plan Documents ..... 8

5 Local Plan Evidence Base and Methodology ..... 11

6 Resources and Risk Assessment..... 17

7 Decision Making ..... 19

APPENDIX 1 - TCB GARDEN COMMUNITY..... 20



# 1 Introduction

- 1.1** A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (<http://www.legislation.gov.uk/ukpga/2011/20/section/111/enacted>) (as amended). This must specify (among other matters) the Development Plan Documents (i.e. Local Plans) which, once adopted, comprise part of the Development Plan for the area. Local Planning Authorities are encouraged to include details of other important documents that form (or will form) part of the Development Plan such as Neighbourhood Plans.
- 1.2** The Development Plan for an area comprises the combination of 'Strategic and Non-strategic Policies'. The NPPF requires that the Development Plan include strategic policies to address each Local Planning Authority's priorities for the development and use of land in its area.
- 1.3** Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period (in line with the presumption in favour of sustainable development). This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or nonstrategic policies).
- 1.4** These strategic policies can be produced in different ways, depending on the issues and opportunities facing each area. They can be contained in:
- a. joint or individual local plans, produced by authorities working together or independently (and which may also contain non-strategic policies); and/or
  - b. a spatial development strategy produced by an elected Mayor or combined authority, where plan-making powers have been conferred (London).
- 1.5** Non-strategic policies should be used by Local Planning Authorities and communities to set out more detailed policies for specific areas, neighbourhoods, or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving, and enhancing the natural and historic environment and setting out other development management policies.
- 1.6** The *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1* is a joint strategic plan, which has now been adopted by Tendring District Council, Colchester City Council, and Braintree District Council (2021). The *Tendring District Local Plan 2013-2033 and Beyond: Section 2* contains Tendring specific policies – and together, these two sections make up the Local Plan for the Tendring District. If required, the Local Plan will be reviewed within a 5-year timeframe, depending on any changes to national planning policy or the national planning system. The Council is also working with Colchester City Council and Essex County Council to prepare a Tendring Colchester Border Garden Community Development Plan Document (TCBGC DPD) for the Tendring Colchester Border Garden Community.

- 1.7** Local Planning Authorities must publicise and keep up to date their timetable for producing and updating their Local Plan. This information is contained within a Local Development Scheme. Local Development Schemes must also be produced in compliance with any data standard published by the Department for Levelling Up, Housing and Communities (DLUHC). A Local Development Scheme is expected to be reviewed and updated regularly to reflect if there are any significant changes in the timescales or the plans being prepared.
- 1.8** The Local Development Scheme (LDS) for Tendring sets out the Council's process and timetable for producing Planning documents. It sets out the anticipated timetable for consultation periods, examination (where applicable) and adoption of the various documents. Publication of the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the indicative timetable the Council is working to, as this information can help them to organise their time and resources accordingly.
- 1.9** Section 38(6) of the Planning and Compulsory Purchase Act requires Local Planning Authorities such as Tendring District Council to make decisions on Planning applications in accordance with the 'Development Plan'. Councils have a duty to ensure their Local Plan is kept up to date, is prepared in accordance with the government's National Planning Policy Framework (NPPF) and positively promotes 'sustainable development' by identifying sufficient land for new homes and employment opportunities.

## 2 Background

### Progress to Date and Future Programme Stages

#### Shared Section 1 Local Plan Progress to Date

- 2.1** In accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan* was adopted by decision at the meeting of Full Council on Tuesday, 26 January 2021.

#### Section 2 Local Plan Progress to Date

- 2.2** *Tendring District Local Plan 2013-2033 and Beyond: Section 2* was unanimously agreed by Full Council for formal adoption on Tuesday, 25th January 2022.

#### TCB DPD Progress to Date

- 2.3** Following the resolution of the Tendring Colchester Borders Garden Community Joint Committee at its inaugural meeting on Monday, 21<sup>st</sup> February 2022, public consultation took place on the Draft Plan for the Garden Community in line with Regulation 18 of the statutory plan-making process. The consultation period lasted six weeks from 14<sup>th</sup> March to 25<sup>th</sup> April 2022.

#### Monitoring and Review

- 2.4** The Council will implement the Local Plan and monitor its effectiveness. If required, the Local Plan will be reviewed within a 5 year time frame, depending on any changes to national planning policy or the national planning system.

### 3 Documents to be Prepared

**3.1** For the period 2023 to 2027, the following planning documents will be prepared or initiated:

#### **Review of the Tendring District Council Local Plan**

- 3.2** The Local Plan is the main Planning document for Tendring – setting out the strategy for growth for the period to 2033 and beyond, identifying specific sites for development, and including the policies that will be used in the determination of Planning applications.
- 3.3** The NPPF (2021) states that ‘Policies in Local Plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years and should then be updated as necessary. Reviews should be completed no later than 5 years from the adoption date of a plan and should consider changing circumstances affecting the area, or any relevant changes in national policy.’ As such, a review of the Local Plan will need to be undertaken within the next few years and may involve updating a targeted set of policies following the same procedural process as the production of the Local Plan.
- 3.4** The Council is aware that the government is looking to introduce some changes to the national planning system, which may or may not impact the timescales, format and procedures that a new Local Plan might need to follow.

#### **Tendring Colchester Border Garden Community DPD**

- 3.5** The TCBGC DPD will follow the same process for preparation as a Local Plan. However, this document contains only non-strategic policies and builds on the strategic policies in the Shared Section 1 Local Plan. The DPD is meant to provide significantly more implementation detail to Section 1 policies to further assist in facilitating the planning application process for the Garden Community.
- 3.6** Section 1 of the Publication Draft of the Local Plan, Policy SP8, states that no planning consent for development forming part of the Garden Community will be granted until the TCB DPD has been adopted and that the DPD will set out the nature, form, and boundary of the new community. The document will be produced in consultation with stakeholders and will include a concept and masterplan showing the disposition and quantity of future land-uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications. It will also include a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD is being produced alongside the master planning process and will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring / Colchester Borders Garden Community.

- 3.7** Appendix 1 shows the supporting studies and evidence base documents prepared and made available alongside the consultation 'Draft Plan' in 2022.

### **CIL Charging Schedule**

- 3.8** The proposals for development in the new Local Plan will need to be supported by investment in the necessary infrastructure. An Infrastructure Delivery Plan has already been prepared alongside the new Local Plan and another is being prepared for the Garden Community DPD. Infrastructure Delivery Plans identify each piece of infrastructure that is needed and set out the mechanism for delivering these items.
- 3.9** One source of funding infrastructure could be the Community Infrastructure Levy (CIL), which requires the adoption of a 'Charging Schedule' setting out how much money developers will be expected to contribute toward infrastructure provision from developments in using a formula based on £ per sqm of floorspace.
- 3.10** CIL is optional and not currently utilised by the Council in favour of bespoke Section 106 Agreements with developers. CIL could however be an alternative option, which the Council may consider. As such, it is included in the LDS programme with indicative timescales.

### **Tendering Neighbourhood Plans**

- 3.11** The Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum (Town and Country Planning Act 1990 (as amended)).
- 3.12** For further information on Neighbourhood Planning and process refer to the online guidance at <https://www.gov.uk/guidance/neighbourhood-planning--2>.

### **Authority Monitoring Report (AMR)**

- 3.13** The Authority Monitoring Report (AMR) will be published annually to demonstrate how the Council's planning policies have performed over a 12-month period against a range of indicators contained within the Local Plan.

## 4 Programme for Preparing Local Plan Documents

<b>Review of the Tendring District Local Plan</b>	
<b>Subject and scope</b>	This document updates the Council's Local Plan to cover an extended period beyond 2033, enabling the strategy for growth, planning policies and site allocations to be reviewed as necessary.
<b>Geographical area</b>	All of the Tendring District.  The strategic policies for Tendring Colchester Garden Community are contained in the Shared Section 1 Plan and have been prepared in collaboration with Colchester and Essex Councils. These policies will be supported by a separate DPD, which will inform the planning applications process.
<b>Chain of conformity</b>	The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF)
<b>Indicative timetable for Future Review of Local Plan</b>	
<b>Issues and Options Consultation</b>	Autumn 2023
<b>Consultation on draft Local Plan</b>	Summer 2024
<b>Publication of Submission draft Local Plan</b>	Spring 2025
<b>Submission</b>	Autumn 2025
<b>Examination and main modifications</b>	Spring/Summer 2026
<b>Adoption</b>	Winter 2026

<b>Tendring Colchester Garden Community Development Plan Document (DPD)</b>	
<b>Subject and scope</b>	This document will contain more detailed non-strategic policies to guide development within the new Garden Community proposed at the Tendring/Colchester border. This DPD will be produced jointly with Colchester City Council and Essex County Council.
<b>Geographical area</b>	The Strategic Policies and broad location for the Garden Community is identified in the Section 1 Local Plan. The precise boundaries will be designated in the TCB DPD.
<b>Chain of conformity</b>	Tendring and Colchester Local Plans The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF).
<b>Indicative Timetable for TCB DPD Production</b>	
<b>Studies &amp; Document Preparation</b>	Winter 2020/21 – Winter 2021/22 (Completed)
<b>Member approval of draft DPD</b>	Spring 2022 (Completed)
<b>Draft DPD Reg 18 Consultation</b>	Spring 2022 (Completed)
<b>Reg 19 Document Preparation</b>	Summer 2022 - Winter 2022/23 (In Progress)
<b>Member approval of submission Draft DPD</b>	Spring 2023
<b>Submission DPD Reg 19 Consultation</b>	Summer 2023

<b>Submission of Reg 19 DPD and Summary of Comments Received to Secretary of State</b>	Summer 2023
<b>Examination in Public (EiP)</b>	Autumn 2023
<b>Inspector's Report / Consultation on Modifications</b>	Winter 2023
<b>Adoption (Full Council)</b>	Winter 2023
<b>Timetable for review</b>	This will be reviewed and updated as necessary.

### **Infrastructure Delivery Plan and CIL Charging Schedule (Optional)**

<b>Subject and Scope</b>	If needed this document would set out the Council's approach to using legal agreements and securing development contributions to deliver infrastructure, affordable housing, and other local benefits from development. The document could include the Council's Community Infrastructure Levy (CIL) charging schedule.
<b>Geographical Area</b>	All the Tendring District. Some areas of Tendring may be established as CIL exempt
<b>Chain of Conformity</b>	Relevant Planning Acts and CIL Regulations Emerging Local Plan National Planning Policy Framework (NPPF)
<b>Indicative timetable for production</b>	
<b>Preparation of document</b>	Spring 2023
<b>Member approval for initial consultation</b>	Summer 2023
<b>Publication of document for consultation</b>	Autumn 2023
<b>Member approval for final consultation and submit the document for examination</b>	Winter 2023
<b>Submit documents and information to Secretary of State</b>	Spring 2024
<b>Independent examination</b>	Summer 2024
<b>Inspector's report</b>	Autumn 2024
<b>Adoption (Council)</b>	Winter 2024
<b>Timetable for review</b>	The document will be reviewed regularly to determine whether or not any changes to the CIL timetable are necessary

### **Authorities Monitoring Report (AMR)**

<b>Subject and Scope</b>	This document will provide a high-level analysis of how the Council's planning policies are performing against a range of indicators.
<b>Geographical Area</b>	All the Tendring District.
<b>Chain of Conformity</b>	The content of the document should correspond with policies in the Local Plan.
<b>Timetable for production – same process followed each year</b>	
<b>Preparation of document</b>	Annually
<b>Publication of the AMR</b>	Summer following the end of each financial year.
<b>Timetable for review</b>	The Authority Monitoring Report is produced annually.

<b>Timetable for Emerging Neighbourhood Plans</b>		
<b>Elmstead Market Neighbourhood Plan and NDO</b>	To guide new development in the Parish of Elmstead Market and to create a Development Order for the old village hall site.	Reg 16 Plan and NDO due to be submitted early 2023 with consultation to run shortly after, examination and referendum later in the year.
<b>Ardleigh Neighbourhood Plan</b>	To guide new development in Ardleigh Parish	Reg 16 Plan submitted 2022. Consultation, examination and referendum expected 2023.
<b>Brightlingsea Neighbourhood Plan</b>	To guide new development in the Brightlingsea Parish area	Regulation 14 Consultation expected mid-2023.

<b>Supplementary Planning Documents (SPD)</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Hartley Gardens SPD</b>	To produce a comprehensive Development Framework and delivery strategy for the development of 1,700 homes and associated development north of Clacton.	Potential adoption late 2023.
<b>Jaywick Sands Design SPD</b>	To provide design guide for replacement and new dwellings within the existing built-up area of Jaywick Sands.	Potential adoption Spring 2023
<b>Open Space SPD</b>	To provide guidance for the provision, adoption and future maintenance of outdoor recreational facilities directly needed as result of new development.	Potential adoption Spring 2023
<b>Climate Change SPD</b>	To provide more detailed guidance on Local Plan policies to ensure new development is sustainable, makes efficient use of natural resources, mitigates against the effects of climate change and is designed to reduce their carbon emissions and incorporate sustainable energy systems.	Potential adoption Autumn 2023



## 5 Local Plan Evidence Base and Methodology

- 5.1** To comply with the relevant Planning Acts, Regulations and national policy contained within the NPPF, it is essential that the policies and proposals in Local Plans and the charging schedule in CIL are based on objective evidence. This can include surveys, technical studies, and consultants' reports. The Council has already compiled and prepared a significant amount of evidence, with updates undertaken where relevant to inform the Local Plan Examination. Further updates will be required to several areas to inform the review of the Local Plan.

<b>Subject Area: Housing</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Demographic and Household Projections</b>	To inform the preparation of a Strategic Housing Market Assessment and inform decisions on the 'objectively assessed need for housing'.	Undertaken for all Essex Authorities through the Essex Planning Officers Association. Last projections were produced in September 2016. Review may be required ahead of the next Local Plan review depending on government changes to the planning system.
<b>Strategic Housing Market Assessment (SHMA)/ Local Housing Needs Assessment</b>	To calculate the 'objectively assessed need' for housing and inform the approach to the size, type and tenure of housing needed.	This was undertaken in two parts: the objectively assessed housing needs study by Peter Brett Associates (November 2016) and the SHMA undertaken by HDH Planning and Development (December 2015). A further update alongside the review of the Local Plan will be required.
<b>Strategic Housing and Land Availability Assessment (SHLAA)</b>	To assess the suitability, availability and deliverability of potential housing sites and inform the allocation of land for housing.	Undertaken by Council Officers. The Issues and Options consultation included a "call for sites", these have been incorporated into the SHLAA. The SHLAA is updated annually in line with the financial year, and the last update was published in October 2022.
<b>Gypsy and Traveller Accommodation Assessment (GTAA)</b>	To calculate the 'objectively assessed need' for sites and pitches for Travellers – as required by the government's Planning Policy for Traveller Sites (March 2012).	Undertaken by consultants ORS for all Essex authorities and completed in May 2017. An update was completed in 2018. A further review has been commissioned through the Essex Planning Officers Association, and work is currently under way.

<b>Housing Sizes in the Urban Areas of the Tendring District</b>	A survey of house sizes in different parts of the district to inform the Council's policies in minimum space standards.	Undertaken by Council Officers and completed in August 2013. Could be reviewed ahead of next Local Plan review.
<b>Jaywick Sands Place Plan</b>	To establish a framework for development aimed at regenerating Jaywick Sands	Work currently being undertaken by Council Officers and HAT Projects Limited with the emphasis on deliverability. Consultation was undertaken in 2022, with completion of the Place Plan anticipated in 2023.

<b>Subject Area: Business</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Economic Development Strategy</b>	To inform the overarching approach to economic development and job creation in the district.	Updated and approved by Cabinet July 2020.
<b>Employment Land Review</b>	To inform the allocation and protection of land for business and industrial use in terms of amount and location.	Completed 2019.
<b>Retail &amp; Town Centre Study</b>	To identify the need for additional retail units to meet residents' demands for goods and services and thus inform the allocation and protection of town centres and potential development sites.	Reviewed and updated in 2020 by Lambert Smith Hampton.
<b>Hotel and Guesthouse Retention Study</b>	To inform the policies on protecting hotels and guesthouses in the district and advise on how they might need to develop in the future to reflect changing trends and demands	A further update alongside the review of the Local Plan may be required.
<b>Holiday Park Sector Review</b>	To inform the allocation and protection of holiday parks in the district and advise on how they might need to develop in the future to reflect changing trends and demands.	The study was completed by Frontline Consultants in 2020.
<b>Walton-on-the-Naze Regeneration Framework</b>	To advise the Council on ways to regenerate the economy of Walton-on-the-Naze and inform relevant policies in the Local Plan.	Undertaken by consultants BNP Paribas and completed in January 2010. No imminent need for review.
<b>Dovercourt Rediscovered</b>	To advise the Council on ways to regenerate the economy of Dovercourt Town	Reviewed and updated in 2019.

	Centre and inform relevant policies in the Local Plan.	
--	--	--

<b>Subject Area: Infrastructure</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Infrastructure Study</b>	To assess the capacity of Tendring's infrastructure, including transport, health, education and utilities to inform decisions on where to locate future growth and provide the baseline evidence for use in seeking funding for improvements, including through Community Infrastructure Levy (CIL).	Reviewed and updated 2021.
<b>Haven Gateway Watercycle Study</b>	To provide evidence to Haven Gateway authorities and utility companies about sewage treatment capacity to support plans for growth in the area.	Stage 1 report completed May 2008 and Stage 2 report completed November 2009. These reports will inform the Infrastructure Study. No imminent need for review.

<b>Subject Area: Minerals</b>
Essex County Council is the planning authority for minerals and it prepares the evidence needed to inform the content of the Minerals Local Plan. Tendring District Council is a key consultee in the preparation of that plan.

<b>Subject Area: Defence, security, counter-terrorism &amp; resilience</b>
There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies to ensure that plans for development do not impact upon the operations of any defence or security installations.

<b>Subject Area: Environment</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Flood Risk Assessment (SFRA)</b>	To identify areas at risk of flooding, measure the potential risks within different parts of the flood zone and inform the 'sequential approach' to locating development away from flood risk areas.	Completed March 2009. Local Plan allocations will generally avoid sites in Flood Zones 2 and 3. Review required ahead of next Local Plan review.
<b>Essex and South Suffolk Shoreline Management Plan</b>	To set out a strategy for protecting different sections of the Essex and South Suffolk coast from flooding and coastal erosion to be implemented by the Environment Agency, working with its partners.	Completed in 2012. Review already being undertaken by the Environment Agency working with its partners.

<b>Jaywick Strategic Flood Risk Study</b>	SFRA carried out specifically for Jaywick Sands in support of the Council's policies to promote regeneration in that area.	Completed May 2008. The SFRA specifically for Jaywick Sands was updated in April 2015.
<b>Harwich Strategic Flood Risk Assessment (SFRA)</b>	SFRA carried out specifically for Harwich in support of the Council's policies to promote regeneration in that area.	Level 1 report completed April 2008. Level 2 report completed August 2008. No imminent need for review.
<b>Landscape Character Assessment</b>	To define the different characteristics of the district's landscape and help inform Planning decisions.	Completed 2001. Review within 15-20 years. Consider review.
<b>Landscape Impact Assessment</b>	To test the potential landscape impact of development on a range of urban-edge greenfield sites and thus inform the allocation of sites for housing and other forms of development.	Stage 1 report completed April 2009. Stage 2 report completed March 2010. NPPF now attaches less weight to landscape impact issues and therefore no review is needed.
<b>Strategic Green Gap Study</b>	To review the Green Gap designations within the Local Plan.	Completed by LUC in 2020. May require review ahead of next Local Plan review.
<b>Local Wildlife Site Review</b>	To assess the wildlife value of all parts of the district and inform the identification of 'Local Wildlife Sites' (LoWS) deemed worthy of protection through the Local Plan.	Undertaken by Essex Ecological Services (EECOS) and completed in September 2009. Specific survey of land off Crestwood Meadow, Alresford undertaken in 2013 in response to requests from residents. Consider review ahead of new Local Plan review.
<b>Habitat Regulation Assessment</b>	To assess the impact of proposals and policies in the Local Plan on habitats of international importance and advise the Council on how to avoid, minimise or mitigate any impacts.	Two reports were completed by consultants LUC in May 2017 for Shared Strategic Section 1 and in October 2018 for Publication Draft Section 2 of the Plan. An update considering the Main Modifications of Section 2 of the Local Plan was published in June 2021.

Subject Area: Historic Environment		
Evidence	Purpose	Relevance/Timescales

<b>Historic Environment Characterisation Project</b>	To define the different characteristics of the district's historic character and help inform decisions on local plan designations and planning applications.	Completed December 2008 by Essex County Council. Review within 15-20 years. No imminent need for review.
<b>Heritage Impact Assessment</b>	To assess in a structured process that the significance of historic assets are taken into account when developing and designing proposals for change.	HIA for TCBGC completed in 2022.
<b>Geodiversity Characterisation Report</b>	To assess the geo-diversity of the Tendring District – i.e. the composition of minerals below the ground.	Completed May 2009 by Essex County Council. Review within 15-20 years. No imminent need for review.
<b>Conservation Area Appraisals</b>	To help inform decisions relating to development in Conservation Areas and to review their boundaries.	Undertaken as and when required. Conservation Area Appraisals for all areas in the process of being reviewed by Essex Place Services.

<b>Subject Area: Health and well-being</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Open Space, Sport and Recreation Strategy</b>	To establish quantitative and qualitative standards for open space, sport and recreation provision to inform policies in the Local Plan and the use of s106 or CIL money.	Reports were completed by consultants KKP in April 2017. Full review required ahead on next Local Plan and could inform Garden Community DPD. Work underway.

<b>Subject Area: Public safety from major accidents</b>
There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies, including the Highways Authority and Highways Agency, to ensure that plans for development do not create new or exacerbate existing accident black-spots, seeking, wherever possible, to address them.

Subject Area: Ensuring viability and deliverability		
<b>Viability Testing</b>	To assess the economic viability of Local Plan policies to ensure that development is viable and therefore realistically achievable. Also to inform decisions on setting CIL tariffs.	Reviewed and updated in 2019. Will need updating when Local Plan is reviewed.

## **Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment**

- 5.2** As well as having to be based on robust but proportional technical evidence, Local Plans and some other planning documents must also be accompanied by a ‘Sustainability Appraisal’ incorporating a ‘Strategic Environmental Assessment’ and, where they are likely to affect sites of international importance for nature conservation, a ‘Habitats Regulation Assessment’.
- 5.3** Sustainability Appraisal is a requirement under Section 19 of the Planning and Compulsory Purchase Act 2004 and must be undertaken for each stage of the plan-making process to ensure that the plan does everything it can to achieve sustainable development. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).
- 5.4** It is a requirement of both UK and European Law to appraise the sustainability and environmental effects of proposals in the Local Plan and other planning documents. Therefore, at key stages of the plan making process i.e. draft plan consultation and submission stages, the Council will also publish a Sustainability Appraisal incorporating the Strategic Environmental Assessment.
- 5.5** A Habitat Regulation Assessment, or ‘Appropriate Assessment’ as it is often called, is a requirement from the European Habitat Directive (92/43/EEC) and, for Tendring, will be necessary to assess the impact of any updated policies in the Local Plan.

## 6 Resources and Risk Assessment

- 6.1** In undertaking major projects such as the preparation of a Local Plan review, DPD or CIL Charging Schedule it is important to understand the resources needed and the potential risks along with the impact they could have on the process of plan preparation, consultation and examination.

### Professional Officer Input

- 6.2** The preparation and review of the Local Plan and other planning documents will be led by the Council's Planning Policy Team. This team will work with and draw upon the knowledge, help and experience of other officers in the Council to ensure Planning Policy documents comply with and help to deliver corporate objectives. Through the legal Duty to Cooperate, there will also be strong input from officers from partner organisations such as Essex County Council, the Environment Agency, Highways England and the NHS. On the Tendring Colchester Borders Garden Community in particular, the Council will be working jointly with Colchester City Council and Essex County Council in a partnership approach.

### Financial Resources

- 6.3** The Council has allocated a budget for the review of the Local Plan, the production of SPD's and the Tendring Colchester Borders DPD in recognition of how important these documents are to the future of the district. The most significant costs are expected to be the commissioning and updating of technical studies in relation to the above projects and the cost of the Examinations in Public. The latter requires the Council to pay fees to the Planning Inspectorate, employ a 'Programme Officer' to administrate the examination process and employ, a number of specialist Planning consultants and/or lawyers to deal with the more specialised areas and issues of technical or legal complexity.
- 6.4** Any shared strategic elements across authorities will be paid for jointly by the relevant authorities.

### Risk Assessment

Issue and level of Risk	Comment and proposed mitigation measures
<b>Significant public opposition to the new Planning documents</b>  High Risk /Medium Impact	The preparation of the Tendring Colchester Garden Community DPD and the review of the Local Plan will be of considerable public interest. Through the Statement of Community Involvement (SCI), the Council has set out a programme of consultation and the Garden Community project is the subject of its own engagement strategy. This approach should mitigate the amount of misinformation and reduce objections to substantive issues. Proposals will also be based on a sound evidence base so that decisions can be justified in the examination of the plans.

<b>Loss/turnover of staff</b>  Low Risk/High Impact	The Council has mechanisms to enable new staff to be employed either on a permanent or temporary basis in order to fill any vacancies. Additionally any strategic work with other authorities will enable shared resources and funding on mutually beneficial outputs.
<b>Financial shortfall</b>  Low Risk/High Impact	The Council has allocated a budget to the preparation and review of planning documents in recognition of how important both the Local Plan, the Garden Community DPD and supplementary planning documents will be to the future of the district. There is a risk that, due to general pressures on public finances, the funds available could be reduced or withdrawn, but the Council's commitment and its corporate objectives around the Local Plan and the Garden Community should ensure that the programme is properly resourced. Maintaining an up-to-date planning framework enables opportunities to attract external funding, generate economic growth and increase the revenue base of the district.
<b>Changing political priorities</b>  High Risk/High Impact	The setting up of the Local Plan Committee (now the Planning Policy and Local Plan Committee) to oversee the preparation of the Local Plan and other relevant documents, with Councillors from all political groups, has enabled the plan to proceed smoothly to the advanced stages of the process. A spate joint committee, with members from all three partner councils, has been established to offer similar stability to the process of preparing the Garden Community DPD.
<b>Legal challenge</b>  Medium Risk/High Impact	There is a possibility of legal challenge to any planning document once a Council has reached a decision to adopt. By ensuring that all of the correct legal procedures are followed, including the duty to cooperate, the need for a Sustainability Appraisal and the need to undertake consultation in line with the planning regulations, the Council will aim to minimise the grounds upon which a legal challenge could be based.



## 7 Decision Making

- 7.1** The Local Plan is one of the Council's most important documents; it therefore requires endorsement by the majority of the Council's democratically elected Members. In March 2014, the Council agreed to set up a dedicated 'Local Plan Committee' made up of 15 elected Councillors to oversee the preparation of the new Local Plan and other planning documents. In 2019 the committee was replaced by the Planning Policy and Local Plan Committee. The table below sets out the different decision-making powers at different levels of the organisation that relate to the Local Plan and other planning documents.

Decision maker	Type of decision
Full Council  Comprising all TDC Members	Approving the content and submission of the Local Plan, DPDs, and CIL Charging Schedule to the Secretary of State for examination by a government Planning Inspector.  Formally 'adopting' the Local Plan, DPDs, and CIL Charging Schedule following confirmation, from the Planning Inspector, that they are legally compliant and sound.
Planning Policy and Local Plan Committee	Considering and approving the content of the Local Plan, DPDs, and CIL Charging Schedule at different stages as they emerge through the process including making recommendations to Full Council.
Cabinet	Commenting on the content of the Local Plan before recommendations are made to Full Council.  Approving 'Supplementary Planning Documents' (SPD) and Neighbourhood Plans for public consultation and formal adoption.
Director of Planning in liaison with the Chairman of the Planning Policy and Local Plan Committee	Delegation by the Planning Policy and Local Plan Committee, as and when required, e.g. for changes to any planning documents aimed at improving consistency and correcting minor errors that do not in any way constitute a change in the thrust, meaning or interpretation of any policy or proposal and e.g. collaboration on evidence base for Local Plan preparation.

## APPENDIX 1 - TCB GARDEN COMMUNITY

### Engagement Reports

1. Council Led Engagement Report December 2021 (1.37 MB) (pdf) - February – October 2021 - A report which looks at the feedback received via the various digital and non-digital engagement activities led by the Councils.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23399>

2. Agency Led Engagement Report December 2021 (2.83 MB) (pdf) - A report produced by consultants relating to engagement activity that inputted to evolving the vision and spatial land use options.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23398>

### Tendring Colchester Borders Garden Community Masterplan

1. Baseline Report September 2021 - A 'Baseline Report' which provides an analysis of key issues, opportunities and constraints influencing the site.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23930>

2. Strategic Vision January 2022 - A 'Strategic Vision' which sets out a vision and a set of strategic development principles and objectives.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23931>

3. Masterplan Design Options January 2022 - A report on 'Spatial Options' which considers and develops a set of potential masterplan options for the Garden Community.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23932>

### Transport and Movement Framework

1. Part I: Baseline and Analysis - February 2022

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23933>

2. Part II: Vision and Principles - February 2022

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23934>

### Economic and Employment Study (Draft Report) - 16 FEBRUARY 2022

1. An assessment of the potential economic growth and job creation that could be achieved through the Garden Community and the opportunities to maximise the opportunities for local people and the wider region.
2. The study includes an analysis and options for the location, format and potential end-users of employment uses envisaged as part of the development.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/24214>

### **Heritage Impact Assessment – February 2022**

1. This assesses the existence and significance of heritage assets and considers the impact of the development on the historic environment.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23935>

### **Preliminary Archaeological Assessment**

1. A preliminary assessment of the archaeological potential of land within Colchester pertinent to this scheme. Also included is advice on the likely level of archaeological information that will be required to support a Cultural Heritage chapter for the Environmental Impact Assessment.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23936>

### **Sustainability Appraisal - February 2022**

1. LUC - A Sustainability Appraisal (incorporating Strategic Environmental Assessment) has been prepared to consider the likely effects of the Draft Plan and reasonable alternatives.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23937>

### **Habitats Regulations Assessment (HRA) Screening Report - February 2022**

1. Place Services - Prepared to comply with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The assessment considers whether a plan or project will lead to adverse effects on the integrity of European/habitats sites. The work will include a wintering bird survey which at the present time is ongoing and therefore not as yet fully completed.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/24367>

### **Environmental Audit Survey**

1. Environmental Audit (ecology & nature) - November 2021

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/24028>

2. Environmental Audit (main report) - February 2022

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/24029>

3. Environmental Audit (figures) – 21 October 2021

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/24030>

This work provides a review of the existing landscape and ecology within the broad location of the Garden Community. A similar piece of work was carried out in 2015 and this latest study is an update to capture any relevant changes.

Note that further work is to be undertaken in relation to 'biodiversity net gain' and will be published in due course.

### **Low/Zero Carbon & Smart Energy Appraisal - January 2022**

1. A study that considers how best to incorporate Low/Zero Carbon technologies as part of the approach to the site in a way that could maximise efficiency and reduce carbon.

<https://talk.tcbgardencommunity.co.uk/12145/widgets/41917/documents/23938>

### **Relevant Background Studies**

Relevant background reports and indicative concept plans for the TCBGC can be found on the Colchester and Tendring web sites:

[Adopted TDC and CBC Shared Section 1](#)

[Previous Evidence base and related papers \(considering matters pertinent to viability\) as considered by the Shared Section 1 Examination in Public](#)

[Current policies as set out in the TCBGC Draft Plan \(Reg 18\)](#)

### **Emerging TCB Studies**

<b>STUDY</b>	<b>Expected Dated</b>
Strategic Framework/Masterplan	February 2023
Environmental Audit and BNG Study	February 2023
Transport Study (Modal Shift & Infrastructure)	In Progress
Integrated Water Management Strategy Stage 2	In Progress
Sports and Recreation Study	In Progress
Crockleford Heath Area of Special Character Assessment	In Progress
University Growth Forecast Assessment	In Progress
Economic Study Update	In Progress
Housing/Demographics Update	In Progress
Health Impact Topic Paper	March 2023
Infrastructure Delivery Plan (& Phasing)	March 2023
Viability Assessment	March 2023
Sustainability Appraisal	March 2023
Habitats Regulation Assessment	March 2023

## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JANUARY 2023

### REPORT OF THE DIRECTOR OF PLANNING

#### A.2. JAYWICK SANDS PLACE PLAN CONSULTATION REPORT

(Report prepared by Anthony Brindley)

#### PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To seek the Planning Policy and Local Plan Committee's comments on the initial consultation in relation to the Jaywick Sands Place Plan which will inform the preparation of a first proper version of the Place Plan for further consultation and adoption as a Supplementary Planning Document (SPD).
EXECUTIVE SUMMARY
<p>The regeneration of Jaywick Sands, which is a corporate priority, currently comprises two key work streams:</p> <ul style="list-style-type: none"><li>- The Jaywick Sands Place Plan SPD; and</li><li>- The Jaywick Sands Design Guide SPD (outlined in a separate Committee report);</li></ul> <p>The purpose of the Place Plan is to provide a long-term strategy for the regeneration of Jaywick Sands. As part of producing the regeneration strategy, a series of public consultation events took place from the 5th September 2022 to the 27th October 2022.</p> <p>The feedback showed that people appreciated the beach and sense of community, character and uniqueness of the community (including the built form). The residents thought the derelict houses and plots should be demolished and used for new functions and wanted improvement and maintenance of the public realm - including dealing with fly-tipping, potholes and maintaining the green/open space and street lighting. There was strong support for making Brooklands a one-way street if resident parking could be solved. Most owners wanted to make improvements to their properties but requested help to do so. Some renters wanted to move elsewhere, others to stay in Jaywick Sands. There was wider support for building new homes on vacant/derelict plots than on greenfield land.</p> <p>However, concerns were expressed about the design of new homes, particularly in relation to disabled access. The responses were very split on whether flood risk was a concern with over half the respondents stating they would not move away from Jaywick or were otherwise unsure, even if flooding was more common.</p> <p>Most respondents identified a lack of shops and services locally, with the provision of a small supermarket being the most popular suggestion for additional shops, followed by the need for healthcare.</p>

Importantly, the Environment Agency has commented that it will not support any strategy that would lead to a net increase in population. For example, any new housing off Lotus Way would, in their view, need to rehouse existing residents. However, the Environment Agency did support the replacement dwellings policy as set out in the Councils consultation draft Jaywick Sands Design Guide SPD. The Environment Agency's position, if upheld, will have a significant impact on the direction of the Place Plan and how much in the form of new development could take place.

All the comments will be considered when working up a first proper version of a Place Plan which will, itself, be the subject of consultation and adoption as a Supplementary Planning Document (SPD) in due course.

## **RECOMMENDATION**

**That the Planning Policy and Local Plan Committee –**

**(a) decides if it wishes to make any formal comments on the report; and**

**(b) subject to (a) above, notes the contents of this report.**

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

A corporate priority of the Council is supporting the community in Jaywick Sands, in particular, with more and better housing.

### **RESOURCES AND RISK**

**Resources:** TDC Officers are managing this project with HAT Projects Ltd.

**Risks:** Undertaking consultation with residents involves the residents in the production of the Place Plan. This should lower the risk of public opposition and the plans not being able to be implemented.

### **LEGAL**

Policy PP14 of the Tendring Local Plan states that 'Brooklands', 'Grasslands' and 'the Village' areas of Jaywick Sands are Priority Areas for Regeneration. The policy states that 'these areas will be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure.' Paragraph 6.10.5 continues by stating that 'In order to achieve this, the Council in collaboration with the Coastal Communities Team, is producing the Jaywick Sands Place Plan. This will provide a development framework for the physical regeneration of Jaywick Sands facilitating the provision of new flood resilient homes built to modern building standards which will provide a high standard of accommodation for existing residents as well as providing land for employment opportunities and recreation and amenity areas. Public consultation

will be key to its production and the Council recognise that only with the support of the local community will the proposals be deliverable.'

The Jaywick Sands Place Plan SPD is being prepared under the terms of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (Regulations 11-16).

The process for preparing an SPD is similar to a Local Plan document. However, an SPD is not subject to an independent examination by the Planning Inspectorate. There are four main stages in their production:

1. Preparation and informal consultation
2. Statutory Consultation (four to six weeks)
3. Consideration of representations and completion of the final draft of the SPD
4. Adoption of the SPD

This Committee report highlights some of the outcomes of the stage 1 informal consultation exercise with a timescale for producing the place plan.

There is not a legal requirement for an SPD to be accompanied by a Sustainability Appraisal and this is reinforced in national planning guidance. However, in exceptional circumstances, there may be a requirement for a Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening exercise will be carried out to determine whether the Place Plan requires an SEA as well as an Appropriate Assessment (under the Habitats Regulations) given its location to internationally important habitat sites.

## OTHER IMPLICATIONS

**Crime and Disorder:** In producing the Place Plan, the Police service was consulted so that measures to lower the opportunity and frequency of crime can be mitigated. Part of the reasoning for having a Place Plan is to tackle some of the issues of deprivation which, in turn, can have implications for crime and disorder.

**Equality and Diversity:** The SPD will be subject to an Equalities Impact Assessment (EQIA) at the appropriate stage.

**Health Inequalities:** The general health in Jaywick Sands is comparatively poor, with over 20% of residents in bad health or very bad health according to 2011 census data. Across Jaywick Sands only 25% of residents are in very good health, while Tendring district averages at just under 40%, an nearly 50% nationally. There is not much variation, though Brooklands and Grasslands are worse, with poor health almost five times higher than the national average. As this area actually has the youngest age profile of all the Jaywick Local Super Output Areas, it is particularly concerning that the concentration of poor health is found in this area. This also correlates with the Index of Multiple

Deprivation data on health. The improvements in housing will improve the living standards of residents and result in less health inequalities.

**Area or Ward affected:** West Clacton and Jaywick Sands Ward

**Consultation/Public Engagement:** See 'consultation' section below and Consultation Statement

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The regeneration of Jaywick Sands currently comprise two key work streams:

- The Jaywick Sands Place Plan; and
- The Jaywick Sands Design Guide SPD (outlined in a separate committee report).

The aims of the Place Plan, as stated in the Tendring Local Plan, is to "provide a development framework for the physical regeneration of Jaywick Sands facilitating the provision of new flood resilient homes built to modern building standards which will provide a high standard of accommodation for existing residents as well as providing land for employment opportunities and recreation and amenity areas."

In line with the Tendring Local Plan, the Place Plan objectives are to:

- Transform housing quality and the built environment;
- Ensure long term flood resilience;
- Create greater connectivity to neighbouring areas;
- Attract commerce & new economic opportunities; and
- Improve people's life chances, access to public services & health & wellbeing

The Place Plan will also allow the Council to present a coordinated regeneration strategy which is costed and form the basis to bid for Government monies and grants.

In the absence of a Place Plan, the present situation of residents living in inadequate private and rented accommodation will continue. The problems are likely to escalate over time, and, given the historical rate of development in Jaywick Sands, the probability is only a small number of new or replacement dwellings will be constructed. In the scenario of a flood event, the current properties will provide only minimal protection. The level of accommodation is a very significant contributor to Jaywick Sands being listed as the most deprived area in the country; this would continue. Overall, the absence of a Place Plan will mean development and regeneration in Jaywick Sands will occur on a piecemeal basis or not happen at all, with the Council only having a limited ability to seek funding for regeneration projects.



### Consultation Publicity and Events

The consultation took place from the 5th September 2022 to the 27th October 2022.

A range of methods of notification were used to inform the public about the consultation including:

- Advertisements in the Clacton Gazette;
- Two weeks of on-line advertisements;
- Flyer distributed to all addresses in Jaywick Sands;
- News releases from TDC's communications team which were picked up and covered in local news media;
- Social media campaign including paid and organic posts across social media channels and into local groups, using specially commissioned videos;
- Posters displayed at a range of local venues including shops and community venues;
- Emails to community groups and representatives; and
- Emails to wider TDC consultation mailing lists.

The drop-in and online events held were:

- Saturday 24th September: Inclusion Ventures;
- Wednesday 28<sup>th</sup> September: online webinar;
- Friday 30<sup>th</sup> September: Inclusion Ventures (senior lunch club – not open to the general public);
- Friday 7<sup>th</sup> October – Martello Tower;
- Thursday 13<sup>th</sup> October – Community Resource Centre; and
- Saturday 22<sup>nd</sup> October – Community Resource Centre.

At the events, paper questionnaires were available. However, people had the option to complete an on-line questionnaire via the Council website (which also contained short explainer videos) or email comments.

### Consultation Responses

In summary, the following number of responses were received:

- Around 115 people attended in-person drop-in events during the consultation period.
- Social media posts reached over 12,000 people over the consultation period, generating up to 71 link clicks per post and a substantial amount of online engagement.
- There were 222 views of the webinar (including asynchronous viewings of the recording).
- The consultation survey gained 62 responses online, and 35 paper forms were received and transcribed into the survey software for analysis.
- In addition 2 emails were received in response to the consultation, but did not use the form to answer specific consultation questions.

The following comments were received which are split into a series of themes:-

### Positive and valued aspects of Jaywick

The most frequent comments were:

- Beach, and sense of community, were the most mentioned positive aspects;
- Character and uniqueness of the community (including the built form) highly valued;
- Access to open space and the rural location;
- Quietness and safety compared to Clacton mentioned several times;
- The market/boot sale;
- Affordable property; and
- Low traffic.

### Aspects of Jaywick Sands that needed changing

People discussed a wide range of issues, but amongst the most common were:

- Derelict houses and plots, to be demolished and used for new functions, was most frequently mentioned;
- Improvement and maintenance of the public realm - including fly-tipping, potholes, lack of green/open space maintenance, street lighting;
- Lack of litter bins and dog bins;
- WCs for the beach;
- Antisocial driving/motorbikes;
- Lack of secure parking;
- Disabled accessibility (all aspects - public realm, housing, shops/services);
- More shops/cafes/facilities; and
- Safety and crime.

### Housing and new housing development

Most of the respondents to the consultation owned a home in Jaywick and lived in it full time.

Relatively few rented. Comments included the following:

- Most wanted to make improvements to their properties but requested grant funding to do so;
- Some renters wanted to move elsewhere, others to stay in Jaywick Sands - but note small sample size;
- Some respondents were in favour of building more homes (net increase), others were not due to concerns about infrastructure being overloaded, and flood risk;
- Wider support for building new homes on vacant/derelict plots, than on greenfield (Lotus Way) land; and
- Concerns about design of new homes - attracted many negative comments.

### Flood risk and safety

The responses were very split on whether flood risk was a concern:

- Over half the respondents stated they would not move away from Jaywick even if flooding was more common, or were not sure if they might;
- Compensation for moving was frequently mentioned;
- Cost of housing elsewhere was mentioned as a barrier;

- Restricting additional housebuilding and reducing population in Jaywick was frequently suggested as a means to reducing flood risk;
- A range of approaches to flood defence, including building up the beach and rock groynes further, widening rather than raising defences, and building defences further out to sea, were suggested;
- Flood safety improvements to homes were frequently mentioned but balance with accessibility was cited as a challenge; and
- Optimism about the future of Jaywick Sands despite the flood risk - confidence it would be solved and defences would be improved.

### Streets and open spaces

Concerns and suggestions included the following:

- Strong support for making Brooklands a one-way street, but need to solve resident parking;
- Various comments about how the design should be evolved;
- Maintenance was mentioned by almost all respondents as a major issue - lack of confidence in TDC / ECC's maintenance of public realm and streets and concern that any investment would be wasted due to poor maintenance going forward;
  - Pavements and bus shelters were very frequently mentioned as a needed improvement;
  - Litter bins and dog bins raised frequently;
  - Other open space / greening improvements were all popular;
  - Suggestion to use empty plots for open space and / or resident parking areas; and
  - Boardwalk on the beach to allow access down to the sea itself suggested.

### Shops and services

Most respondents identified a lack of shops and services locally. A small supermarket was the most popular suggestion for additional shops, followed by healthcare. However, many respondents expressed support for the full range of suggestions given, including social infrastructure such as a library and nursery/preschool. Comments raised included:

- Grocery shop/ small supermarket most frequently requested - at Brooklands end;
- Outdoor market/boot sale is highly valued;
- GP and dentist service considered poor and lacking;
- Improvements to public toilet provision and changing facilities mentioned; and
- A wide range of other shops and social facilities/infrastructure mentioned.

### Design and character

A number of comments were received regarding the character and design of new buildings:

- Strong appreciation for existing built character of Jaywick Sands;
- Positive comments about the design of the streets and buildings;
- Dislike of new homes by some residents for reasons due to accessibility (or lack of) for disabled, elderly or families with children; safety of external stairs in rain and ice; 'clinical' and 'ugly';
- Two storey buildings maximum was frequently mentioned, with many also requesting bungalows only;
- Raising homes up for flood safety was widely understood as a necessity, but it was widely felt that the level to which they should be raised should not be as high as the TDC homes; and
- Good support for the new SPD design guidance.

## **Emergency Services**

Police – no comment

Essex County Fire and Rescue Service (ECFRS): submitted a number of comments in relation to the detailed design of proposals and accessibility. In relation to the direction of the Place Plan, they:

- Supported policies to manage flood risk, involving full engagement and involvement of resident associations and tenants of the land as well as education and awareness campaigns. They requested the use of community spaces as a hub for prevention teams to deliver fire safety and education information.
- Supported the provision of off street (on plot) parking.
- They requested consideration of additional access points to the Brooklands area which are currently only accessible from one end of each road.
- As statutory members of the local Community Safety Partnership they would encourage a designed environment which should promote a positive living space that promotes a community cohesion and community safety. The design of the space should be undertaken in consultation with the existing community. They requested that consideration should be given to evacuation routes for residents in the event of flooding as there is currently only one road in and out of Brooklands and Grasslands

## **Statutory Consultees Responses**

The Environment Agency commented that they would not support any strategy leading to a net increase in population within Flood Zone 3. For example, any housing on undeveloped land off Lotus Way would, in their view, need to rehouse existing residents without resulting in a net gain in population once the vacated plots were redeveloped. The Environment Agency supported the replacement of dwellings as stated in the Council's consultation draft Jaywick Sands Design Guide SPD. It also stated that while complete decant and off siting has been ruled out by the Council at this stage, if funding is not secured for the preferred flood defence option, this would be the backstop scenario.

The Environment Agency's position, if upheld, has significant consequences for the possible approach taken in the Place Plan – potentially ruling out the scope for major new housebuilding. Officers will continue to discuss this with the Environment Agency to determine whether or not a more flexible or bespoke approach is required for Jaywick Sands given its specific challenges and circumstances.

The NHS Suffolk and North East Integrated Care Board (ICB) was supportive of the objectives of the Place Plan. The ICB reviewed the Council's regeneration options contained in the Interim Report (which was published with the consultation) stating that the Council's preferred options would have the least impact on health facilities but may not provide the opportunities for new shared community infrastructure. The ICB were particularly supportive of the Council preferred proposals to improve the area's green infrastructure and provide more opportunities to embrace a healthier, more active lifestyle. They emphasised the need to ensure the community is fully engaged in future plans,

particularly people impacted by inequalities. The ICB commented that NHS England will not support new health facilities within a flood risk zone, however, a health hub, possibly using community infrastructure, may be possible. Significant new development of houses would require section 106 contributions to mitigate the impact on the local surgery.

### **Project Programme**

Following consideration of the consultation responses, a draft Place Plan that sets out the preferred strategy will be developed by the consultant team. This will be presented for consideration by Members later in the year. If supported by Members of the Planning Policy and Local Plan Committee and the Cabinet, the document will be published for full public consultation prior to being adopted.

## **APPENDICES**

Appendix 1: Jaywick Sands Place Plan Consultation Report

## **BACKGROUND DOCUMENTS**

[Jaywick Sands Place Plan Interim Report April 2022](#)

This page is intentionally left blank

# HAT Projects

## Jaywick Sands Place Plan

### Autumn 2022 consultation report

10 January 2022

#### 1. About this report

This report sets out how Tendring District Council undertook consultation on the Jaywick Sands Place Plan in Autumn 2022 and a summary of the main issues raised and findings from the consultation.

The Jaywick Sands Place Plan will be a regeneration framework that will guide the next steps of Tendring Council regarding Jaywick Sands. It will set out a recommended strategy that will meet the objectives for Jaywick Sands set out in the Local Plan:

- Transform housing quality and the built environment;
- Ensure long term flood resilience;
- Create greater connectivity to neighbouring areas;
- Attract commerce & new economic opportunities; and
- Improve people's life chances, access to public services & health & wellbeing

The aim of the consultation were to achieve the following:

- Centering the community in the process – ensuring that the commitment to developing the regeneration strategy through genuine community collaboration is carried through.
- Better informed local community about key issues, with a realistic understanding of the options, scenarios and risks.
- Insight into local community priorities– building and updating the evidence base for developing the Place Plan, understanding what incentives, risks and mitigation might be successful from a community perspective (user research)
- Building trust between community and TDC/ECC – celebrating successes already achieved

The consultation material was structured around the following themes and questions:

1. General perspectives on Jaywick Sands – positive and negative
2. Housing
3. Flood risk
4. Streets and open spaces
5. Shops and services
6. Design and character

#### 2. About the consultation

The consultation was held from 9am on 5th September 2022 to 5pm on 27th October 2022. This

consultation period was extended from the original six-week period due to the unforeseen national mourning period for Queen Elizabeth II which fell during the consultation period.

The consultation included an online questionnaire on the Council's website; drop-in events at various locations around Jaywick Sands; an online webinar which was recorded and uploaded online; and the ability for respondents to use paper forms to respond or to respond via email.

The drop-in and online events held were:

- Saturday 24<sup>th</sup> September: Inclusion Ventures
- Wednesday 28<sup>th</sup> September: online webinar
- Friday 30<sup>th</sup> September: Inclusion Ventures (senior lunch club – not open to the general public)
- Friday 7<sup>th</sup> October – Martello Tower
- Thursday 13<sup>th</sup> October – Community Resource Centre
- Saturday 22<sup>nd</sup> October – Community Resource Centre

A range of methods of notification were used to inform the public about the consultation including:

- News releases from TDC's communications team which were picked up and covered in local news media
- Social media campaign including paid and organic posts across social media channels and into local groups, using specially commissioned videos
- Posters displayed at a range of local venues including shops and community venues
- Flyer distributed to all addresses in Jaywick Sands
- Emails to community groups and representatives
- Emails to wider TDC consultation mailing lists - 638 email notifications sent

### 3. Who did we reach with the consultation?

Mailing lists; 638 email notifications sent out, 236 letters sent out.

Around 115 people attended in-person drop-in events during the consultation period.

Social media posts reached over 12,000 people over the consultation period, generating up to 71 link clicks per post and a substantial amount of online engagement.

There were 222 views of the webinar (including asynchronous viewings of the recording).

The consultation survey gained 62 responses online, and 35 paper forms were received and transcribed into the survey software for analysis.

In addition 2 emails were received in response to the consultation, but did not use the form to answer specific consultation questions.

### 4. Findings from the consultation

#### 4.1 General perspectives on Jaywick Sands

##### **Positive qualities of Jaywick Sands**

The positive aspects of Jaywick Sands that residents mentioned most frequently were:

- The beach, including it being quiet and not crowded, safe to swim
- The community spirit and friendly people – including comments that it was a peaceful and stress-free place to live, and the varied weekly groups and events



Other positive aspects mentioned included:

- Interesting history – unique road names and layout
- Quaint style of houses– ‘not another bit of Clacton or a twee village’ ‘unique architecture’ ‘Bohemian feel to the area’
- Access to open space for walking, cycling – a rural location with green fields surrounding the village
- Local cafes and eateries and the local market/bootsale
- Low traffic
- Affordable property

Comments included:

“Beautiful beach, great community, quiet”

“Closest I could be to Benidorm without moving. I feel safe living here as a retiree”

“I love the slow pace of life, access to a beautiful beach, friendly people, I like the fact I feel safe here.”

### **Aspects of Jaywick Sands that respondents want to change**

A wide range of issues were raised, but the following were the most frequently mentioned:

- Derelict houses and plots – raised very frequently as the priority to tidy up and redevelop
- Maintenance of the public realm
- Rubbish, including fly-tipping and domestic waste, abandoned vehicles, and needing more litter bins in the public realm
- Condition of Brooklands road – potholes, speeding, one way system desired
- Motorbikes and speeding generally
- Lack of secure parking
- Toilets for the beach

Other aspects raised included:

- Lack of disabled access, including condition of pavements, access to the beach and the seafront promenade
- More shops and cafes and tourist attractions
- Dirty
- Unsafe
- Drug dealing, alcohol and drug abuse and anti-social behaviour
- Stop access from Lotus Way to Brooklands Gardens
- More shops and cafes
- Lack of affordable housing for singles and couples not just families
- Play areas for children
- Sports facilities, e.g. bike track, gym equipment
- Links and access to Seawick and St Osyth
- Keep a sense of continuity and history
- Street lighting needing improvement
- Difficult tenants/residents
- Park Square West road surface
- More facilities

## **4.2 Housing**

Most of the respondents to the consultation owned a home in Jaywick and lived in it full time. Relatively few rented, but the ten attendees at one of the events were elderly renters and their insights were useful.

Homeowners said they wanted to make improvements generally – with only 27% stating they wanted to make no changes to their property. All the suggested improvements were popular, with energy efficiency the most frequently chosen. Some residents mentioned the extensive insulation and air source heat pump installation programme from several years ago and that they had already invested substantially in improving their properties. Some felt that these improvements were good and had made a difference; others that they were poor quality.

Some residents indicated they would be willing to move out while homes were improved, but many were not willing or not sure. Written responses to this question showed that more information would be needed about how this would happen in practice.

Renters responding to the survey indicated they would like to keep living in their current rental home, rather than renting a different home either locally or elsewhere. The elderly renters at the in-person event on the 20<sup>th</sup> Sept felt they would like to move to more modern and better quality rented accommodation. More needs to be done to understand tenants preferences as the sample size was so small.

Views about building more homes either side of Lotus Way were split. Some respondents saw a need for more housing and felt that this could be a way to rehouse residents from existing homes, while others felt that there needed to be more investment in infrastructure alongside; that some of the land should be used for commercial development or open space/sports facilities; that wildlife impacts were a concern; and that flood risk was a concern. Comments also criticised the design of the recently built council homes and expressed strong views that additional housing should not be similarly designed. Some commented that existing derelict plots should be redeveloped first. There was a range of views about whether new housing should be council / affordable rent or for sale, with advocates for each.

There was strong support for building new homes on the small plots in Brooklands owned by TDC. Similar questions and concerns were raised about the design of new properties not being too tall and blocking views; but respondents generally felt that this would help improve the appearance of the area; deter fly-tipping and other antisocial activity on disused plots; and that it might encourage other property owners to improve their plots. Concerns were raised about flood risk and environmental impacts.

#### **4.3 Flood risk**

There was an almost even split of views among respondents about whether flooding was a concern. Many respondents commented that the building up of the beach (due to the rock groyne) had stopped tides reaching the sea wall and therefore reduced the flood risk. Some commented that the flooding in 1953 came 'round the back' and would not happen today; or that the back of Brooklands was where additional protection was needed.

Around half the respondents stated they would not move away from Jaywick if flooding became more common, although nearly half the responses stated they would move or they were not sure, indicating a degree of uncertainty. Reasons given included the cost of moving and the affordability of alternative housing given the likely slump in property prices in Jaywick itself; affection for the area and the community; and the sense that you would just have to 'deal with it' as part of everyday life. Those who stated they might move, raised concerns about requiring compensation and whether they could afford to move. Responses that were uncertain about how they would respond to increased flooding raised questions about how severe it might be, and what their property might end up being worth.

Most respondents indicated they had not had issues gaining a mortgage or insurance. Those who had experienced problems, gave a range of factors which did include flood risk, but also included the timber framed construction and flat roofs that are common to many properties.

Respondents had a range of ideas about how Jaywick Sands should be made more flood safe. These included:

- Restricting additional housebuilding and reducing the population in Jaywick – concerns were raised about increasing the population who needed to be evacuated
- Higher walls and more rock groynes, including more beach recharge
- Building flood safe homes with raised floor levels, but ensuring they were disabled accessible.
- Building properties out of materials that can dry out quickly
- More defences to the rear of the community
- Widen sea defences instead of, or in addition to, raising the height
- Defences further out to sea rather than close to the existing properties
- Improve drainage within the community.
- Building steps up to the roofs of existing homes so that residents could reach safety in the case of a flood
- Raising the ground level of the whole community
- Better emergency planning

Respondents, when asked where they saw the future of Jaywick Sands given the flood risk, gave a wide range of responses. Positive visions included:

- A popular beach resort
- A thriving community once sufficient investment is made in protecting people and property from the sea
- Up and coming
- With higher flood protection, remaining as it is now
- Removing the tarnished reputation

Those who gave pessimistic responses such as ‘under water’ or a place where people would no longer be able to live. Some commented that much of Essex would be underwater in the future so Jaywick would be no exception.

Many comments on this topic emphasized the resilience of Jaywick Sands and its ability to survive challenges despite the lack of investment and the negative attitude of authorities.

“Flourishing, I hope, as it has always done. It is a unique and wonderful place!”

“I’m sure, with some ingenuity, that Jaywick will survive”

#### 4.4 Streets and open spaces

There was very strong support for reconfiguring Brooklands to be a one-way street. The perceived benefits were safety for drivers and pedestrians. Those who raised concerns about the one-way approach commented that parking for residents needed to be considered; that one-way streets increased traffic speeds rather than reducing them; that the footway should be on the sea wall side rather than next to homes; that bus routes needed to be maintained; that more benches and bins were needed, particularly at bus stops; that lighting needed to be improved; that other traffic calming measures (e.g. speed bumps) would be preferable.

Other open space improvements were widely supported, with no stand-out preferences and enthusiasm for most of the suggestions put forward as examples in the questionnaire (including tree planting, play facilities, allotments, . Further suggestions not included in the list were:

- More bus shelters
- Pavement improvements
- Disabled access improvements generally through the community and onto the seafront,

including for mobility scooters

- Litter bins and dog bins particularly on the seafront
- BMX and skate park
- Boardwalk on the beach providing disabled and buggy access to the sea, now the beach was so wide that it was difficult to be accessible
- Adult outdoor gym equipment
- Playing fields and tennis courts

Areas to improve were also varied, with Brooklands Gardens and the green space along Lotus Way mentioned more frequently than others, but with support for improvements to all spaces listed.

Other suggestions included keeping dykes and ditches clean; and buying back sites with planning permission for flats to use as open space. Additional off-street parking for residents was frequently mentioned.

Many respondents stated that all open spaces and streets needed improvement, particularly with regard to maintenance, stating that existing maintenance was already inadequate. The role of residents in maintaining green spaces was mentioned, both positively (as an example of community spirit) and negatively (perceived as the authorities neglecting their responsibilities). Concerns were raised about new equipment or improved spaces requiring maintenance or else the investment would be wasted.

#### 4.5 Shops and services

Most respondents identified a lack of shops and services locally. A small supermarket was the most popular suggestion for additional shops, followed by healthcare; but many respondents expressed support for the full range of suggestions given, including social infrastructure such as a library and nursery/preschool. Other comments raised:

- Grocery shops and supermarkets, particularly in Brooklands; the high price and lack of quality and availability of fresh food in existing shops was raised frequently
- The existing outdoor market/bootsale was mentioned positively by many respondents, alongside a concern that it would no longer be allowed once the new 'market' development was complete.
- Public toilets and changing facilities.
- Lack of cash machines that are not located in shops (i.e. accessible when shops are closed);
- Lack of disabled accessible shops, cafes and pharmacies
- Lack of doctors and dentists.
- Some concerns were raised about additional shops putting the existing shops out of business.
- More businesses were requested in terms of job creation.
- Petrol station
- Police station
- Social club for adults with a bar
- Social clubs and facilities for teenagers
- Additional primary school
- Food bank, toy library and second-hand clothes shop (this may indicate a lack of awareness of existing services run by community groups)

#### 4.6 Design and character

There was very strong support and appreciation for the existing character and built form of Jaywick Sands, with over 70% saying they liked the layout and character of the community. Comments included that it was an innovative design with a lot of history; that it is charming; that the layout is easy to find your way around; that it is unique and different from other places due to the distinctive eclectic nature of homes. There were positive comments about the relationship to

the beach and to the open landscape, and that all homes had gardens even though small.

Comments mentioned that the condition of properties was a negative and unsafe, that plots and lanes were too narrow and cramped, and that homes were too small for families.

Respondents strongly disliked the design of the new homes built recently by TDC. The negative aspects that were raised included the lack of disabled accessibility and not being suited to those with children either due to the external stairs; concerns around the safety of metal external stairs in winter with rain and ice; daylight reduction and overlooking for neighbours; that they all looked the same which was not 'in keeping' with the character of Jaywick; that they were ugly and clinical looking; that they were too tall and intrusive. Some positive comments were received including that they were clean and streamlined; that the pitched roofs were appropriate; that they were not too brightly coloured, that they were modern, functional and smart. Most respondents stated they would not want to live in one of those new homes, for similar reasons.

Respondents had a range of views on how new homes should be designed in Jaywick Sands. Many stated that while they should be raised up for flood safety, they should not be more than two storeys high; some stated bungalows only with flood defences improved so they were safe; should be disabled accessible; should be similar to the existing buildings and character of the area, with varied appearance rather than repetitive; with families in mind; that they should be environmentally friendly with solar panels and green roofs. The homes on Triumph Avenue were cited as a good example.

Several respondents stated that building on double plots should be the minimum, as single plots were too small.

"Flood resilient chalet bungalows" was a typical suggestion for how new homes should be designed.

#### 4.7 Other matters raised

- Additional road out from Grasslands for flood evacuation and to reduce traffic on Jaywick Lane
- Car park and WC facilities in the Village area
- Signage near Tamarisk Way car park which currently incorrectly signs vehicles along Brooklands in order to access the caravan parks and Martello Tower, when they should be directed along Lotus Way.
- Employment opportunities
- Improvements to bring more tourists and businesses
- Police and Council presence
- Action on fly-tipping and rubbish dumping
- Disabled accessibility
- Sorting out the social issues first
- Building bigger family homes, with small plots being seen as too small to adequately build good quality homes
- Street lighting
- More GP and dentist provision
- Demolishing 'eyesores' and derelict properties
- Inspections of rental properties and enforcement on landlords
- Closing the Never Say Die pub as a location for trouble
- Cycle routes and footpath signage
- Murals along the sea wall
- Concern about potential CPO
- Concern about Tudor Estate being neglected in the Place Plan
- Shaming of Jaywick Sands – reputational issues
- Foul drainage network inadequate

- Funding of services currently run by volunteers (e.g. library)

Comments were also received about community engagement and involvement with the Place Plan and regeneration process. Respondents highlighted the need and desire for residents and local community groups to be fully involved with emerging plans and with their delivery. Concerns were also raised about leaflets regarding the consultation not having been received, and publicity not being adequate. The need for consistent and regular communication, and clear signposting for residents wishing to find out information and receive updates, was highlighted.

## 4.8 Statutory consultee responses

The following statutory consultee responses were received and are summarised below:

### Environment Agency

- Comments on the stated flood depths with regard to most recent modelling
- The EA would not support any net increase of population in the parts of Jaywick Sands falling within Flood Zone 3
- Support for the broad preferred options identified at this stage but observed that the currently ruled out option of full decant with no rebuild should be highlighted as the necessary fall back option if partnership funding not found for improvements to flood defences
- EA would prefer to see any Council-led redevelopment being to full flood safety standards not the betterment standards set out in the draft SPD.
- EA would prefer to see small plots used to increase the plot size of adjacent plots, de-densifying the settlement, rather than redeveloped
- Support for SuDS along Lotus Way, improvements to green spaces that create wildlife habitats, increase tree cover and mitigate carbon emissions
- Comments on funding and deliverability of improved tidal flood defences in the light of the study now completed by the EA which has established their preferred options (economically preferred and locally preferred) which highlights the funding shortfall for the delivery of improved defences.

### Essex County Fire and Rescue Service

- Importance of resident and tenant engagement, education and awareness campaigns
- Implementation of regulatory requirements and best practice for fire safety in all development
- Consideration for improving road widths, additional access points to the Brooklands area and safe access routes for fire appliances generally
- Consideration of additional evacuation routes for residents in Brooklands and Grasslands in particular
- Support the provision of off-street (on plot) parking
- Storage of refuse to consider potential for fire spread
- Land management strategy to minimize potential spread of fire from or towards development sites

Suffolk and North East Essex Integrated Care Board (SNEE ICB) representing the following organisations:

- North East Essex Health and Wellbeing Alliance
- Primary Care providers – Clacton Community Practice (CCP) within Ranworth Primary Care Network
- East Suffolk and North Essex Foundation Trust (ESNEFT)
- East of England Ambulance Service (EEAST)
- Essex Partnership University Trust (EPUT)

Comments included:

- Stresses importance of engaging the community in decision-making and through the process, with a recommendation to focus specifically on population groups known to be impacted by inequalities. Support offered to enable this.
- Ageing population and families with children under 5 raised as priority groups for engagement

- NHS England will not consider any proposal for a new healthcare service facility within an established flood zone area. Any design that includes full mitigation would also need to be fully financially viable.
- Estimates of additional requirements for primary healthcare services are provided in relation to the preferred options in the Place Plan consultation
- Healthy placemaking principles that support the wider determinants of health should be embedded.
- Welcome proposals to improve the area's green infrastructure and provide more active lifestyle opportunities
- Village centre development could provide positive opportunities for a community health hub combining a range of services and facilities. This should be discussed with the North East Essex Health & Wellbeing Alliance members.
- Social care should be considered as part of the SPD process

#### 4.9 Non-statutory consultee responses

- Bridleways Association: Footpath 20 along the shoreline should be upgraded to a multi-use route suitable for equestrians
- Colchester Cycling Campaign: Improvements should be made to the Jaywick-Clacton cycle route link. Cycle parking at home should be a key consideration in the design of any new dwellings.

### 5. Next steps

Following consideration of the consultation responses, a draft Place Plan that sets out the preferred strategy will be developed by the consultant team. This will be presented for consideration by elected members at Tendring District Council and will be published for full public consultation prior to being adopted either as a Supplementary Planning Document or a non-statutory regeneration framework.

## Appendix: Full event records

### Saturday 24<sup>th</sup> September: Inclusion Ventures

Time: 12pm – 2pm

HAT/TDC: HL, RK, ES

Number of Attendees: 30

Matters raised:

- There was support for the one way system on Brooklands and increasing the safety of pedestrians and cyclists
- Increased facilities for residents, amenities such as public loos, public benches (bus stops, sea front and parkland)
- The parks (open spaces) need updating and maintaining, this has been carried out by Jaywick volunteer groups
- Support for a higher, wider sea wall that would enable a promenade for pedestrians, cyclists and those using mobility scooters.
- Residents wanted to see financial support or incentives for more businesses, in particular leisure activities related to its coastal position, beach bars, amusements, water sports (paddle boarding, kite surfing and sea kayaking). This would generate employment and custom for other local businesses.
- Most of those who attended said they wanted more bins available on the beach – how can you attract people to the beach when there are not the facilities for them to use?
- Lighting on Brooklands is needed
- More bins along Brooklands are needed – public bins for visitors to use as well as residents
- Landlords should take responsibility and be held accountable for the condition of their properties
- Clear some of the sea holly from the beach – create boardwalk/buggy route from the street frontage to the sea so that it is accessible for everyone
- Resident parking for seafront residents is needed
- Need more extensive play equipment for younger kids and teenagers especially in Brooklands – but must be maintained
- Outdoor gym equipment on the beach would be good.
- Refuse collection: this does not happen on the residential rounds with any level of routine or frequency; this encourages fly tipping and causes a public health issue with rotting waste and subsequently infestations next to residential properties. The lack of recycling on residential collections was raised, Thurrock should be looked at as an example.
- The idea of a 'skip scatter' was raised, long term this is not an option but be a short-term easy visible win for the council. Publicise locations where they will be for a limited period so they can have an immediate impact. TDC could liaise with community groups on this?
- Negligent landlords: many residents felt strongly that absent landlords leave their properties in a state of disrepair, which the TDC are 'paying for through benefits'. This results in the issues of waste as mentioned above. More importantly it ensures that the tenants are kept in a cycle of deprivation as unsafe housing affects every aspect of their lives. Poor housing leads to poor health, leads to poor social outcomes, which tends to lower educational outcomes etc
- Roads: the substandard state of the majority of roads was mentioned. As too was the dangerous state of many pavements – forcing people to walk in the

### Wednesday 28<sup>th</sup> September: Webinar



Time: 7pm – 8pm

HAT/TDC: HL, SR, AB, GG

Number of Attendees: 2 (at the time, 220 viewed asynchronously)

Summary of main issues raised:

- Concern about flooding and how any plans can be developed while improvement of flood defences is uncertain.

### **Friday 30<sup>th</sup> September: Inclusion Ventures (Seniors' Lunch)**

Time: 12.40pm – 2.30pm

HAT/TDC: ES

Number of Attendees: 10

Matters raised:

- The friendly and welcoming community was mentioned by all
- More amenities at the beach front, in particular public loos, bins (dog bins as well) and benches. Other changes roads and pavements need making safe – pavements cited as a particular danger to elderly residents and mobility scooters.
- Address the anti-social behaviour issues
- The majority of the attendees lived in rented accommodation and would like to move to different rented accommodation that was better insulated, more modern, built to better standards
- Broad support for new homes at Lotus way (only on one side not both) as more modern housing is needed, they also supported building new homes on existing TDC plots in Brooklands.
- the majority of them also had no concerns about future flooding in Jaywick Sands, previous close calls have been dealt with by the Local Authority. If there was increased flooding they would be unable to move out of the area as they have no where else to go. Of those asked about insurance they did not know if flooding was covered.
- To increase flood safety there should be design guidance that states ground floor garages should have doors that open on both sides so in a flood event the water can run straight through
- Everyone supported Brooklands becoming one way, citing it as currently begin unsafe for pedestrians, cyclists and dangerous for traffic. Traffic calming measures were mentioned – bumps etc The uneven pavements were mentioned by almost everyone as being very dangerous.
- For Open Spaces more tree planting and make them cleaner. The path at the end of Brooklands was mentioned as having a lot of litter around it. There was support for outdoor gym equipment, more benches (some concerns expressed about them being stolen), allotments and play equipment and facilities for teenagers. A bike track that could be used by children and teenagers was suggested. Open Space improvements required at Brooklands Green. Jasmine Way Park saw family fun day events that were organised by the travelling community, sports days etc they were reported to have been very well attended and very popular with all.
- Not enough shops, those that are there are too expensive and have limited stock due to their size. The majority wanted to see a supermarket, nursery, library and healthcare provision – the Market Site was suggested as a drop in venue for this healthcare provision.

- Most residents like the Design and Character of Jaywick, a few people would like to see properties better maintained to improve overall appearance. The majority of people are not keen on the TDC new builds, stairs frequently mentioned as inaccessible and difficult for young families. There was support for double plot builds in Brooklands.
- Crime and anti-social behaviour, drug and alcohol abuse within specific areas was cited as a major issue for residents. This was linked in with negligent landlords.
- Increased facilities for residents, amenities such as public loos, public benches (bus stops, sea front and parkland)
- To increase tourism residents wanted to see financial support or incentives for more businesses, in particular leisure activities related to its coastal position, beach bars, amusements, water sports (paddle boarding, kite surfing and sea kayaking). This would generate employment and custom for other local businesses.
- All those who attended said they wanted more bins available on the beach and increased signage to the beach – how can you attract people to the beach when there are not the facilities for them to use?

## Friday 7<sup>th</sup> October: Martello Tower

Time: 1pm – 3pm

HAT/TDC: HL, SR, ES, DW

Number of Attendees: 23

Matters raised:

- Concerns about possibility of compulsory purchase orders being used to move people away from and redevelop houses on seafront, based on reading of the interim report on the Place Plan.
- General support for one-way street on Brooklands to benefit pedestrians and maintain/improve bus route. Some questions raised over resident parking and which side of the road would be best for pedestrians. One resident suggested using vacant council plots for parking.
- General displeasure about new houses, they don't fit in with their context in Jaywick and people were not happy about accessibility issues caused by stairs
- Services: Toilet facilities requested along beach, not just at market but at the other end of the Village too. A police station based in Jaywick rather than Clacton was suggested.
- Some residents expressed frustration at the focus on Brooklands and Grasslands, questioning where "Jaywick Sands" is and whether they are part of the Place Plan if they live in the Village or Tudor Estate.
- Some residents wanted to know more about sea defences and occasionally frustrated to hear there was no EA report at this time
- A resident was dissatisfied with the council paying housing benefits towards the rent of substandard housing in Jaywick, and the lack of action against negligent landlords. DW explained the legislative limitations for benefit payments and reassured the resident that enforcement officers for unsafe housing are being recruited specifically for Jaywick. Some comments were made by others about poor upkeep of some properties and waste being left in gardens.
- Comment about discussions on Facebook on the Place Plan that might be worth capturing
- Shaming of Jaywick Sands – Jaywick being the butt of jokes, constantly being linked to deprivation – Brooklands not a good advertisement for Jaywick
- Some complaints about potholes and broken street lighting.
- Lack of pavements – Improvements to roads in Brooklands was commended and more was said to be needed to improve environs, and pedestrian safety and accessibility.

- Lack of infrastructure is off putting
- Surprising no water recreation
- Prospect of amphibious properties on Brooklands
- Don't build on greenfield sites
- Do build on Lotus Way land and support building more council housing
- Build on brownfield derelict plots
- There are double plots that could be built on.
- Concerned about flood evacuation of more people who might end up being in Jaywick Sands
- Rubbish on vacant plots is an issue
- In favour of Brooklands becoming one-way but should incorporate resident parking
- Some residents have far too many cars – one property on Riley Avenue has ten cars.
- Not worried about flooding as the beach has been built up so much that the tide no longer comes up to the sea wall
- Jaywick is improving
- Flytipping is a problem
- Interested in extending their existing home upwards
- Open space off Lotus Way should be used for playing fields/tennis courts
- Need a mini supermarket (e.g. Tesco) at the Brooklands end of the community
- The mess of vacant plots should be tidied up
- Need a new playpark
- Make sea defences wider so you can walk down them and there can be more facilities/stuff eg. seating
- Sceptical of flooding but want to be safe not sorry
- Access in and out of Jaywick is an issue for mobility scooters – they go along the seafront but the path needs to be maintained and sand cleared off it. There is no link through from Haolland to Clacton that is good for these users either on the road or the path.
- The new houses built by TDC are horrible with no access for disabled people
- Do something about the derelict buildings and spaces
- New homes should be in keeping – this means chalets, bungalows with parking, which are unique
- Don't need to build on every plot – 2 plots to become one is a good idea
- Paving areas for residents on empty plots
- Lidl or some similar supermarket, but existing shops should not be put out of business
- There should be more grants for insulation and solar energy
- Not worried about the 100 year future as won't be around to see it
- Less talk more action
- Should have a beachfront cafe

## Thursday 13<sup>th</sup> October: Community Resource Centre

Time: 9.30am – 11.30am

HAT/TDC: HL, SR, DW, TRC

Number of Attendees: 24

Summary of main issues raised:

- Antisocial behaviour and vandalism by young people. Although increased provision for them in open spaces is generally welcome, most felt more services and things to do for teenagers was needed

- Mostly agreement about making Brooklands one-way, many wanted even more traffic-calming measures like speed bumps. Fixing potholes a priority.
- A couple of people did not like the road resurfacing and thought the older roads had a charm to them that added to the uniqueness of Jaywick
- One resident expressed a wish to move away from Jaywick if they could but is unable to sell / get a mortgage. Is also unable to extend (increase hab rooms) due to flood risk. Feels stuck
- A few residents pointed out lack of internet access for many residents in Jaywick and hence why some might not have heard about the consultation events or struggle to engage with process generally if focussed online
- Many seemed to be aware of the flood risk but thought they were at greater risk from it coming from the “back” or St Osyth’s, and thought more attention should be paid there
- Signage on Tamarisk Way points vehicles going to the caravan parks and the Martello Tower the wrong way – they should be directed round Lotus Way but currently they are being directed down Brooklands, which is unsuitable.
- Put mirrors on the sea wall to improve visibility for vehicles exiting the side streets
- Speed bumps/chicanes on Brooklands
- Lotus Way has some bad sinkholes
- The Mermaid site should be a supermarket with flats above
- Need a dental surgery e.g. mobile service
- Need a locally based vet as so many people have pets but struggle to access vets for vaccinations etc
- Use TDC owned plots for resident parking and bin storage areas
- More off-street parking is needed – off Lotus way
- Need a flood proof road
- Residents should have alternatives e.g. cash for their home, or an alternative house they can move to.
- Jaywick feels safer than Clacton
- Build homes for single people and couples as well as families. Homes should be affordable rent not for sale.
- Need jobs as well
- New houses built by TDC are ugly.
- Sewer system isn’t coping and needs an upgrade
- Playground on the former café site (next to new homes)
- Help residents upgrade their energy efficiency
- Mermaid site should be a supermarket – need more shops
- Don’t build homes without enough local services
- Are there going to be enough bins on the market site?

## **Saturday 22<sup>nd</sup> October: Community Resource Centre**

Time: 10.30am – 1pm

HAT/TDC: HL, RK, SR, AB, GG

Number of Attendees: 25

Summary of main issues raised:

- Some dissatisfaction about MP coming to event but not engaging with public
- Questions about what is happening next with market building, who/what will be moving in there?

- One resident commented that the pictures of houses were all from the Village and none from Brooklands, which is where they live and where the consultation is asking about. Also commented on fly-tipping and the need for easy, affordable ways for people to get rid of their waste, and asked for better general maintenance of public spaces (grass cutting of verges). This resident agreed Brooklands Rd needed improvement (especially potholes) but was concerned about movements in and out of avenues that are cul-de-sacs.
- General comments asking why build something new when one is not going to look after / improve existing.
- Flood Risk
- How can you do anything without fixing flood defences?
- CPO – No
- Supermarket
- Maintenance of properties and gardens
- Physical notice boards in various locations
- Character and Design
- Not like new houses
- Strongly against the use of compulsory purchase orders i.e. a blanket TPO
- She didn't like the recent development of the 10 houses by the Council. They were too large, inadequate for people with disabilities and out of keeping with the area
- Supported limited development either side of Tudor Way. The Council will need to ensure the housing is for local residents who are in inadequate housing and not people on the Council waiting list who live elsewhere in the District
- Litter was a significant problem; this needs to be addressed, monitored and enforced
- House at Swift Avenue (no. 25) marked on the visual condition survey map as in a poor condition but resident felt that was not accurate.
- More information should be given about common housing safety / flood safety issues in homes and how to improve them.
- Disabled access to the new-build properties is a real issue
- Dike at rear of Brooklands is too overgrown and becomes a drug-taking site – should be cleared. The dike won't be functioning properly in terms of drainage.
- Why can't the Crown Estate ownership be ceded to TDC?
- Fly tipping on beach is a problem
- Road sweeping only happens on the main road, not the side roads, and should be addressed.
- Old inadequate properties should be pulled down and replaced with bungalow not 'great big houses' like the ones TDC has built, which are not in keeping
- General lack of housing is a problem
- Worried about flooding
- Would have bought one of the new homes if it had a lift but going up and down stairs is not possible
- Support Brooklands being one-way
- Shops in the village are really expensive – need a proper supermarket
- Need a bigger GP surgery – have to wait weeks for an appointment
- Should keep the villagey look of Jaywick
- Bus cuts are a problem
- Raise rock groynes, not the sea wall.
- Pull down the derelict homes and clear the sites. Use them for new house.
- There's a lot good about Jaywick already
- More police presence needed
- Car boot sale should continue – it also sells fresh fruit and veg
- Would be good to have a social club (like a pub)/youth club which could be volunteer run.
- The sense of community is special – it feels like being in the 1950s.

- Need more work and access to work – the bus fare to Colchester is really expensive
- ‘Nice’ landlords don’t touch Jaywick so you end up with bad ones.

## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JANUARY 2023

### REPORT OF THE DIRECTOR OF PLANNING

#### A.3 JAYWICK SANDS DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT

(Report prepared by Anthony Brindley)

#### PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
<p>To seek the Planning Policy and Local Plan Committee's comments on the Jaywick Sands Design Guide Supplementary Planning Document (SPD) Draft April 2022 consultation exercise. To seek the Committee's approval to recommend to Cabinet that the document is adopted with the proposed alterations.</p>
EXECUTIVE SUMMARY
<p>The regeneration of Jaywick Sands currently comprises two key work streams:</p> <ul style="list-style-type: none"><li>- The Jaywick Sands Place Plan SPD (outlined in a separate committee report); and</li><li>- The Jaywick Sands Design Guide SPD.</li></ul> <p>A corporate priority is supporting the community in Jaywick Sands, in particular, with more and better housing. The Jaywick Sands Design Guide SPD will provide key guidance to developers, helping to speed up the planning process and facilitate the re-development of poor quality housing.</p> <p>The Design Guide is divided into a number of chapters covering characterisation; flood resistance and resilience; massing, scale and building form; streetscape and parking; internal and external space standards; and climate change and biodiversity. The appendices provide worked examples of designs so the applicant can understand the practical implementation of the requirements. The document has been produced in consultation with the Environment Agency and other stakeholders.</p> <p>The consultation attracted 1 response online, 3 email responses and 3 substantive responses from statutory consultees. While this appears to be a low response rate, more comments were received at in-person drop-in events and in responses to the associated Place Plan consultation. There were no formal objections to the document; however, there were detailed comments from the public, particularly on accessibility to properties, accessibility to the beach and the design and size of new dwellings.</p> <p>There were no formal objections from statutory consultees, however, comments were received from Essex County Council which included the requirement for net zero carbon dwellings, high design and environmental standards and the need for green infrastructure. There were also detailed comments in relation to the text. The Environment Agency did not object to the document, however, its main</p>

comment was that it does not support any net increase in people living within the areas of Jaywick Sands within Flood Zone 3.

All the above comments have been taken into account in the Council's response outlined below.

## RECOMMENDATIONS

**That the Planning Policy and Local Plan Committee:**

- a) endorses the Jaywick Sands Design Guide Supplementary Planning Document (SPD) with Officers' recommended alterations; and**
- b) recommends to Cabinet that the above document (forming Appendix 1) be adopted with the Director of Planning given delegated powers to make any necessary minor or consequential amendments to the document before the final adopted version is published.**

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The Jaywick Sands Design Guide Supplementary Planning Document Consultation, referred to hence as the "Design SPD", will support the Corporate Plan 2020-24 (aligned with the core themes of Tendring4Growth and Community Leadership). A corporate priority is supporting the community in Jaywick Sands, in particular, with more and better housing. The Design Guide will provide key guidance to developers, helping to speed up the planning process and facilitate the re-development of poor quality housing.

### RESOURCES AND RISK

**Resources:** TDC Officers are managing this project with HAT Projects Ltd producing the document.

**Risks:** the adoption of the Design SPD will assist in the replacement of poor quality housing with properties built to appropriate standards taking into account environmental factors such as flood risk. The adoption of the standards contained in the Design SPD will improve the safety and amenity of residents.

### LEGAL

Policy PP14 of the Tendring Local Plan states that 'Brooklands', 'Grasslands' and 'the Village' areas of Jaywick Sands are Priority Areas for Regeneration. Paragraph 6.10.5 explains that that the Council will produce a Design Guide SPD to guide replacement dwellings and small infill development. The Design Guide SPD will fulfil this commitment in the Local Plan.



The Design SPD is being prepared under the terms of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (Regulations 11-16).

The process for preparing an SPD is similar to a Local Plan document. However, an SPD is not subject to an independent examination by the Planning Inspectorate. There are four main stages in their production:

1. Preparation and informal consultation;
2. Statutory consultation (four to six weeks);
3. Consideration of representations and completion of final draft of the SPD; and
4. Adoption of the SPD.

The Committee report requests permission from the Committee that it recommends to Cabinet to proceed with Stage 4 of the process.

There is not a legal requirement for an SPD to be accompanied by a Sustainability Appraisal and this is reinforced in national planning guidance. However, in exceptional circumstances, there may be a requirement for Strategic Environmental Assessment (SEA) where it is considered likely that the document could have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment has been undertaken and concludes that further such assessment is not necessary. A screening exercise has also been carried out to determine whether the document gives rise to the need for an Appropriate Assessment (under the Habitats Regulations). This similarly concludes that such an assessment is not necessary. The SPD is supported by an Equality Impact Assessment. This concludes that the Design SPD will not have a significant adverse impact on persons sharing any of the characteristics protected under the Equality Act 2010.

Once adopted, the Design Guide SPD will be formal planning guidance and will be considered as a material consideration when assessing planning applications.

## OTHER IMPLICATIONS

**Crime and Disorder:** the replacement of poor quality housing with more secure accommodation should lead to less crime and disorder. The Police service was also consulted as part of the consultation exercise.

**Equality and Diversity:** The Design Guide SPD has been subject to an Equalities Impact Assessment (EQIA) which raises no issues that would suggest the SPD should not be adopted.

**Health Inequalities:** The general health in Jaywick Sands is poor, with over 20% of residents in bad health or very bad health according to 2011 census data. Across Jaywick Sands, only 25% of residents are in very good health, while Tendring district averages at just under 40% and nearly 50% nationally. There is not much variation, though Brooklands and Grasslands are worse, with poor health almost five times higher than the national average. As this area actually has the youngest age

profile of all the Jaywick Local Super Output Areas, it is particularly concerning that the concentration of poor health is found in this area. This also correlates with the Index of Multiple Deprivation data on health. The improvements in housing will improve the living standards of residents and result in less health inequalities.

**Area or Ward affected:** West Clacton and Jaywick Sands Ward

**Consultation/Public Engagement:** The consultation was held from 9am on 5th September 2022 to 5pm on 27th October 2022. The draft SPD and other supporting documents were available for inspection during the consultation period at the following locations:

- online on the Council's website; and
- in hard copy at the Council's offices and libraries through the District.

In addition, drop-in events were held during the consultation period, in liaison with community groups and venues in Jaywick Sands and in conjunction with the planned consultation on the Jaywick Sands Place Plan. Times and venues for drop-in events were publicised on the Council's website and social media as well as through flyers distributed to all households in Jaywick Sands.

The drop-in and online events held were:

- Saturday 24th September: Inclusion Ventures;
- Wednesday 28th September: online webinar;
- Friday 30th September: Inclusion Ventures (senior lunch club – not open to the general public);
- Friday 7th October – Martello Tower;
- Thursday 13th October – Community Resource Centre; and
- Saturday 22nd October – Community Resource Centre.

In accordance with statutory requirements, a Public Notice was placed on the Council's website. An advertisement was also placed in the Clacton Gazette (with associated on-line advertisement) and a press release was issued to raise awareness of the consultation through local media outlets.

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The regeneration of Jaywick Sands currently comprise two key work streams:

- The Jaywick Sands Design Guide SPD; and
- The Jaywick Sands Place Plan (outlined in a separate committee report)

The Design Guide SPD aims to guide the development of new and replacement dwellings within the existing residential areas of Brooklands, Grasslands and the Village.

This Design SPD is a tool for:

- Stakeholder and community members when commenting on planning applications or early stage proposals;
- Property owners and developers, and their design and planning consultants, in producing proposals for their sites; and
- Planning officers in determining planning applications and pre-application submissions.

Much of the site, including existing residential development, is within an area at high risk of flooding. Public safety is the highest priority and the Council has worked, in particular with the Environment Agency, to identify a strategy to safeguard and improve public safety as well as achieve wider regeneration benefits. It has already been accepted that regeneration of the area presents an opportunity to improve the safety of existing residents. The agreed approach is to allow new development, including new dwellings, in the area and to manage risk from flooding through bespoke building design rather than by resisting development as a the standard 'sequential test' in the National Planning Policy Framework would do.

## **JAYWICK SANDS DESIGN GUIDE SPD**

### **Consultation Responses**

The consultation attracted 1 response online, 3 email responses, and 4 substantive responses from statutory consultees. While this appears to be a low response rate, many comments were received at in-person drop-in events and in responses to the wider Place Plan consultation that were relevant to the SPD. The material planning matters raised have been included in the summary of feedback.

## **Consultation**

The following feedback was received:

### **Public and non-statutory bodies**

The comments from the public and non-statutory body response can be summarised as the following:

- Seafront development must include disabled access to the sea wall and promenade;
- Designs of buildings should be flood proof and have aesthetic design in keeping with a seaside resort;
- Consideration should be made to make the new properties wheelchair accessible allowing for appropriate access in the case of flooding;
- 4 storey buildings are not conducive with a seaside town;
- Building companies should install solar panels as standard;
- Limited and in many cases impossible access for disabled people to local amenities, shops, dental surgeries and doctors;
- Disabled access must be fully considered in the future;
- Cycle parking – cycle garage, cycle hangars, security of cycling storage should be included; and

- Developer contributions should be used towards improving the Jaywick-Clacton cycle route.

A list of the informal comments mentioned at the consultation event is outlined in the Consultation Statement.

**Statutory consultees responses:**

- Affinity Water: no specific comments, welcome mention and continued consistent application of Policy PPL5: Water Conservation, Drainage and Sewerage from the Tendring Local Plan;
- Coal Authority: no comments;
- Historic England: no specific comments;
- Marine Management Organisation: no specific comments, standard advice regarding the Coastal Concordat reiterated;
- National Highways: no comments; and
- Natural England: no specific comments.
- Police: no comment

Essex County Fire and Rescue Service (ECFRS) submitted a number of detailed comments, the key issues in relation to this document being:

- Noted that the design guide discusses and considers climate change over the longer term. ECFRS agree climate change is a vital consideration due to the increased vulnerability in the Jaywick area and the possible range of impacts arising for vulnerable residents in the area from climate change. ECFRS supports engagement with communities.
- ECFRS advise consideration of:
  - suitable principles in design to avoid deliberate fire setting;
  - road widths to be accessible whilst not impeding emergency service vehicle response through safe access routes for fire appliances including room to manoeuvre (such as turning circles);
  - the inclusion of electric vehicle charging points is welcomed, however, the position of the charging points should be considered in relation to fire spread to properties in the event of a fire in an electric vehicle;
  - support the proposed provision of off street (on plot) parking;
  - the location of storage of refuse should consider the potential for fire spread in event of an accidental or deliberate fire within stored refuse.

The NHS Suffolk and North East Integrated Care Board supported the objectives of the SPD. However, they made the following comments:

- The need to ensure the community is fully engaged in future plans, particularly, people impacted by inequalities;
- NHS England will not support new health facilities within a flood risk zone, however, a health hub, possibly using community infrastructure, may be possible;
- Significant new development of houses would require section 106 contributions to mitigate the impact on the local surgery.

Essex County Council (ECC) was supportive of the document but made a series of detailed comments and suggested changes to each section of the document:

- Would like to see Local Plan policies referred to in each guidance section (Shaded box);
- Introduction - Refer to Local Plan Policies PPL1 and PPL10;
- Page 4 - Note that car and cycle parking standards are not 'Essex County Council' standards but are 'Essex Parking Standards';
- Page 7 - Further define 'High quality frontage';
- Page 29 – clarify that the Shoreline Management Plan is a government document and the responsibility of the Environment Agency;
- Page 32 – update reference to PPG (Planning Practice Guidance) 3 to reflect new PPG referencing;
- Page 39 – clarify whether TDC seeks, or has sought, to withdraw permitted development rights; and
- Page 41 - The introductory text to this section in the third paragraph should refer to ECC as the Lead Local Flood Authority (LLFA) responsible for surface water management. The Essex SuDS Design Guide should also be referenced. Include reference to the Essex Climate Action Commission (ECAC), which is a formal independent cross-party commission established in October 2019. The ECAC's formal role is to identify ways where we can mitigate the effects of climate change, improve air quality, reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the county; and explore how we attract investment in natural capital and low carbon growth.

ECC's comments seek to see the following requirements included in the SPD:

- Development is built to the highest standards of energy efficiency, water efficiency and renewable energy generation;  
All buildings are net zero carbon;
- Proposals must demonstrate the application of the 'energy hierarchy' to reduce energy demand for heating, lighting, and cooling and minimise carbon dioxide emissions using an energy assessment tool proportional to the scale of the development;
- Proposals must minimise carbon emissions associated with operational energy and construction, including materials; and
- All buildings must be designed to reduce energy demand and maximise fabric energy efficiency including such measures as: building orientation; high levels of insulation of roofs, floors, and walls; maximising air tightness; and using solar gain through window/door orientation whilst avoiding overheating.
- Section 7B: should state that all new development should incorporate SuDS (Sustainable Urban Drainage Systems) and have regard to the Essex SuDS Design Guide. Reference should be made to rainwater harvesting, grey-water recycling etc to mitigate surface water flood risk. Further, all minor developments should manage runoff off using porous surfaces or otherwise discharge from the site should be limited to 1-year greenfield rates or 1 l/s, whichever is greater.

- Section 7C: ECC seek wording similar to the below to be included regarding green infrastructure. Proposals will be encouraged that seek to conserve, and where appropriate enhance the green infrastructure of Jaywick Sands, demonstrating how they:
  - conserve and where appropriate enhance designated green spaces and/or create new green/open spaces where appropriate.
  - Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public Rights of Way (PRoW) and cycle and footpath networks.
  - enhance the visual characteristics and biodiversity of green spaces in close proximity to the development through biodiversity/environment net gain.
  - ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the Green Infrastructure Network.
  - take into consideration the principles of Sustainable Drainage (SuDS) and natural flood management techniques, which will enhance biodiversity and ecosystems.
  - consider the multi-functional use and benefits of local green spaces as part of the Green Infrastructure network.

The Environment Agency is supportive of the document but had the following detailed comments:

- Comments on the stated flood depths are from most recent modelling. Ensure source of modelling is included in notes;
- Does not support any net increase in people living within the areas of Jaywick Sands within Flood Zone 3;
- Appendix worked examples should mention flood resilient construction; and
- Minor comments on referencing to updated Planning Practice Guidance and other minor wording changes (not substantive).

The proposed Council response to the above comments are outlined below:

Page/section ref	Change	Reason
Page 4, Page 37,	Replace 'Essex County Council Highways standards' with 'Essex Parking Standards' throughout.	Using correct terminology following comment from Essex County Council
Page 7, section 2A	Amended guidance on what a 'high quality frontage	Comment from Essex County Council
Page 32	Change reference to Planning Practice Guidance 3 to Planning Practice Guidance: Flood Risk and Coastal Change and add hyperlink to <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change">https://www.gov.uk/guidance/flood-risk-and-coastal-change</a>	For accuracy
Page 37	Change 'car charging point' to 'electric car charging point'.	For clarity following comment from Essex County Council

Page 37	Change 'Secure dedicated cycle storage' to 'Secure dedicated cycle storage, which could be in the form of a cycle hangar or cycle garage, and should include electric bike charging facilities'.	Comment from Colchester Cycling Campaign
Page 41	Third paragraph –reference added to Essex County Council as the Lead Local Flood Authority (LLFA) responsible for surface water management. Included reference to the Essex Climate Action Commission (ECAC)	Comment from Essex County Council
Page 42 section 7B	Amendment to first guidance point to read '...engineering mains drainage must be limited to 1-year greenfield rates, or 1 litre/second, whichever is greater. Add guidance point to read 'Development must have regard to the Essex SuDS Design Guide when designing sustainable drainage systems.' Add guidance point to read 'Development should incorporate rainwater harvesting and grey-water recycling where possible.'	Comment from Essex County Council
Generally	Many community members raised concerns about accessibility to properties with raised ground floors. Further guidance on this has been included, i.e. how to meet and interpret requirements of Part M of the Building Regulations and to require: <ul style="list-style-type: none"> <li>- Internal stairs where required to access habitable space above a certain level.</li> <li>- Lift access for multi-family development (i.e. flats).</li> <li>- Design of external stairs to be non-slip and not to use metal handrails or steps.</li> </ul>	Community comments
Generally	EA provided further detailed data and flood levels for 0.5% AEP in text and diagrams have been updated accordingly. Source of modelling included in references.	Comment from Environment Agency
Generally	Section 1 has been updated to clarify how guidance applies to development that results net increase and development that would result in no net increase.	Comment from Environment Agency (response to EA request adapted to align with wider Place Plan strategy)
Appendix	Add reference to flood resilience construction to worked examples	Comment from Environment Agency

## **CONCLUSION**

Taking into account the discussion held at this meeting, Members of the Planning Policy and Local Plan Committee are invited to recommend to Cabinet that the Design SPD be adopted.

## **APPENDICES**

Appendix 1 - Jaywick Sands Design Guide Supplementary Planning Document

Appendix 2 - Jaywick Sands Design Guide Supplementary Planning Document Consultation Statement

## **BACKGROUND DOCUMENTS**

- Strategic Environmental Assessment and Habitats Regulation Assessment Screening Opinion
- Equalities Impact Assessment December 2022
- Jaywick Sands – Approach to betterment, sequential and exception test - Technical Guidance April 2022



# Jaywick Sands Design Guide

Supplementary Planning  
Document

January 2023

Page 79

# Contents

1. Introduction	3
2. Characterisation	6
3. Designing flood safe buildings	30
4. Massing, scale and building form	36
5. Streetscape and parking	38
6. Internal and external space standards	40
7. Accessibility	42
8. Climate change and biodiversity	43
Appendix: Worked examples of design guidance in practice	

# 1. Introduction

Jaywick Sands is a unique and resilient community with a distinctive sense of place. It is a rare example of a plotlands development where the original small plots, gridded street pattern and chalet-style buildings survives largely unchanged since it was founded in the 1930s. Jaywick Sands' position by the sea is both its greatest asset and also its greatest challenge as the community now faces an increasing risk of flooding, which is particularly concerning as many homes in Jaywick Sands are now in very poor condition. It is therefore vital to encourage the replacement and upgrading of homes in Jaywick Sands to a flood safe standard while also enhancing the character of the area and supporting its regeneration.

The Jaywick Sands Design Guide Supplementary Planning Document provides guidance to support the following policies within the Tendring Local Plan (2013 - 2033):

- PP 14 Priority Areas for Regeneration
- SPL 3 Sustainable Design
- LP 3 Housing Density and Standards
- LP 4 Housing Layout
- PPL 5 Water Conservation, Drainage and Sewerage

This SPD applies to all development within the Priority Area for Regeneration as defined in Policy PP14. It does not apply to development in the northern part of Jaywick Sands (the Tudor Estate). The SPD has been developed to address the design issues relating to replacement dwellings and new development within the existing built-up area, but the design requirements apply to all development within the PP14 area, including undeveloped land. It supports the policy aims of transforming housing quality and the built environment in Jaywick Sands, providing flood resilient homes built to modern building standards.

The Design Guide shows how the Local Plan policies should be interpreted within the specific context of Jaywick Sands, with regard to its character, layout and setting as well as the requirement to develop flood resistant and resilient buildings. It demonstrates how the essence of the settlement's design characteristics can be maintained while also delivering much-needed improvements in safety from flooding. The Design Guide has been developed in dialogue with the Environment Agency and other stakeholders, to show how flood safe development should be designed so that it creates a high quality living environment for residents of the development itself and the wider community of Jaywick Sands.

## Who should use this guide?

This Design Guide is a tool for:

- Property owners and developers, and their design and planning consultants, in producing proposals for their sites
- Community members when commenting on planning applications or early stage proposals
- Planning officers in determining planning applications and pre-application submissions

## Status of this document

This Design Guide Supplementary Planning Document has been published for adoption in January 2023.

## Achieving betterment of housing quality in Jaywick Sands

Jaywick Sands contains a large number of homes which were not originally designed or built for year round, permanent inhabitation. Although many have been upgraded over time, most still have features of their design and/or construction which impact the health and wellbeing of their residents, including:

- Lack of flood resistance or resilience, combined with poor structural performance, which could endanger life in a severe flood event
- Poor energy performance leading to higher energy bills and health impacts
- Poor internal and external space standards leading to overcrowding, internal fire hazards and mental and physical health impacts.

The Design Guide has been developed to assist applicants, agents, and planning officers in balancing design requirements with the wider regeneration aims of PPL14. The Council wish to encourage the replacement of poor quality homes with better quality, more resilient homes that provide a safer and better quality environment for their residents. However within the Priority Area for Regeneration, many plot sizes are very small and a strict adherence to every standard usually applied to residential development in Tendring would prevent some owners of single plot homes from upgrading them to a better standard, as it would not be possible to design a fully compliant replacement home.

Tendring Council recognises that proposals to replace existing homes with new, better quality homes, but which do not increase the number of people living within the area of flood risk, will increase the safety and resilience of the community even if they do not meet every design standard in full. This SPD therefore sets out which design standards can be relaxed for proposals of this nature, which include the required floor level for habitable rooms, and minimum parking requirements. It provides clear guidance and worked examples to assist applicants in preparing compliant proposals.

Proposals that will increase the number of people living in Jaywick Sands and at risk of flooding, must meet all the design standards and requirements that would apply in other locations in Tendring. The SPD also sets out worked examples to show how these standards should be applied in the context and built form pattern of Jaywick Sands, to create good quality development that contributes to the regeneration of Jaywick Sands.



## Checklist of design standards

	Proposals resulting in no net increase in bedspaces on the site	Proposals resulting in a net increase in bedspaces on the site
Internal floor levels for habitable rooms – refer to section 3A	Must be higher than existing floor levels in the property being replaced; must not result in more than 0.3m internal flooding in a 0.5% AEP present day event.	Must be set above the design flood level which is the 0.5% AEP flood level plus lifetime climate change allowance and appropriate freeboard.
Massing, scale and building form	All requirements set out in chapter 4 must be met.	All requirements set out in chapter 4 must be met.
Parking standards – refer to section 5B	A minimum of 1 car parking space for a 1 or 2-bedroom unit must be provided; a minimum of 2 car parking spaces for a 3 or 4 bedroom unit must be provided.	Essex Parking Standards must be met in full.
Internal and external space standards	All internal and external space standards set out in chapter 6 must be met.	All internal and external space standards set out in chapter 6 must be met.
Accessibility	All accessibility requirements set out in chapter 7 must be met.	All accessibility requirements set out in chapter 7 must be met.
Climate change and biodiversity	All requirements set out in chapter 8 must be met.	All requirements set out in chapter 8 must be met.

## 2. Characterisation

### 2.1 History and character areas

Jaywick Sands is located on the Essex coast, in Tendring District. The village of just under 4,800 residents (2,600 households) is sited along the seafront a few miles south west of Clacton-on-Sea.

Jaywick Sands has a unique history which is reflected in its distinctive layout and architectural character. A century ago the village did not exist - the community was founded as a 'plotlands' development of holiday chalets in 1928 and most of the estate was not purpose built for permanent year round occupation. A unique combination of social, political, economical and geographic factors have meant that Jaywick Sands has retained its distinctive low-rise, self-built character of small plots and gridded streets. It is one of the sole remaining examples of a plotlands development which retains this form, and this has been widely recognised by architectural and social historians.

Jaywick Sands is made up of four distinct areas, which are shown on Fig. 1. These correspond to different stages of development of the settlement.

- Brooklands and Grasslands have the smallest plots and were the earliest areas to be developed. These areas are almost all single storey or 1.5 storey (room in the roof) chalet-type dwellings.
- The Village has slightly larger plots and includes the commercial shopfronts of the village centre, which have flats above them.
- The Tudor Estate is the only part of Jaywick Sands to be planned as permanent year-round dwellings. The street layout is more conventionally suburban, with large plots, a school and GP surgery.
- The Guinness Trust social housing to the north of Brooklands was developed in the early 2000s and does not follow the typical street layout or characteristics of the rest of the settlement.

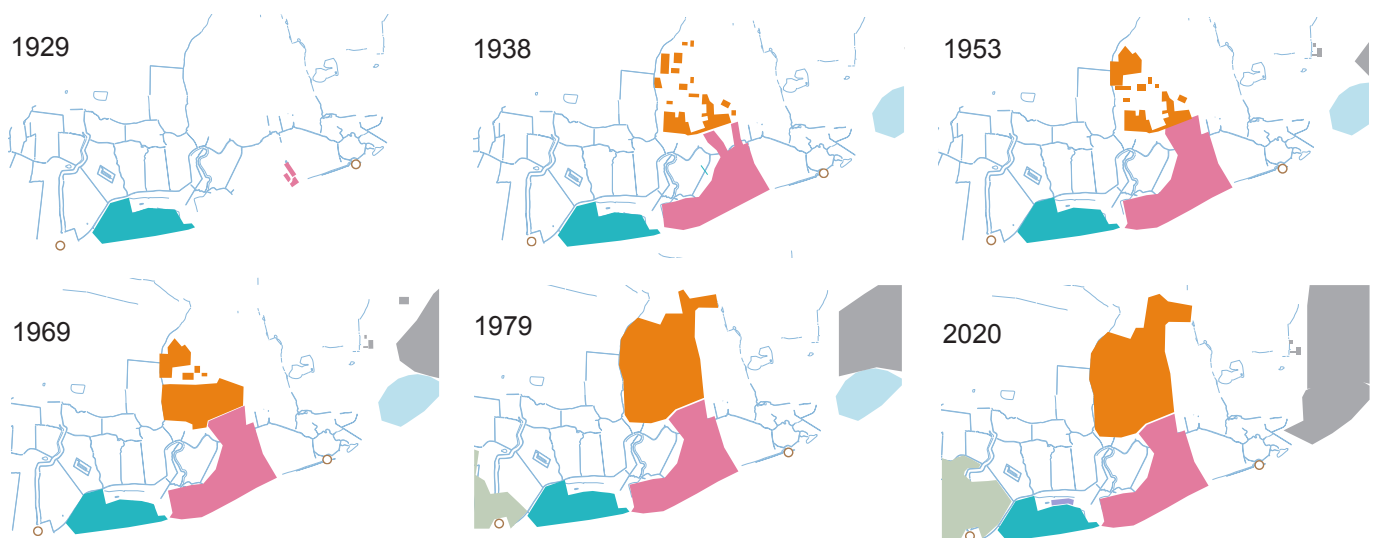


Fig. 1. Historical development of Jaywick Sand derived from historic OS maps.

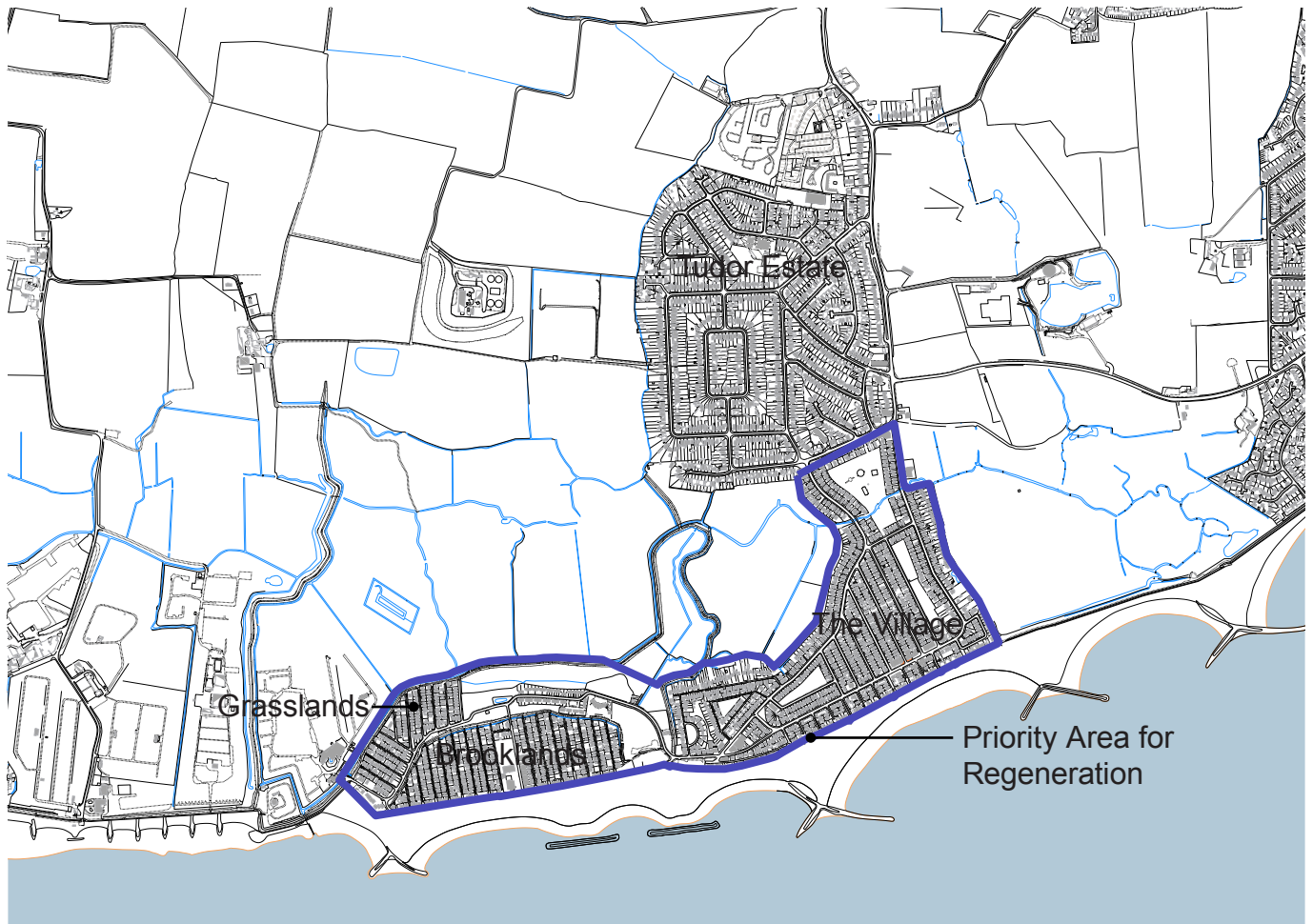


Fig. 2. Plan of Jaywick Sands showing character areas

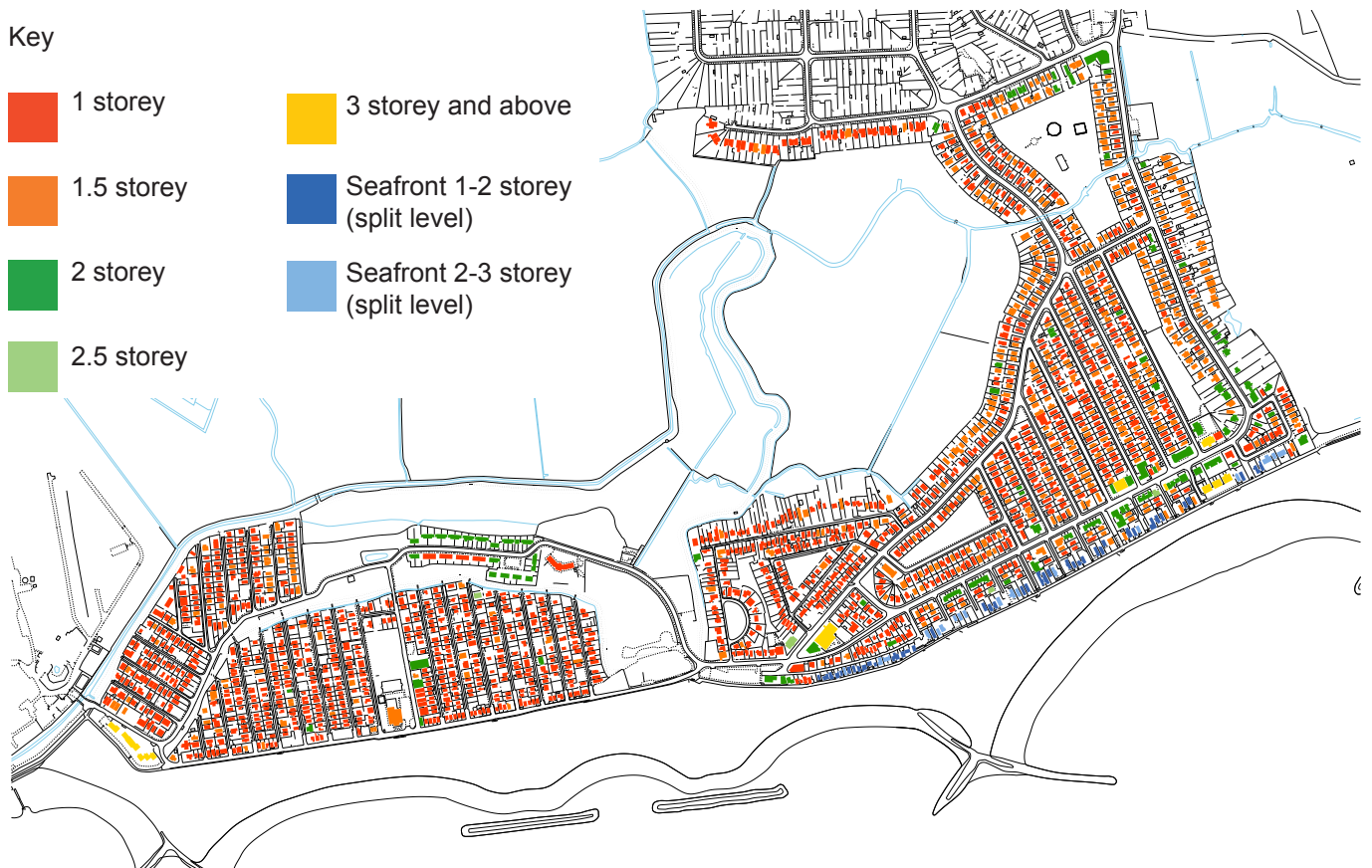


Fig. 3. Storey heights in Jaywick Sands (HAT Projects survey 2019)



## 2.2 Landscape setting

Jaywick Sands is set on former grazing marshland typical of the Essex coastline. The flat landscape rises up to the north out of the coastal floodplain and the Tudor Estate sits on this raised area. Views both from and to the settlement are therefore expansive - very slight changes in height and topography register significantly on the skyline, particularly as there are no mature tree belts screening the village. Elevations with light colours are particularly visible at long range, while closer up, boundary treatments are varied and do not always create a positive transition from the settlement to the surrounding landscape.

The predominantly low-rise character of Jaywick Sands preserves these expansive views and stops the relatively large settlement having a disproportionate visual impact on the surrounding landscape. The heritage asset of the Martello Tower retains its visual separation from the community and its sense of scale and presence, appropriate to its original purpose and siting.

### 2A: Landscape character and visual impact

- New development must maintain the low-rise skyline of Jaywick Sands when seen from the surrounding rural areas, but taller buildings may be appropriate if carefully designed.
- The colour of elevations facing the countryside should be carefully considered.
- Boundary treatments to open landscapes must create an appropriate and high quality edge, close boarded fencing does not achieve this.
- Visual separation between Tudor Estate and Village/Brooklands/Grasslands should be maintained.
- An appropriate setting for the Martello Tower must be preserved. Proposals must preserve visual separation around the Tower and not dominate it in terms of scale.
- Seafront development must present a high quality frontage when seen from the beach, which does not appear out of scale with the neighbouring built form.



Fig. 4. 1895 Ordnance Survey map showing the site of Jaywick Sands as grazing marsh and saltings - the sea wall runs around the north of what is now Brooklands.





Fig. 5. View from the south of the Tudor Estate, looking towards the tandem plots along Meadow Way



Fig. 6. View from the south of the Tudor Estate, looking towards Lotus Way



Fig. 7. View looking east from Seawick towards Jaywick Sands and the Martello Tower

## 2.2 Brooklands and Grasslands

Brooklands and Grasslands have the smallest plot sizes and the smallest existing homes. These areas have the well-known 'radiator grille' layout of narrow streets running north-south.

### Density

- The area contains around 710 homes, excluding Guinness Trust and Belsize Avenue flatted development (HAT Projects Survey, 2018)
- Including roads and pavements but excluding areas of public open space (i.e. Brooklands Gardens), the area has a density of 49 dwellings per hectare.
- If all empty plots were occupied with a dwelling, this would rise to around 60 dwellings per hectare.

### Mix and tenure

- Most homes in the area have one or two bedrooms only. (2011 census data for LSOA 018A)
- Proportion of privately rented homes is high, at 48% (2011 census data for LSOA 018A)
- The area contains the only (purpose built) social housing in Jaywick Sands - the Guinness Trust homes developed in the early 2000s.
- The area is highly overcrowded, with 94% of all households judged to have insufficient space to meet the household's needs according to the Index of Multiple Deprivation (2019).
- The area has the highest proportion of children of all the Jaywick areas. (2011 census data for LSOA 018A)

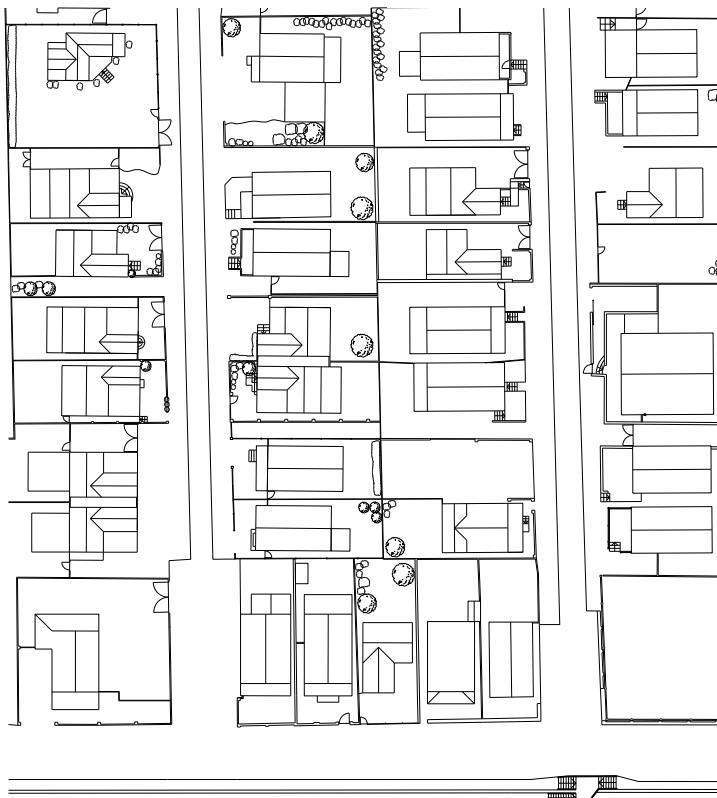


Fig. 9. Plan showing seafront and typical plot arrangements in Brooklands

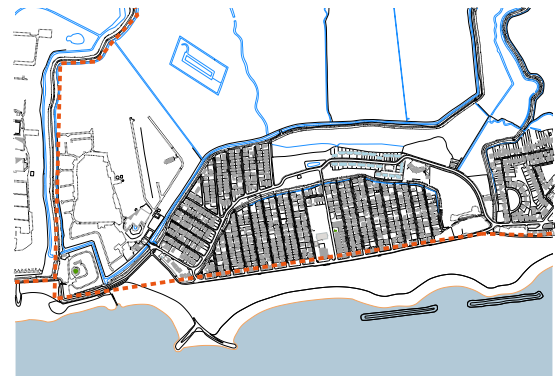


Fig. 8. Plan showing location of Brooklands and Grasslands in Jaywick Sands





Fig. 10. View looking west on Brooklands seafront



Fig. 11. Brooklands in the 1930s



Fig. 12. View looking west on Brooklands seafront following the 1953 east coast tidal flood

## Brooklands and Grasslands: typical plots

Typically, plots in Brooklands and Grasslands are:

- 15m long
- 6-8m wide

Setbacks of buildings from plot boundaries are typically:

- 0.7-1m from side boundaries
- 2.5-3.5m from front boundaries
- 3.5-4.5m from rear boundaries.

Buildings are almost all single storey, or 1.5 storey (room in the roof) with gable ends facing the street. Many of the original 1930s chalets remain: although in most cases they have been overclad and altered, their distinctive form is still recognisable. Ground floors are typically raised around 0.1-0.7m from street level. 2022 flood levels in a 0.5% AEP event reach up to 0.3m above ground level in some parts of Brooklands.

Typical Brooklands streets have been resurfaced to form an asphalt carriageway with a level concrete pavement without a kerb on either side. This is due to the narrowness of the streets which does not permit a full compliant carriageway and pavement, so cars need to be able to overrun the pavement to pass each other. However this streetscape design has been sensitively achieved and gives a distinctive character to the streets akin to a 'home zone' or 'shared surface' approach.

Typically parking takes place informally on-plot at the front of buildings, or on-street where plot sizes don't allow for on-plot parking. On-street parking narrows the carriageway further and creates a challenge for the safe flow of traffic.



Fig. 13. Typical street in Brooklands.



Fig. 14. Typical junction between Brooklands and north-south streets.



Fig. 15. Typical street in Grasslands

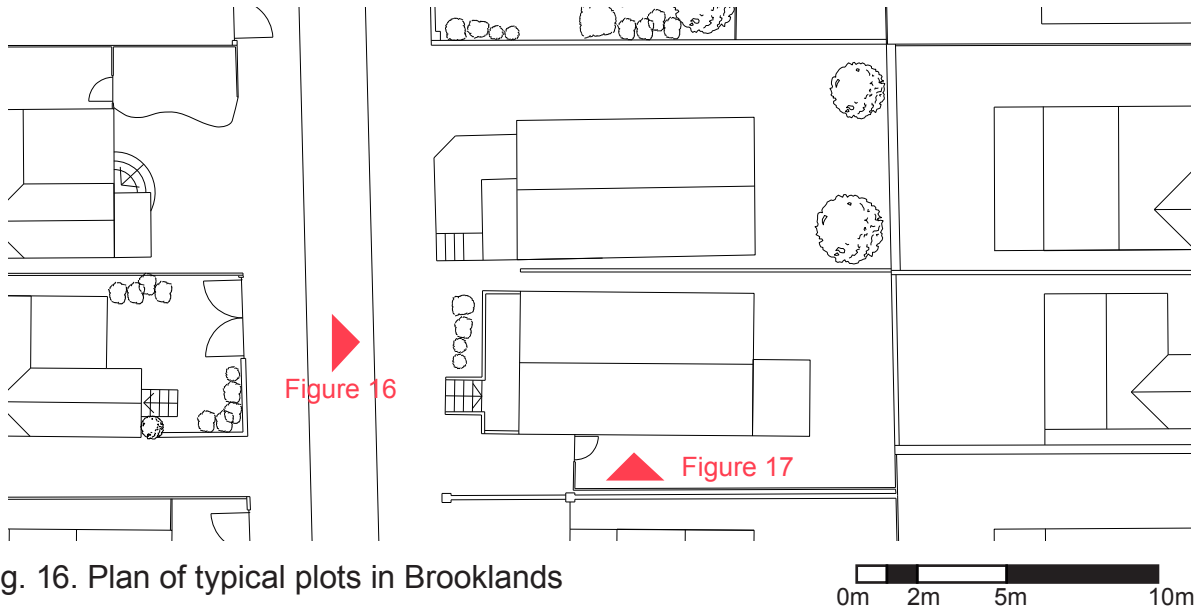


Fig. 16. Plan of typical plots in Brooklands



Fig. 17. Typical street elevation of Brookland plots.



Fig. 18. Typical side elevation of Brooklands plots



## Brooklands: Seafront plot characteristics

Seafront plots in Brooklands are typically:

- 15.5-16.5m long
- 5-6m wide

Setbacks of buildings from plot boundaries are typically:

- 0.7-1m from side boundaries
- 2.5-3.5m from front boundaries
- 4.5-5.5m from rear boundaries.

Buildings are typically single storey, or 1.5 storey (room in the roof) with gable ends facing the seafront. Ground floors are typically raised around 0.1-0.7m from street level. As in the rest of Brooklands, most of the original 1930s chalets remain but are overclad.

Brooklands Avenue does not have a pavement - the asphalt road surface runs right up to plot boundaries. This is unacceptable from a safety and accessibility perspective and the aspiration is to remedy this in the future.

Typically parking takes place informally on-plot at the front of buildings, or on-street where plot sizes don't allow for on-plot parking. On-street parking narrows the carriageway further and creates a challenge for the safe flow of traffic which is particularly critical as Brooklands Avenue is a bus route.



Fig. 19. View showing Brooklands seafront plots and the steps to access the beach.



Fig. 20. Historic postcard photo of Brooklands seafront.

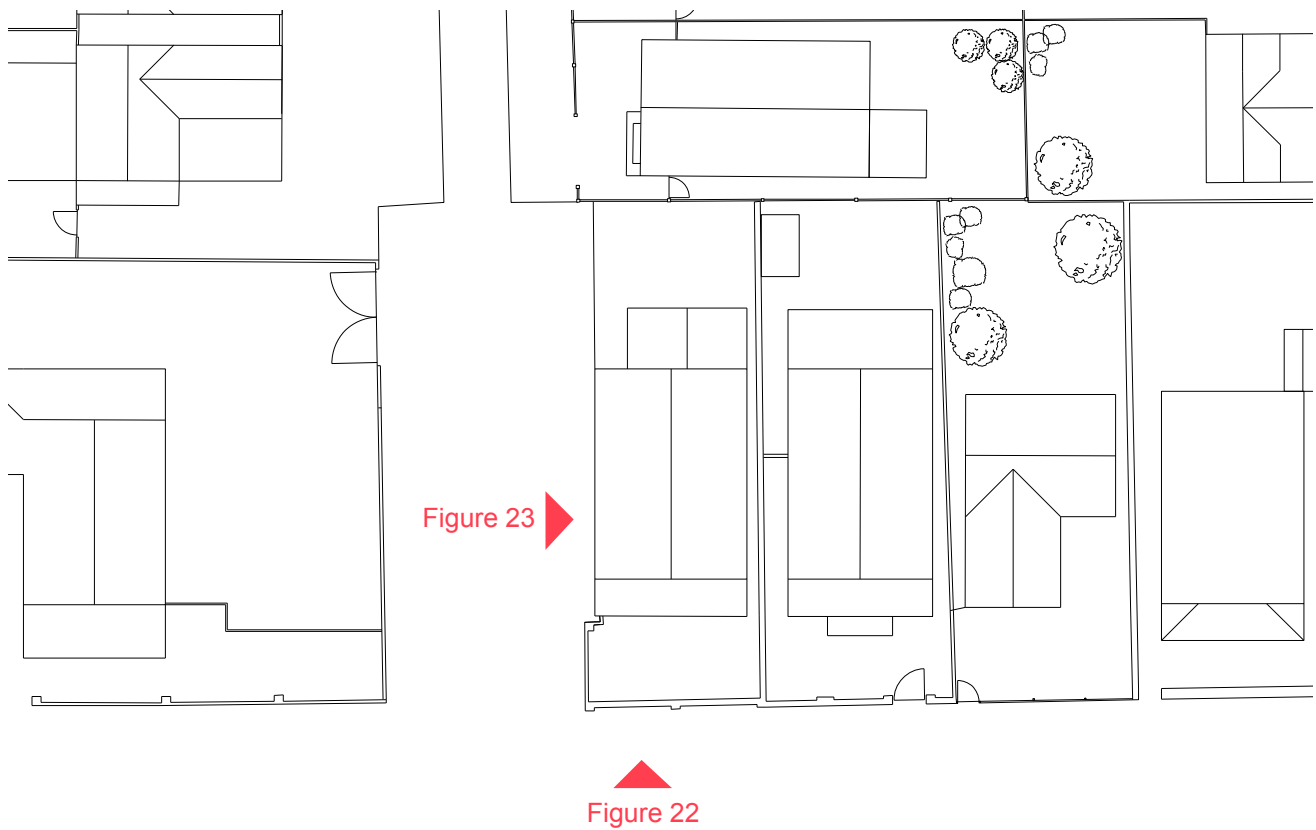


Fig. 21. Plan of typical seafront plot in Brooklands



Fig. 22. Typical seafront (south) elevation of seafront plots.

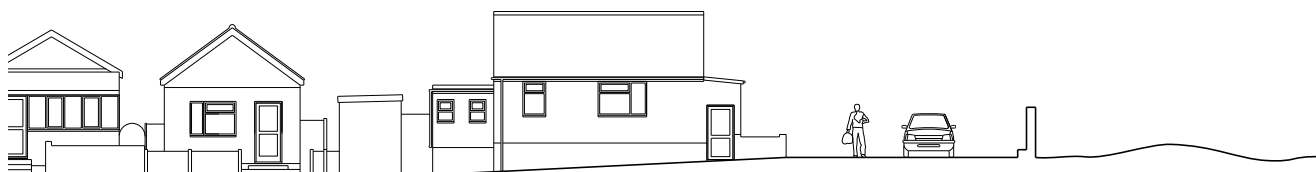


Fig. 23. Typical side elevation of seafront plots



## 2.3 The Village

The Village is the central area of Jaywick Sands, including Broadway, Meadow Way and the plots between. It has a more varied character than Brooklands including:

- A number of green spaces of different scales;
- Plots at the western end of the Village which are similar in scale to Brooklands plots;
- Typical inland plots on north-south streets, but of a larger size than Brooklands;
- Broadway itself has a number of commercial premises with flats over, and was designed from the start as the commercial heart of the settlement. There are some three-storey buildings.
- The Village seafront is a pedestrian promenade at a higher level to the rest of the streets, resulting in split-level dwellings on the seafront, often of a highly individual design;
- Along Golf Green Road, Meadow Way and Crossways there are a number of 'tandem plots'.

### Density

- The area contains around 1134 homes, with few plots vacant.
- Including roads and pavements but excluding areas of public open space, the area has a density of around 30 dwellings per hectare.

### Mix and tenure

- The Village has a more varied mix of unit sizes.
- Proportion of privately rented homes is lower than in Brooklands - 17% of households (2011 census data for LSOA 018C).
- Overcrowding and the proportion of households with children is lower, despite more green spaces and larger dwellings (2011 census data for LSOA 018C).

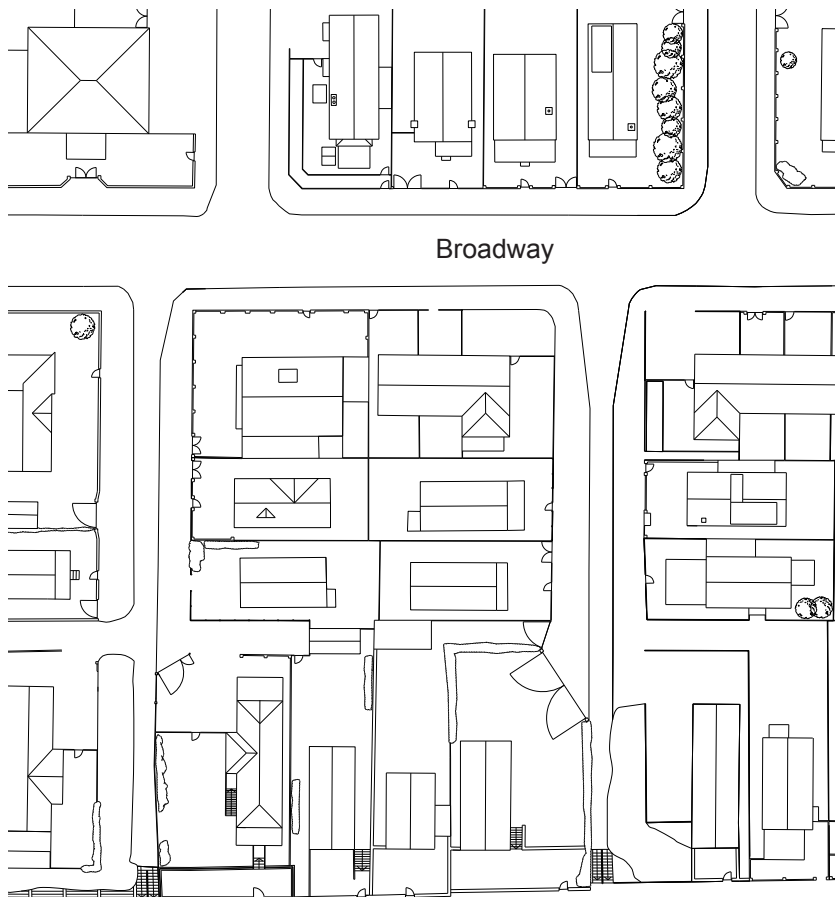


Fig. 25. Plan of typical area of the Village, either side of Broadway



Fig. 24. Plan showing location of the Village in Jaywick Sands





Fig. 26. Village seafront



Fig. 27. The Village has several distinctive 'greens' within the street pattern.



Fig. 28. The Village seafront as depicted on a 1950s postcard

## Village: typical plots

Most plots in the Village along the north-south streets are typically:

- 20m long
- 7.5-8.5m wide

Setbacks of buildings from plot boundaries are typically:

- 1-2m from side boundaries
- 3-4m from front boundaries
- 5m from rear boundaries.

Buildings are typically single storey, or 1.5 storey (room in the roof) with gable ends facing the road. Ground floors are typically raised around 0.2-0.5m from street level. Many original chalets remain, adapted and overclad - some of the most ornate and well-maintained homes can be found in this area. 2022 flood levels in a 0.5% AEP event reach up to 0.5m above ground level in some areas close to the seafront.

Most Village streets have a full pavement, typically 1.5-2m wide. Some plots are arranged to accommodate on-plot parking either at the side or the front but this is not the case for all plots and there is significant on-street parking.

There are a few anomalous areas in the Village, including Beach Way, Sea Way, Lake Way, Fern Way, Yew Way and Gorse Way, where roads are still unsurfaced and are very narrow, similar to Brooklands streets. These are particularly challenging areas for redevelopment of plots and must be considered carefully in the assessment of suitable design.



Fig. 29. View along the north-south Willow Way in the direction of Meadow Way

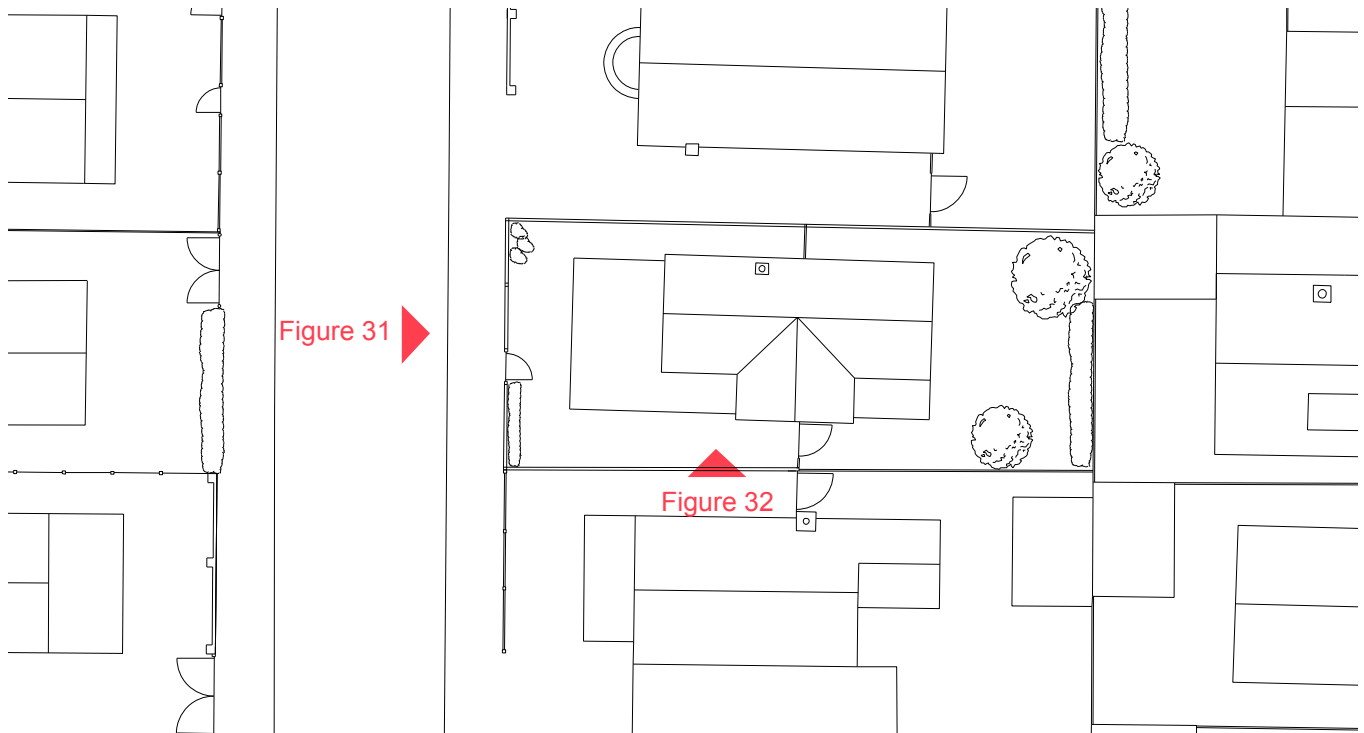


Fig. 30. Plan of typical plot in the Village (on north-south street)

0m 2m 5m 10m



Fig. 31. Typical street elevation of Village plots

0m 2m 5m 10m

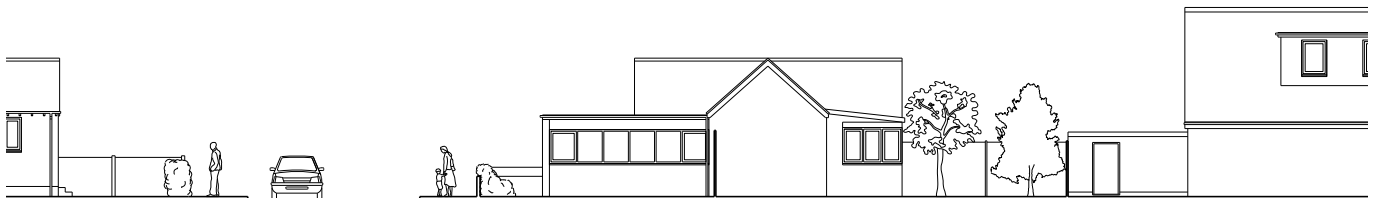


Fig. 32. Typical side elevation of Village plots.

0m 2m 5m 10m



## Village seafront plots

Seafront plots in the Village are typically:

- 24.5-25.5m long
- 7-10m wide

Setbacks of buildings from plot boundaries are typically:

- 0-2m from side boundaries
- 3-4m or 10-11m from front boundaries
- 6-11m from rear boundaries

Buildings are typically single/two storey, or two/three storey (due to the change of ground level from the Broadway to the seafront) with gable ends facing the seafront. The first floor level is typically around 0.2-1m from the seafront street level. Homes exhibit a great variety of design which adds to the charm and character of the area - many take advantage of the south-facing aspect and quiet car-free location to have extensive balconies and terraces overlooking the sea.

There is access from the higher seafront level and the lower north facing level. The lower north facing level provides amenity and car parking space.



Fig. 33. View of the Village seafront promenade



Fig. 34. View of the Village seafront plots showing the level difference between the seafront & the inland plots

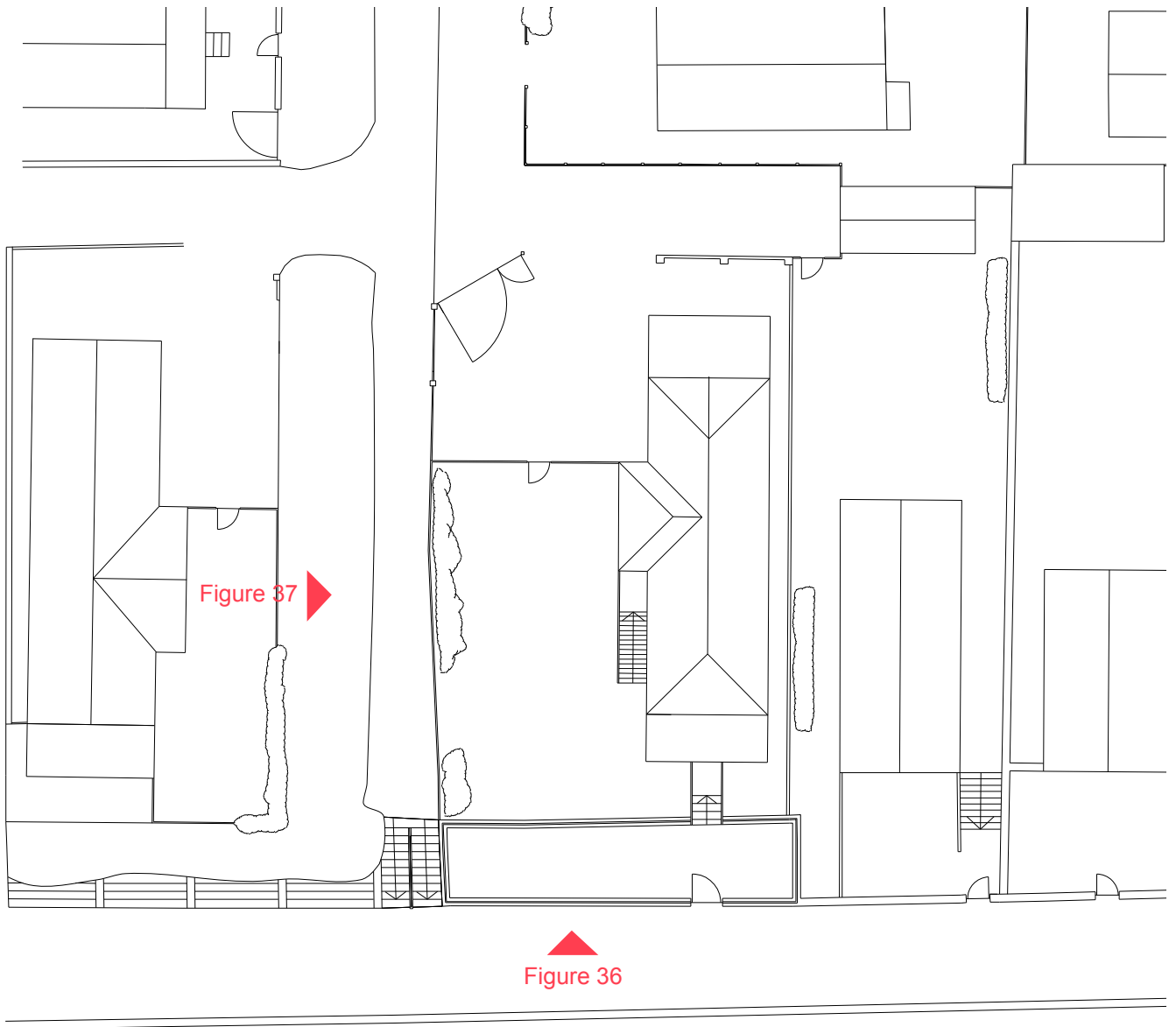


Fig. 35. Plan of typical seafront plot in the Village

0m 2m 5m 10m

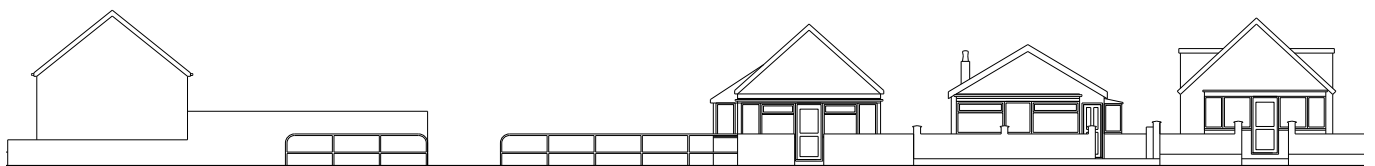


Fig. 36. Elevation of typical seafront plot in the Village

0m 2m 5m 10m



Fig. 37. Side elevation / cross-section of seafront plot and level change to promenade

0m 2m 5m 10m

## Broadway

Broadway has a mix of residential and commercial properties along the street. The eastern end is mostly residential, and the west has a mix of shops, eateries and residential properties, often with flats at first floor level. The street itself is wide with generous pavements both sides.

The western end was designed from the outset as the commercial heart of the settlement and the mixed-use buildings were originally designed in a modernist style - flat-roofed and stucco-fronted - in contrast to the chalet architecture of the residential pattern book. Some buildings were even more architecturally flamboyant, such as the former 'Cafe Morrocco' which was designed in a Hollywood-inflected North African style.

Residential plots on the eastern end of Broadway vary in character. Originally they were narrow plots, with four plots between each cross street, but many have been combined into larger plots, each occupying a corner. Some blocks have been rebuilt as a terrace of homes fronting Broadway. This has resulted in a shift in density and character that is appropriate to the wide and more urban 'high street' setting.

Broadway itself has a generous pavement and plots typically have front and side gardens, but side gardens do not always present a positive frontage to the street, as where dwellings are set back considerably from the street, the side 'garden' is frequently occupied by informal sheds or enclosed with high close boarded fences.

Typically parking is accommodated on-plot at the front of the dwelling but where houses form a terrace, plots lack space for parking so cars are parked on-street.



Fig. 38. Former amusement arcade building along Broadway, with flats above.





Fig. 39. Historic photo of Broadway showing Café Morrocco



Fig. 40. Historic photo of Broadway - the building on the right is now Wonderland



Fig. 41. Historic photo of Broadway

## Tandem plots

Tandem plots are found along Meadow Way, Golf Green Road, and the southern side of Crossways. Each plot in the tandem arrangement is typically:

- 18-19m long
- 6.5-7.5m wide

Setbacks of buildings from plot boundaries are typically:

- 1m from side boundaries
- 3-4m from front boundaries
- 4-5m from rear boundaries.

Buildings are typically single storey, or 1.5 storey (room in the roof) with gable ends facing the road. Ground floors are typically raised around 0.25m from street level.

The area has pavements and front gardens and some plots have side gardens. The front plots are accessed directly from the street and some, but not all, have on-plot parking at the front or in a garage. The rear plots are accessed by shared driveways between the front plots - one driveway serves two rear plots. Rear plots typically have garages/carports or park cars in the space between the two front plots. There is typically some on-street parking as plot layouts rarely accommodate two cars per household.



Fig. 42. View between the tandem plots along Meadow Way



Fig. 43. Example of the relationship between the front and rear houses on the tandem plots



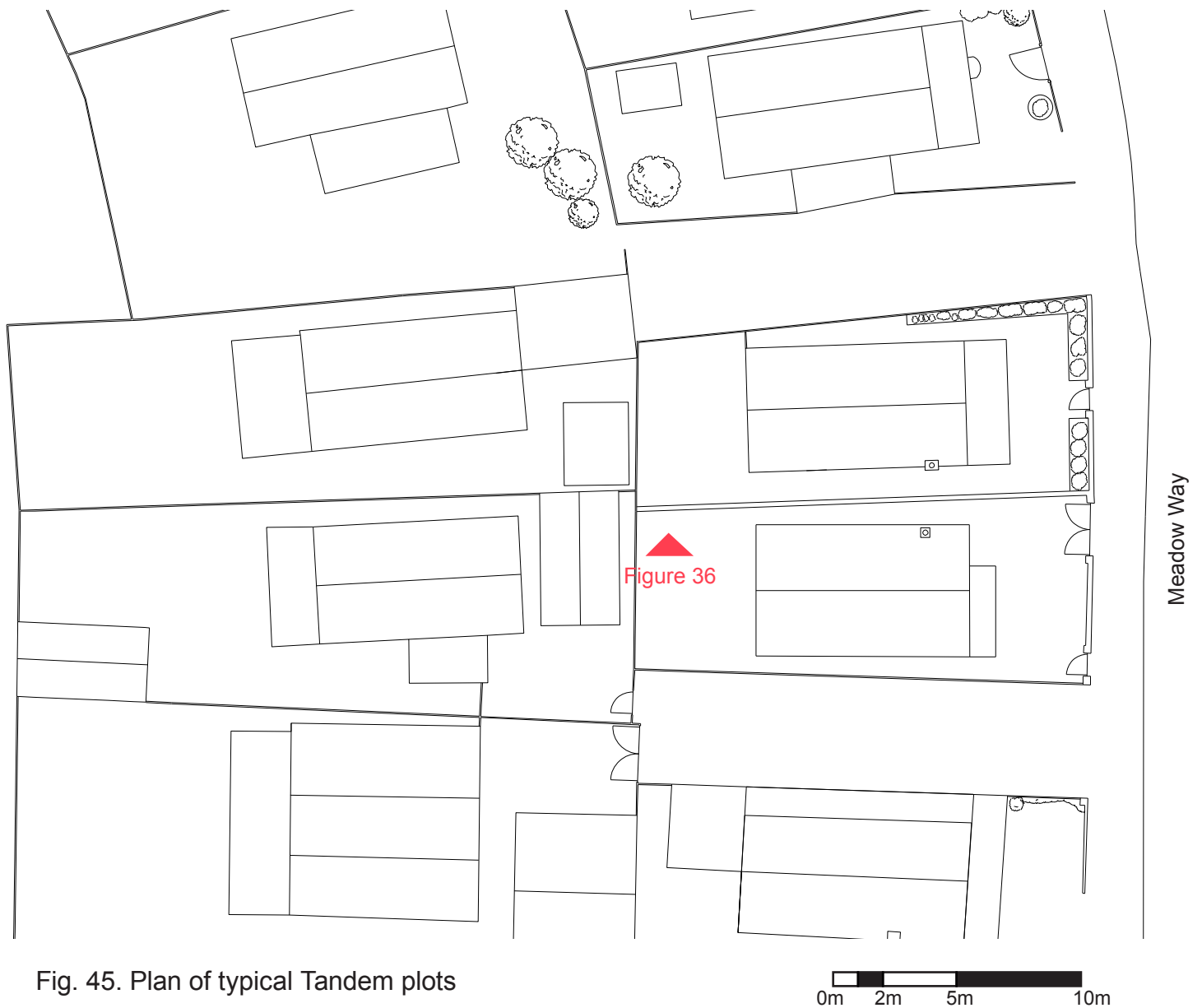


Fig. 45. Plan of typical Tandem plots

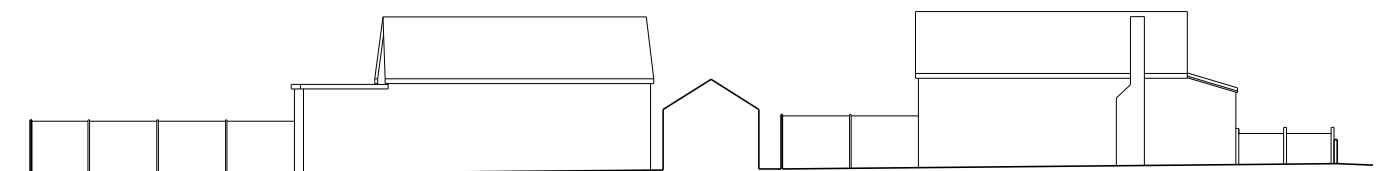


Fig. 44. Typical side elevation / cross-section of Tandem plots

## 2.4 Architectural character and detail

Jaywick Sands has an original and distinctive character which differs from other parts of Essex and indeed is notable nationally as it retains its plotland architecture.

Its uniqueness stems from the gridded layout and uniformity of scale across the community, in contrast to the almost limitless individuality of dwellings in their use of materials, colour, detail and architectural style. Although many started life as chalets from the catalogues of the plotlands development company, they have been heavily modified and in many cases almost entirely rebuilt in ways which represent the personalities of their owners. The recent over-cladding of many chalets in pebble-dashed render has had a negative effect on this variety, and redevelopment or replacement dwellings should be designed to restore the “charm of an indigenous vernacular”<sup>1</sup> which has been recognised as special to Jaywick Sands, while meeting the need for safe and flood resilient dwellings.

The generally north-south oriented street pattern allows sunlight down the narrow streets and ensures almost all terminate in a sea view. This orientation also assists in avoiding overshadowing of back gardens by buildings and as a result, although the sizes of the gardens are small, the amenity they offer is relatively high.

The original chalets typically have a linear or L-shaped plan and many were designed originally to have a sun-deck at roof level. Many of the chalets are raised above ground level on piers, which provides some protection from surface water flooding to property, but will not withstand tidal flooding. All the chalet dwellings were pitched roof - some models have mansard/gambrel type roofs with either gable or eaves to street - and this still strongly influences the character of Jaywick Sands. Larger homes exhibit varied architectural styles but the ‘chalet’ roof where the eaves line is below the head of the first floor windows, creating a 1.5 storey home, is the predominant type and highly characteristic of Jaywick Sands. Overhanging roofs, balconies and other whimsical flourishes are also typical.

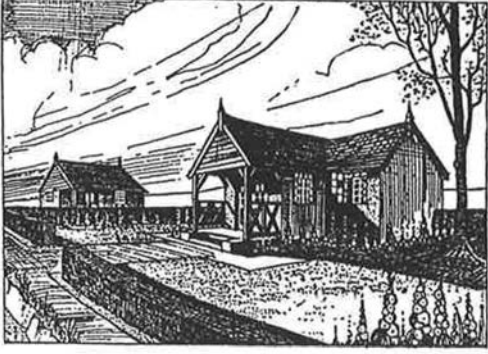
Commercial buildings were originally in a 1930s seaside modernist architecture and some individual homes also adopted this aesthetic.

The marine environment is challenging for weathering and maintenance of external materials must be considered. A variety of materials are appropriate but render and the recent painted pebbledash has not aged well due to its monolithic nature. Timber and board cladding and brick are seen to have aged better.

### 2B: Sustaining local character and distinctiveness

- The distinctive gridded street pattern and plot pattern of Jaywick Sands should be maintained, including the primary north-south orientation of the streets.
- Developments of multiple homes should achieve variety and visual interest along the street. Groups of more than eight identical homes should be avoided. Custom build and custom finish should be considered to allow occupiers to individualise their properties.
- Pitched roof buildings should seek to use chalet roof forms to create ‘rooms in the roof’ where the eaves line is below the head of first floor windows, flat roofed designs may be appropriate if carefully designed, including parapet detailing.
- External materials should be resilient to the marine environment and easily maintained.

### Jaywick Sands Estate

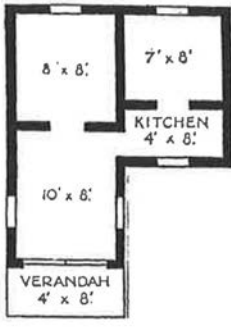


Type No. 4

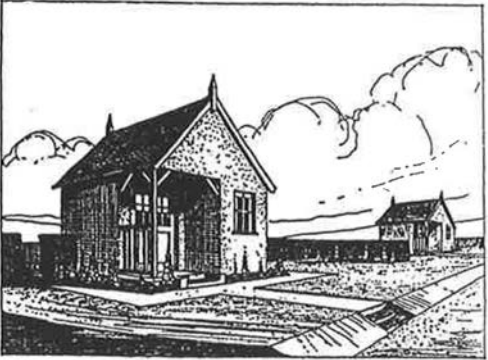
Price - £74  
including concreting over site and complete erection. Rough-cast asbestos. Contains two bedrooms, sitting-room, kitchenette and verandah.

OR

Price built in brick £92



### Jaywick Sands Estate



Type No. 3

Price - £52  
including concreting over site and complete erection. Rough-cast asbestos. Contains two bedrooms, lounge and verandah.

OR

Price built in brick £66

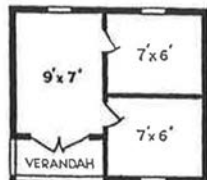


Fig. 46. Advertisements for the original chalets that could be purchased as kits to be erected on plots.

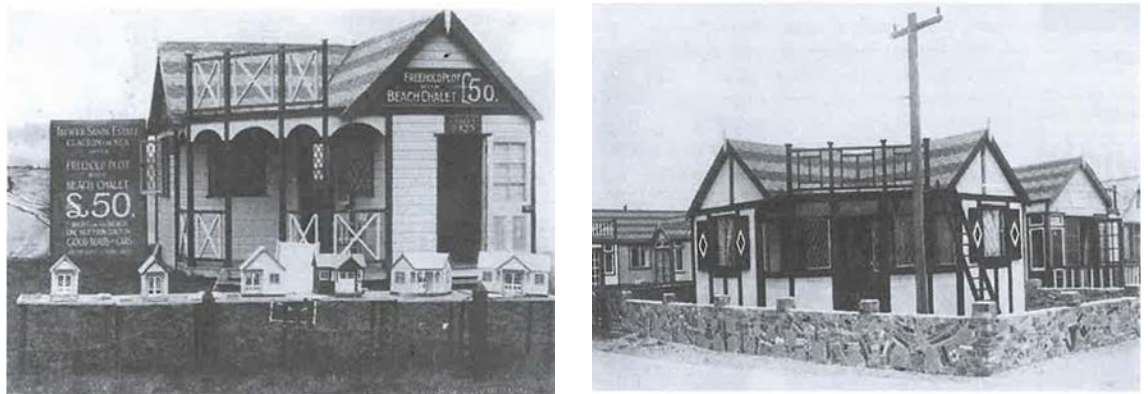


Fig. 47. 'Show chalets' exhibited for prospective purchasers to see.



Fig. 48. The original chalet forms can still be found but in these examples, the overcladding in pebbledash has removed much of their charm and detail.



## Examples of positive and distinctive architecture in Jaywick Sands



Fig. 49. Simple single storey home with generous glazing



Fig. 50. Distinctive former estate office



Fig. 51. Articulated frontage using setbacks and relief



Fig. 53. Newer homes articulated with balconies to reduce visual impact of garages



Fig. 52. Decorative frontage with deep roof overhang



Fig. 54. Mansard/gambrel roof form typical to many Village homes



Fig. 55. Seafront home with generous glazing oriented to maximise sea views



Fig. 56. Seafront home with balcony set back in walled garden



## Examples of new-build house design that could be suitable in Jaywick Sands



Fig. 57. Gable end to street with room in the roof



Fig. 58. Semi-detached gabled homes with varied materials



Fig. 59. Use of brickwork neatly detailed



Fig. 60. Simple extruded gabled form made distinctive by choice of cladding



Fig. 61. House raised slightly above ground level



Fig. 62. New self-build homes in Almere, Netherlands showing how variety can be achieved while regulating scale.

### 3. Designing flood safe buildings

Brooklands, Grasslands and the Village lie within Flood Zone 3 and therefore flooding issues represent a major consideration for the design of new development. Actual flood risk today includes flood depths of 500mm (0.5m) for some homes along the seafront in the (0.5% AEP), and rises to depths of 3m and above for the same AEP, taking into account climate change over the next 100 years. Not only the residential areas, but also the only road in and out of the settlement at present, are predicted to be severely inundated in both over-topping and breach scenarios, when climate change is taken into account.

It is therefore essential that new development - whether a replacement dwelling or more comprehensive schemes - is designed to an appropriate level of safety, flood resistance and flood resilience. It is also important to ensure that substandard homes which are not currently flood safe, can be rebuilt or replaced with on-plot with homes that offer a better standard of safety and quality. Tendring District Council has worked closely with the Environment Agency to establish this guidance regarding designing for betterment and flood safety.

#### Current standard of protection

In the 2015 Shoreline Management Plan (SMP), Jaywick Sands falls into Policy Development Zone C4. The SMP states that the short and medium term (epochs 1 and 2, up to 2055) policy is

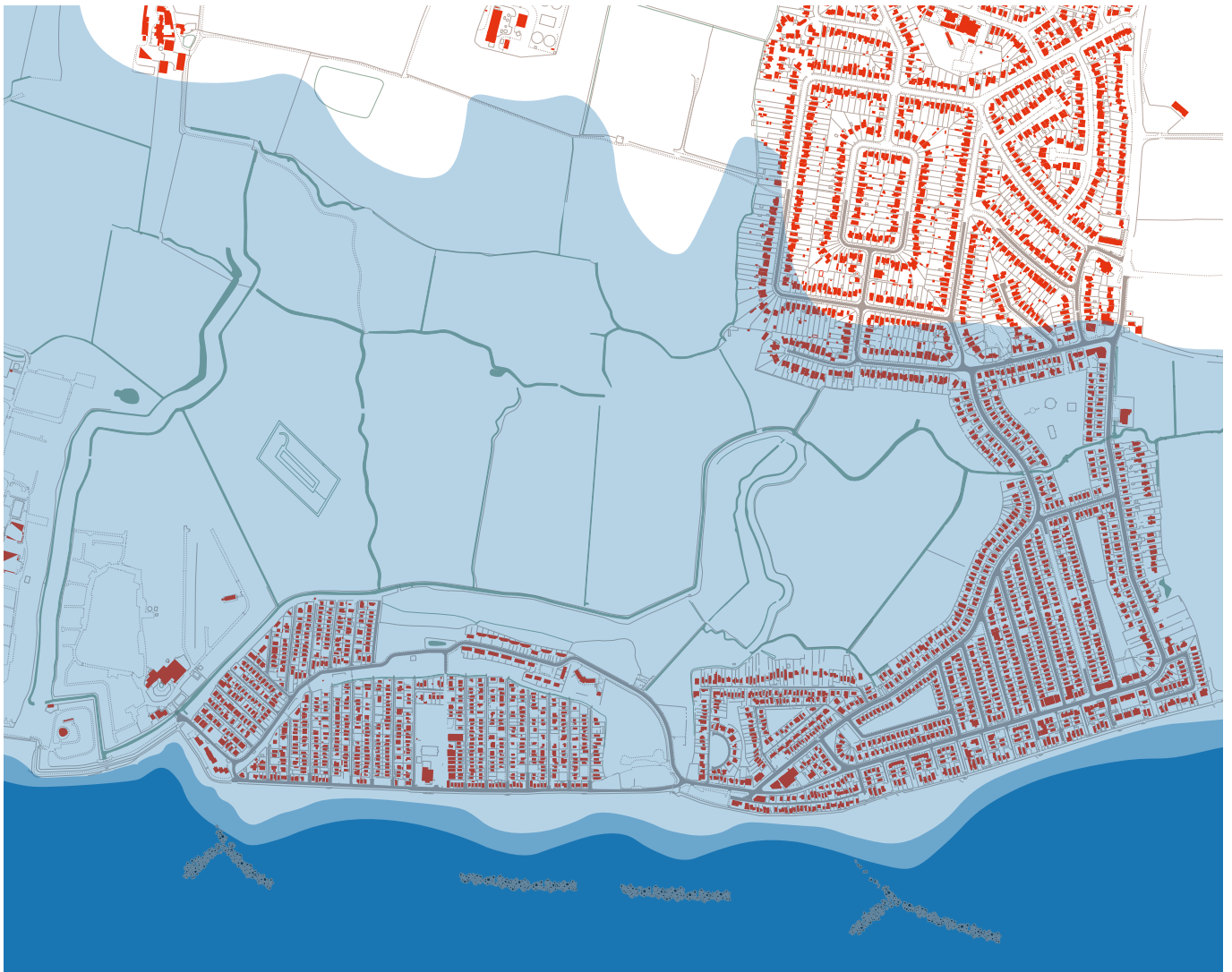


Fig. 63. Map showing flood extent in a 0.5% AEP + 100 years of climate change event (2122)



for Hold the Line, with a dual policy for epoch 3 (up to 2105) of Managed Realignment (breach of frontline defence after building landward defence) and Hold the Line, dependent on further work as part of the Local Development Framework.

In late 2018, the Environment Agency indicated that they were recommending moving towards a full Hold the Line policy for epoch 3, however a revised Shoreline Management Plan has not yet been published. A Hold the Line policy would maintain defences to the current standard of protection - approximately equivalent to a 0.5% AEP event. Annual Exceedance Probability (AEP) is the expression of a likelihood of a flood event in a given year as a percentage.

Hold the Line is an aspirational policy within the SMP as no funding has yet been sought or allocated for maintaining defences to current standards. Its delivery will require continued partnership working, and significant partnership funding. While uncertainties regarding funding and viability exist, it is important that any new development is designed to be both resilient to flooding (should there be any delay to the delivery of improved coastal flood defences) as well as being safe for the future occupants.

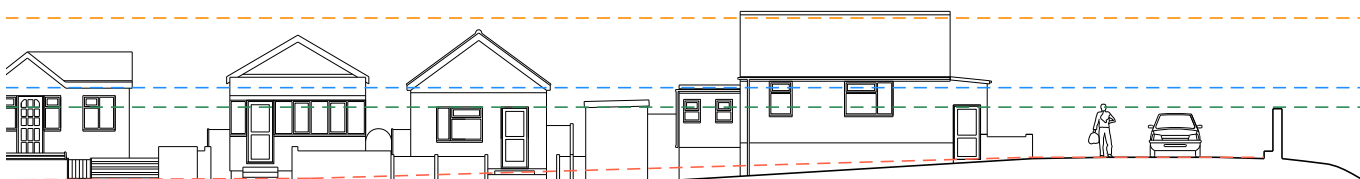
As the design life of the current defences is limited and sea level rise occurs continuously, there is significant actual risk of flooding today, which increases year on year. Sea level rise due to climate change means that, during the lifetime of a home built today, some areas of Jaywick Sands will see over 3m of floodwater above ground level if sea defences are not built higher. The primary risk is from over-topping of the sea wall, but breach events - similar to the 1953 flood,



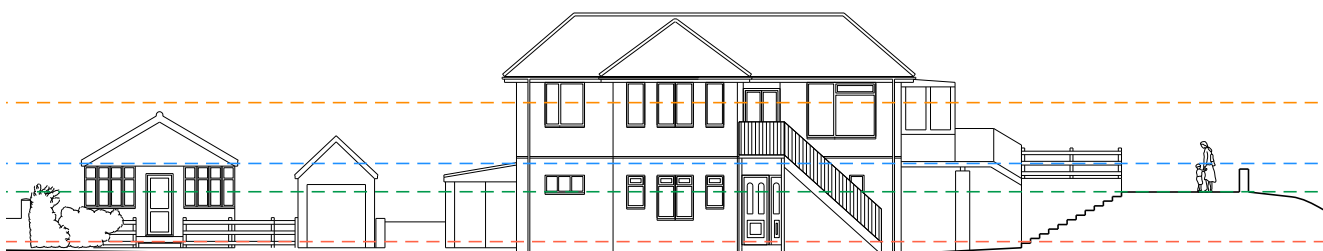
Fig. 64. Photograph of flooding along Golf Green, 1953.



Brooklands seafront



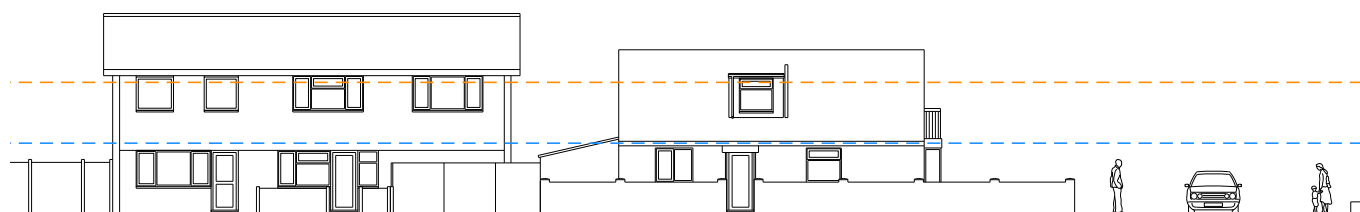
Brooklands north-south streets and cross-section through Brooklands seafront



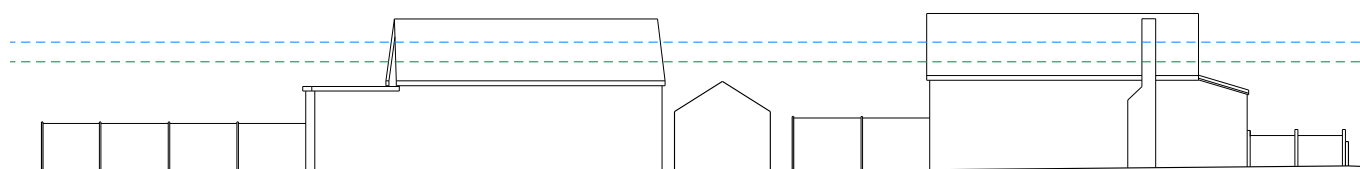
Village seafront



Village north-south streets.



Broadway (residential areas)



Tandem plots off Meadow Way

0m 2m 5m 10m

- |     |  |  |
|-----|--|--|
| Key | ----- Minimum internal ceiling height above refuge level (allowing 2.3m floor to ceiling height) | ----- Flood level - 0.5% AEP + 100 years of climate change + 300mm freeboard |
|     | ----- Refuge level - 0.1% AEP + 100 years of climate change + 300mm 'freeboard'                  | ----- Flood level - 0.5% AEP   |

Fig. 65. Indicative flood levels for different areas in Jaywick Sands  
(2022 baseline for present day AEP)



where the counterwall to the east of Jaywick Sands failed - could also result in similar levels of flood water. This represents a serious risk to life as well as to property, as in a breach scenario there is very little time to evacuate. Due to the topography of Jaywick Sands, flooding spreads quickly and to considerable depths once defences are overtopped or breached.

Developers of new homes, whether replacement dwellings or entirely new dwellings, must design in physical safeguards to ensure flood resilience, safe areas of refuge are provided, as well as putting in place robust emergency plans. Frontline defences do not assure residents that there will be no flooding in Jaywick Sands - they only reduce the risk, but flood events can still occur and when they do, the consequences will be severe.

## Requirements of the National Planning Policy Framework

All new development within Flood Zone 3 should demonstrate that it has passed the sequential and the exception tests where required and as set out in the National Planning Policy Framework and Planning Practice Guidance: Flood Risk and Coastal Change. <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.

The National Planning Policy Framework (paragraph 159) states that:

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”

The sequential test is a method to test if a suitable alternative location for the development is available. The exception test is a method to test if a proposal will provide wider sustainability benefits to the community that outweigh the flood risk; and be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will



Fig. 66. Chalets displaced in the aftermath of 1953 flooding.

reduce flood risk overall.

Both tests may need to be passed in order for the proposal to comply with the NPPF. Planning Practice Guidance sets out the process for applying the sequential and exception tests, in order to comply with the National Planning Policy Framework position. A guidance note has been published by Tendring District Council, advising on the application of the sequential and exception tests in the specific circumstances of Jaywick Sands<sup>1</sup>.

It is the preferred approach of Tendring Council and the Environment Agency for new properties not to flood internally in a design flood event, given that it may be many years before the defences are renewed and raised. However, it is recognised that, due to the unusual plot pattern and land ownership in Jaywick Sands, replacing a single dwelling on-plot is highly challenging to achieve, without detrimental impacts on future residents and neighbouring occupiers. In effect this means that replacing existing individual dwellings on the smallest plots, if required to have all habitable space above the design flood level, would not be possible without consolidating multiple plots into a single property holding. This could act as a barrier to improving housing quality and flood resilience in Jaywick Sands and would therefore work against the aims of Policy PP14 of the Tendring Local Plan, and NPPF paragraphs 152, 153 and 161c.

The Environment Agency has indicated that a holding objection will not be raised for proposals in the areas of Jaywick Sands which lie within Flood Zone 3, if the following criteria are met in full by proposals.

### 3A: Designing for flood safety

- A site-specific Flood Risk Assessment must be submitted with all planning applications for new development
- Floor levels for habitable space in replacement dwellings must be higher than the floor levels of the property being replaced;
- Floor levels for habitable space should be set, if possible, above the design flood level of 0.5% AEP flood level plus lifetime climate change allowance and appropriate freeboard. If this is not possible without contravening the other design guidance within this SPD regarding parking, internal and external space standards, amenity, daylight, sunlight and overlooking, **and only in circumstances where the proposal results in no net increase in bedspaces on the site**, floor levels can be set so that internal flooding in a 0.5% AEP present day event would be no greater than 0.3m (the FD2320 matrix threshold for 'danger to some').
- Flood resistant and/or flood resilient construction measures (as appropriate) are used to minimise damage to the property in a flood event, and to allow the re-occupancy of the building quickly;
- A secure and accessible area of refuge is provided above the flood level of a 0.1% AEP event, plus the appropriate climate change allowance and freeboard;
- Buildings and their foundations are designed to withstand the hydrostatic and hydrodynamic pressures of flood water so that they will remain standing during flood conditions when refuge is relied on.
- An escape window or hatch is provided from the refuge level to facilitate communication with neighbours and emergency response authorities and to provide options for rescue should this become necessary. An external escape stair is not required.

<sup>1</sup> [https://www.tendringdc.gov.uk/sites/default/files/documents/planning/Planning\\_Policy/TDC%20SequentialExceptionTest.pdf](https://www.tendringdc.gov.uk/sites/default/files/documents/planning/Planning_Policy/TDC%20SequentialExceptionTest.pdf)

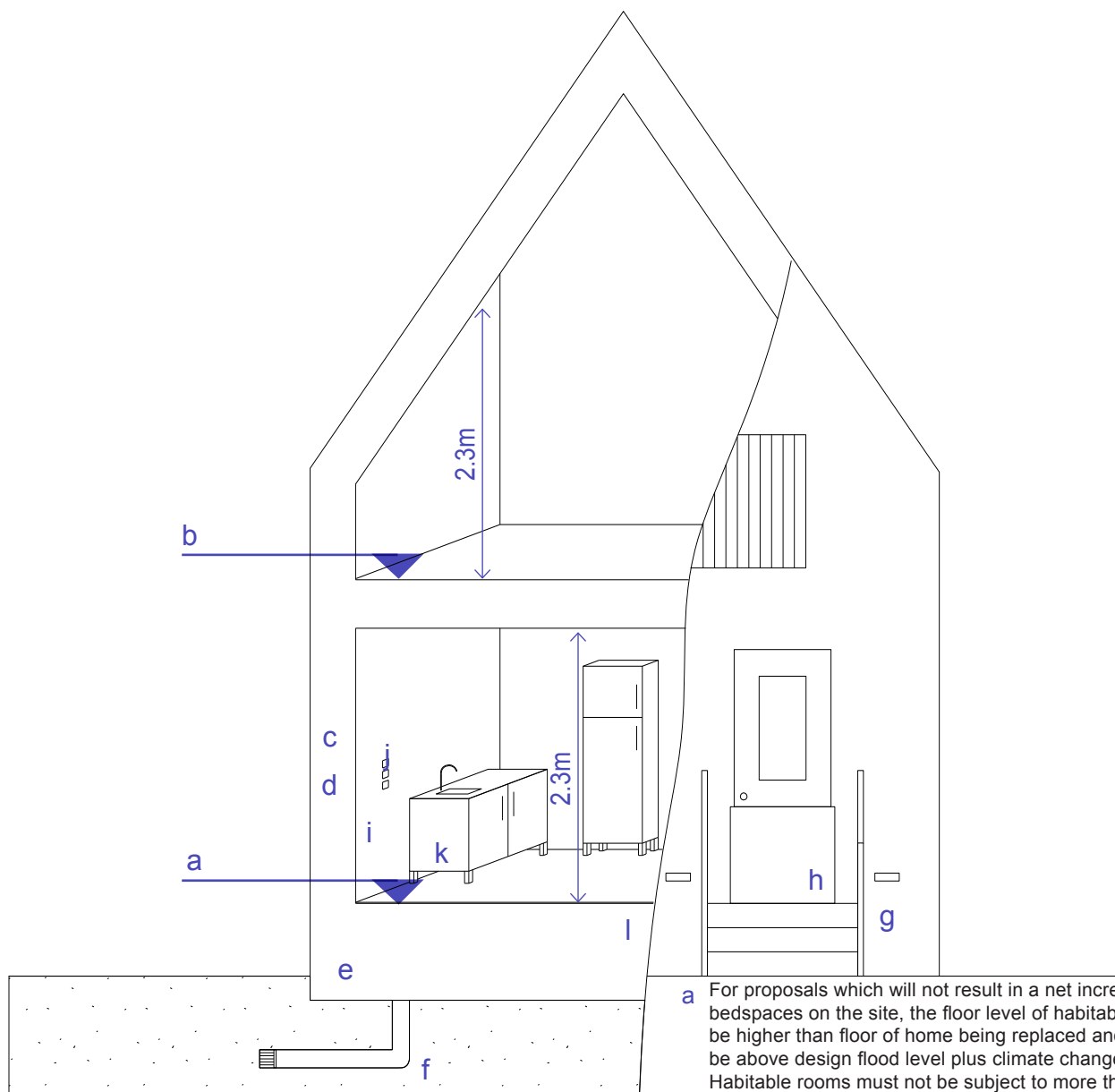


Fig. 67. Diagram of flood resilient design and construction

The diagram above shows the principles of flood resilient design and construction, and the requirements for floor and refuge levels as set out in this guidance.

More detailed guidance on flood resilient construction can be found at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7730/flood\\_performance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf)

- a For proposals which will not result in a net increase in bedspaces on the site, the floor level of habitable rooms must be higher than floor of home being replaced and, where possible be above design flood level plus climate change allowance. Habitable rooms must not be subject to more than 0.3m flooding in a present day 0.5% AEP (design flood) event. Development which results in a net increase in bedspaces on the site must have all habitable space set above the lifetime design flood event - 0.5% AEP + 100 years climate change allowance + 300mm freeboard.
- b Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm freeboard
- c Masonry structure up to 0.5% AEP + 100 years climate change level (lifetime design flood event)
- d Closed cell insulation to masonry structure
- e Flood proof foundation design and structure able to withstand hydrostatic pressure from lifetime design flood event
- f One way valves in drains to stop sewage backflow into the home
- g Air brick covers
- h Door flood guards/flood barrier (only effective up to 600mm of floodwater above ground - for flooding above this level, water should be allowed to enter and flow through the home)
- i Water resistant internal lining materials up to 0.5% AEP + 100 years climate change level - e.g. magnesium oxide boards
- j Sockets and switches higher on the wall
- k Kitchen units made from water resilient materials and higher above floor
- l Hard floor finishes at ground floor level



## 4. Massing, scale and building form

Jaywick Sands has a distinctive scale and massing of predominantly 1 and 1.5 storey (room in the roof) buildings. Taller buildings are only found along Broadway and in a few locations along the seafront.

The small plot sizes and the requirement to create a safe refuge space above the flood datum, mean that all new dwellings will be at least 1.5 storeys high above street level. Scale, massing and building form must therefore be very carefully considered to ensure adequate amenity and privacy for existing and new residents.

Key considerations for the siting, massing and scale of new development include:

- Creating usable and private outdoor amenity areas (garden, terrace, and/or balcony space) which enjoy an adequate amount of sunlight. Rear gardens become unusable and dark if they become too shallow, and new dwellings therefore need to be set back adequately from rear boundaries.
- Safeguarding the privacy of existing and new residents. First floor living areas or balconies significantly overlook neighbouring rear gardens, and internal rooms in neighbouring properties, in the high density layout of Jaywick Sands.
- Maintaining sunlight to existing private gardens. While the generally north-south street pattern helps introduce sunlight to rear gardens, seafront buildings can significantly overshadow gardens to their north. Steps in the general building line can also compromise sunlight to private amenity space of neighbouring dwellings.
- Back-to-back distances, and overall scale and massing, must ensure that internal spaces of existing and new dwellings receive adequate daylight and sunlight.
- Spaces between the side (flank) walls of buildings, and the property boundary becomes overgrown and litter-filled if it is not wide enough to allow for easy access and maintenance.



Fig. 68. View of green space in the Village character area

## **4A: Building footprint**

### **Front setbacks**

- Dwelling frontages should maintain the general building line along frontages facing the street, or facing the landscape to the rear of tandem plots. Small steps in the frontage line, up to 1.5m forward or back from the line of frontages either side, will be permitted subject to other design considerations. Massing which steps out beyond the building line at the rear of plots must demonstrate that it does not compromise sunlight to adjacent private amenity spaces.
- Development on corner plots can extend beyond the general building line up to the pavement edge on the side frontage to avoid unmaintained open space within the building curtilage.

### **Side setbacks**

- Dwellings can be built hard up against the property boundary line (i.e. creating a party wall condition, where the side walls can have no windows and can only be maintained by access from the neighbouring property.)
- However, if dwellings are not to create a party wall condition, a minimum gap of 1m must be created between the inside face of the boundary wall or fence, and the side of the building, to allow for maintenance access to the side wall.

### **Rear setbacks**

- Setbacks from the rear boundary (and in the case of corner plots, both boundaries to adjacent plots) should be a minimum of 4m. Where new development creates living spaces or balconies on upper floors which will overlook the private gardens of neighbouring properties, the building line should be set back from the rear boundary by a minimum of 15m as recommended by the Essex Design Guide.

## **4B: Scale and massing**

- Building scale and massing must be designed to allow at least 50% of the private or communal garden space, for new and existing dwellings, to receive at least 2 hours of sunlight on 21 March. For existing dwellings this standard may already not be met. In this case new development should not worsen the existing level of sunlight received.
- New development across multiple plots creating apartments or maisonettes may be permitted up to 4 storeys, subject to other design considerations. Taller development must ensure that existing dwellings and private gardens receive adequate daylight and sunlight, and that their privacy is safeguarded. This should be evidenced by sunpath modelling based on measured topographic survey information. Alternatively the 25° rule of thumb can be utilised.
- For this reason, 4-storey development is unlikely to be acceptable except on the Village seafront or Broadway, unless comprehensive development of a full block is proposed.
- Balconies are not permitted to the rear of buildings, unless they are a minimum of 15m from facing properties, to safeguard the privacy of existing private gardens. Balconies are not permitted to extend more than 1.5m beyond the line of the building frontages to either side of the development plot, and may not overhang the pavement.

## 5. Streetscape and parking

Jaywick Sands has a distinctive pattern of gridded streets, many of which are narrow. Creating active and attractive street frontages is key to maintaining and enhancing the quality and character of the area, as well as creating natural surveillance and a sense of safety.

On-street parking on most streets narrows the carriageway and has a negative impact on pedestrian and cyclist safety, smooth flow of traffic including buses, safe access for emergency vehicles, and the visual appearance of the street. All parking should therefore be provided off-street and to the ratios stated in 5B.

Boundary treatments in Jaywick Sands are varied and are a significant factor for both safety and visual appearance. Typically plots in Jaywick Sands had visually permeable boundary treatments such as post and rail fencing, picket fencing, or railings. In many cases no boundary fence at all was created at the front of properties. New boundary treatments should create a safe and attractive frontage which maximises natural surveillance of the street from front windows while providing adequate screening and privacy, and which reinforces the character of the settlement. Boundary treatments along the pathways leading up to the seafront promenade in the Village are particularly important.

### 5A: Creating safe and attractive streets

- Detached and terraced houses can include ground floor garages or carports accessed from the street but must also have front doors facing the street.
- 'Half in half out' parking spaces are not acceptable. Garages or carports must be sited so that a vehicle can wait safely off the street while opening garages, except on Brooklands plots where the front door of the garage is less than 2m from the rear of the footway.
- Apartment buildings must have active ground floors and rows of garages facing the street are not acceptable. Parking should preferably be provided at the rear of the building and front doors and communal or private living areas should front the street to ensure active frontages and natural surveillance of the street.
- Waste storage within dedicated enclosures must be provided. It is acceptable for waste bins to be kept to the rear of dwellings and brought out for collection.
- Boundary treatments to streets and greens should comprise low fences, walls or hedges facing the street (not over 1.1m in height). Close boarded fences to boundaries to the public realm do not create an acceptable environment.

### 5B: Vehicle and cycle parking standards

- Car parking for proposals which will not result in a net increase in bedspaces on the site, can be provided at the following minimum ratios: 1 space for 1 or 2-bedroom unit; 2 spaces for 3/4 bedroom unit.
- Car parking for development which will result in a net increase in bedspaces on the site, to meet full Essex Parking Standards including unallocated/visitor parking.
- Secure dedicated cycle storage must be provided, which could be in the form of a cycle hangar or cycle garage, and should include electric bike charging facilities, in line with the Essex Design Guide and Essex Parking Standards.
- All new dwellings to be equipped with an electric car charging point.





Fig. 69.  
Left: Boundary treatment which does not have a positive impact on the public realm.  
Right: Appropriate and positive boundary treatment.



Fig. 70. Boundary treatments to the Greens comprise both 'front' and 'back' conditions. Ensuring all are high quality as well as secure, will enhance these public green spaces and their safety.



Fig. 71. Boundary treatments leading up to the seafront promenade should create a safe and welcoming gateway to the seafront.

## 6. Internal and external space standards

Existing homes in Jaywick Sands, particularly within Brooklands and Grasslands, are very small and overcrowded, with 94% of homes within the worst areas being officially overcrowded, defined as having insufficient space to meet the household's needs. Overcrowding impacts residents' physical and mental health; the ability of children to study, and family relationships.

The level of overcrowding in Jaywick Sands contributes to its poor ranking in the national Index of Deprivation and a key policy goal for Tendring District Council and stakeholder partners is to reduce the level of deprivation experienced by the community. Replacing substandard, cramped accommodation with better quality homes is an important part of achieving this aim.

The dimensions of the smallest plots require careful planning in order to accommodate replacement homes which provide good quality internal and external space as well as a flood safe design. However, even the smallest plots can accommodate a 1 bedroom home which meets the Nationally Described Space Standards, alongside a reasonable provision of external amenity space, and therefore there is no requirement to relax these standards in order to secure good quality dwellings to replace existing substandard homes.

### **6A: Internal space standards**

- No relaxation on Nationally Described Space Standards for minimum internal areas or floor-to-ceiling heights.

External private amenity space to existing dwellings is limited by the small plot sizes and ad hoc extension of dwellings which has encroached on rear gardens. There is also an underprovision of public open green space, particularly in Brooklands and Grasslands. A lack of adequate external space impacts residents' health and wellbeing and as there is little mitigating provision of communal or public open space, it is important that sufficient private amenity space is provided for all dwellings, proportionately to the occupancy of the dwelling.

The Tendring Local Plan states that private amenity space must be provided of a size and configuration that meets the needs and expectations of residents, and which is commensurate to the size of the dwelling and the character of the area. The Essex Design Guide suggests that 40-50m<sup>2</sup> may be appropriate for one or two-bedroom homes in medium density areas, and 25m<sup>2</sup> as a small walled yard for homes in high density areas.

In Jaywick Sands, due to the density, scale and layout of plots, it is reasonable that relatively low levels of private amenity space may be provided for smaller dwellings, but this should be safeguarded through withdrawing Permitted Development rights to extend the dwelling.

If dwellings are not designated as unextendable, amenity space should be provided in line with the Essex Design Guide standards for size, layout, sunlight and overlooking of amenity space. This may mean that the number of bedrooms per home is limited by the size of the overall development plot.



## 6B: External private amenity space

- The following minimum size of private external amenity space must be provided where homes are designated as unextendable through withdrawal of Permitted Development rights:
  - One bedroom homes - 25m<sup>2</sup> private amenity space
  - Two bedroom homes - 40m<sup>2</sup> private amenity space.
  - Three or more bedroom homes - 75m<sup>2</sup> private amenity space
  - For flats, a minimum of 5m<sup>2</sup> private balcony space must be provided, along with private shared amenity space to Essex Design Guide standards (a minimum of 25m<sup>2</sup> per dwelling)
- If new homes are not designated as unextendable, Essex Design Guide standards for the provision of private garden space apply.
- Private amenity space must be provided in a single area, not divided between front and back gardens, and must have adequate privacy, daylight and sunlight. Balconies from upper floor flats must not overlook private amenity space to maisonettes below.

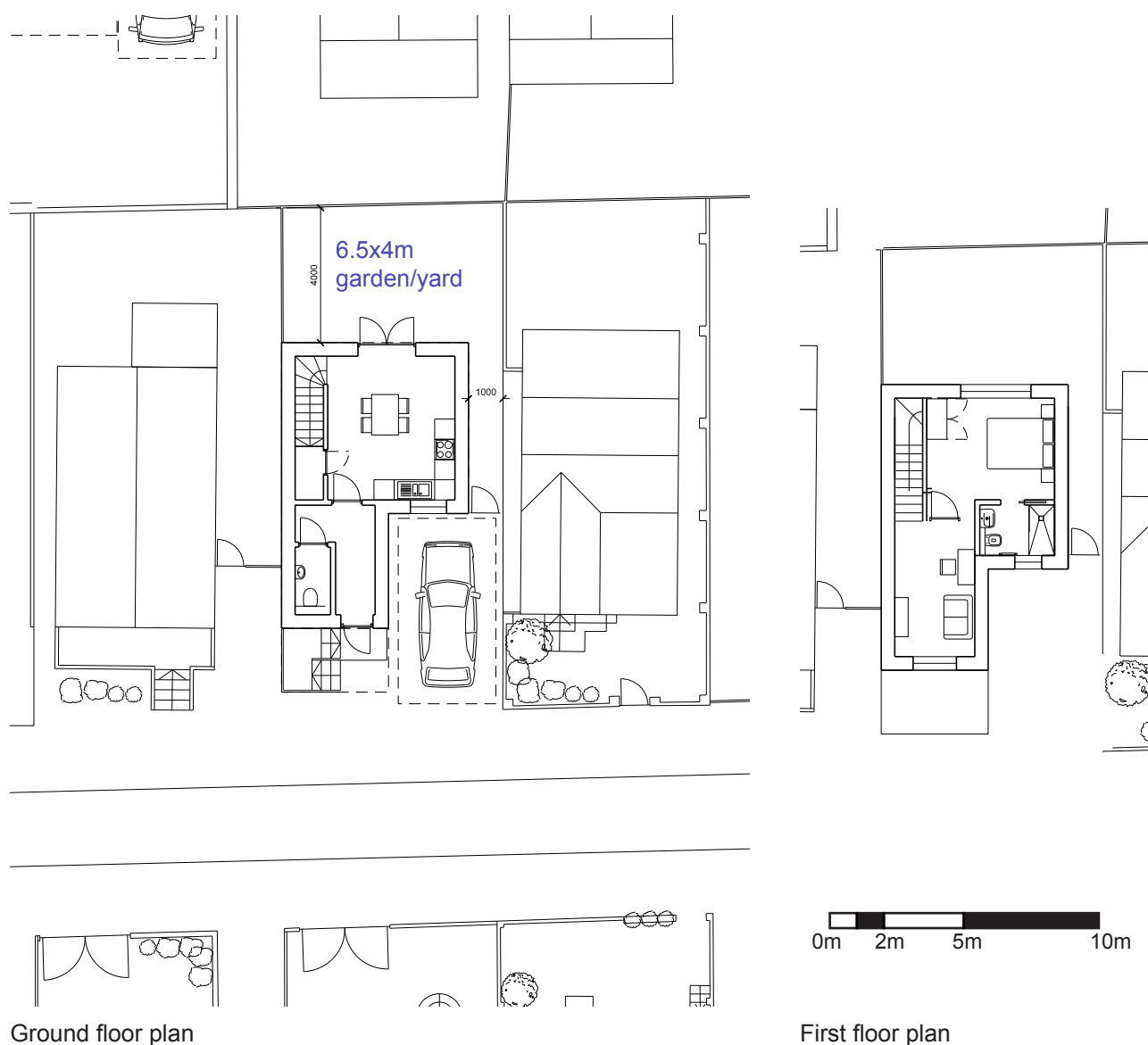


Fig. 72. Sample 1 bedroom house plan on small Brooklands plot, demonstrating compliance with internal and external space standards and a 10m garden.

## 7. Accessibility

Jaywick Sands has a high proportion of people in poor health, disabled people and families among its residents. Brooklands and Grasslands residents experience rates of poor health almost five times higher than the national average (2011 census data). Brooklands has the highest proportion of households with children out of all the Jaywick neighbourhoods, despite having the smallest homes and a high proportion of households with children are single-parent families (2011 census data). Ensuring homes are designed suitably for all users is important to meeting the needs of local residents and maintaining a balanced and stable community. Policy SPL3 in the Tendring Local Plan requires that “the design and layout of the development maintains and/or provides safe and convenient access for people with mobility impairments”

External access stairs, of more than a small number of risers, do not provide this in the exposed marine environment of Jaywick Sands. They are not suitable for people with limited mobility; for small children or for those carrying car seats or children in their arms. External access stairs also do not permit parents or carers to safely place children at the doorstep while unlocking doors. When used to access private garden space, external stairs do not encourage parents to allow children to access gardens independently and play outside unsupervised, with the consequent health and wellbeing benefits.

The design and construction of external access stairs is very important. External access stairs constructed with open risers present a risk to babies and young children who may trap limbs. Steps with metal treads and handrails can easily become slippery in rain and icy in cold weather. Metal handrails can become extremely hot or cold to the touch, causing discomfort and in some instances injury.

It is therefore important that new and replacement dwellings do not rely on long flights of external access stairs as the primary access to the front doors of dwellings, nor as the only access from habitable rooms to private gardens, and that external stairs are suitably designed.

Policy LP3 in the Tendring Local Plan states “On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M4(2) ‘adaptable and accessible’ standard. For affordable homes, 10% should be to Building Regulations Part M4(2) and 5% should be to Part M4(3) ‘wheelchair-user’ standards.” Where required to meet this standard, internal lift access must be provided to the entrance level of dwellings in order to satisfy the requirement for living space to be located on the entrance level.

### **7A: Access to front doors and habitable spaces from ground level**

- External access stairs should not be the means of access to the external entrance door to a dwelling or block of dwellings, unless they consist of 6 risers or fewer.
- External access stairs should be constructed from suitable, non-slip materials and avoid open risers, uncoated metal handrails and use of metal for treads.
- External access stairs should not be the only means of access from the primary living spaces of a dwelling, to its private garden or yard space, unless they consist of 6 risers or fewer.
- For developments where a proportion of M4(2) or M4(3) dwellings is required to meet policy LP3 of the Tendring Local Plan, internal lift access should be provided to the entrance level of dwellings where habitable space is required to be raised above ground level.

## 8. Climate change and biodiversity

Tendring District Council has declared a climate emergency and national government also requires all areas to achieve net zero carbon by 2050. Ensuring new development limits its climate impacts from construction and in-use is a key part of achieving the aim of mitigating climate change and transitioning to net zero carbon. Households in Jaywick Sands experience high levels of fuel poverty, with 29% of households in Brooklands and Grasslands fuel poor, so ensuring energy efficient homes is a key aim in reducing deprivation in the community.

National planning policy and the Tendring Local Plan require new development to minimise the production of greenhouse gases and all new residential development to be fitted with electric vehicle charging points and, where appropriate, roof solar panels. Applicants should consider climate change adaptation measures and technology from the outset including reduction of emissions, renewable and low carbon, passive design and green infrastructure techniques. Minimising overheating is a particular priority for small homes, and passive design techniques, including orientation and external shading of windows and cross-ventilation, must be used to avoid the need for artificial cooling.

Development in Jaywick Sands should also ensure that surface water drainage is adequately considered to avoid worsening existing issues with surface water drainage. The ground conditions in Jaywick Sands do not generally permit the use of soakaways, so on-plot attenuation must be used with permeable surfaces to avoid rainwater run-off onto streets and footways, or into mains drainage. Essex Country Council are the Lead Local Flood Authority responsible for surface water management and are advised by the Essex Climate Action Commission (ECAC). They should be consulted on all development proposals.

Jaywick Sands is adjacent to a designated Local Wildlife Site and exhibits good biodiversity, in particular with high levels of invertebrates, bats and an exceptional number of house sparrows as well as reptiles on undeveloped land. All bats and their roosts are legally protected, so appropriate levels of survey will be required to confirm if bats are present, prior to any demolition. Restrictions on the timing and methods of work, and requirements for mitigation and enhancement, will depend on the outcomes of survey work. House sparrow nests, as with all birds, are protected against damage or destruction while in use, so appropriate mitigation must be provided. On larger developments, the requirement for biodiversity net gain will apply.



Fig. 73. View of the Village seafront

### **8A: Design for climate change adaptation and mitigation**

- New development should demonstrate that it has been designed to limit overheating through use of passive environmental design.
- Roof mounted photovoltaic and solar thermal panels are encouraged. New development must avoid overshadowing onto existing solar panels.

### **8B: Design for water management**

- All surface water drainage must be retained and drained away on-site. Surface water entering mains drainage must be limited to 1-year greenfield rates, or 1 litre/second, whichever is greater. Development must have regard to the Essex SuDS Design Guide when designing sustainable drainage systems.
- Development should incorporate rainwater harvesting and grey-water recycling where possible

### **8C: Design for biodiversity**

- All proposals involving the demolition of existing structures must be accompanied by bat survey reports and, if required, proposals to mitigate loss of roosting sites.
- All proposals involving the demolition of existing structures must either demonstrate through surveys that no bird nesting sites will be disturbed, or if a survey is not provided, must provide a minimum of one house sparrow terrace as mitigation for likely nesting sites, and will be subject to a general condition that no demolition works can take place within house sparrow nesting season.
- All proposals must enhance biodiversity within the site, and this can be achieved through providing two of the following: bat box; house sparrow terrace; bee brick.
- Developers must demonstrate that plant species are appropriate for the coastal climate, support invertebrates, and are climate change resilient.



Fig. 74. View of Jaywick Sands in its landscape setting



## Notes on copyright and licensing.

This SPD has been produced by HAT Projects Ltd on behalf of Tendring District Council. Unless otherwise stated all images and graphics are © HAT Projects and must not be reproduced without permission.

License information for graphics and maps based on OS data:

© Crown copyright and database right 2022 Ordnance Survey License number 100018684.

Flood zones and other Environment Agency information © Environment Agency and may contain Ordnance Survey data © Crown copyright 2017 Ordnance Survey 100024198. All maps and graphics on flooding are developed using data from EA/JBA 2018 coastal modelling data including allowances for climate change. Flood maps are regularly updated. For further information and maps showing the latest flood zones, please visit <https://flood-map-for-planning.service.gov.uk/>

2011 Census. Office for National Statistics (2012): 2011 Census data. All of the data files and supporting documents for the English Indices of Deprivation 2019 are available from <https://www.ons.gov.uk/census>

2019 IODM. Office for National Statistics (2021): 2019 IODM data. All of the data files and supporting documents for the English Indices of Deprivation 2019 are available from: [www.gov.uk/government/statistics/english-indices-of-deprivation-2019](http://www.gov.uk/government/statistics/english-indices-of-deprivation-2019).

Credits not covered by the above as follows:

Fig. 11 © Unknown  
Fig. 12 © Clacton and District Local History Society  
Fig. 20 © Unknown  
Fig. 28 © Unknown  
Fig. 39 © Clacton and District Local History Society  
Fig. 40 © Lyons M. (2015) p.136  
Fig. 41 © Unknown  
Fig. 46 © Lyons M. (2015) p.14  
Fig. 47 © Lyons M. (2015) p.11  
Fig. 57 © Mole Architects  
Fig. 58 © Cathy Hawley  
Fig. 59 © Sarah Wigglesworth Architects  
Fig. 60 © Klaus-Dieter Weiss  
Fig. 61 © Mole Architects/ Matt Smith Photography  
Fig. 62 © LocalSelfBuildRegister  
Fig 64. © Unknown  
Fig. 66 © Unknown c/o Environment Agency

Other References:

Lyons, M. (2005) *The Story of Jaywick Sands*. Publisher Chichester: Phillimore & Co Ltd.

# Jaywick Sands Design Guide

## Supplementary Planning Document

### Appendix:

## Worked examples of application of design guidance

January 2023

## About this appendix

This appendix demonstrates how the Jaywick Sands Design Guide would be applied in practice, by showing worked examples of house designs for replacement dwellings in a range of configuration and plot types.

Worked examples A-J are designed to the standards for betterment in cases where no net increase in bedspaces is proposed. Habitable space is therefore accepted below the 0.5% AEP + climate change + freeboard level, but must not be at risk of internal flooding of more than 0.3m in a present day 0.5% AEP scenario. In all cases habitable floor levels must be set higher than the floor levels of the home being replaced, and refuge space must be created above the 0.1% AEP plus climate change plus freeboard level.

The final worked examples show notional potential approaches for more comprehensive development of a group of plots, with a potential increase in bedspaces. In these scenarios, all habitable floorspace must be above the design flood event level of 0.5% AEP plus an allowance for lifetime climate change (100 years) and the appropriate freeboard (typically 300mm). More onerous requirements are also placed on this form of comprehensive redevelopment with regard to parking and amenity space standards.

Flood resilient construction measures are required for developments in areas of flood risk. The principles of flood resilient design appropriate to a typical dwelling are shown on Fig. 67 of the main SPD document. Flood resilient construction measures must be integrated with the spatial and other requirements listed in the worked examples.

# 1. Brooklands/Grassland plots

Typical Brooklands and Grasslands plots are very small and therefore pose the greatest challenges in designing compliant replacement dwellings. The small plot size makes privacy, daylight and sunlight, and parking challenging, and Brooklands also has the highest predicted present day flood risk for a 0.5% AEP event. This means that habitable floor levels need to be raised up as much as 0.5m in some places in order to avoid more than 300mm of internal flooding.

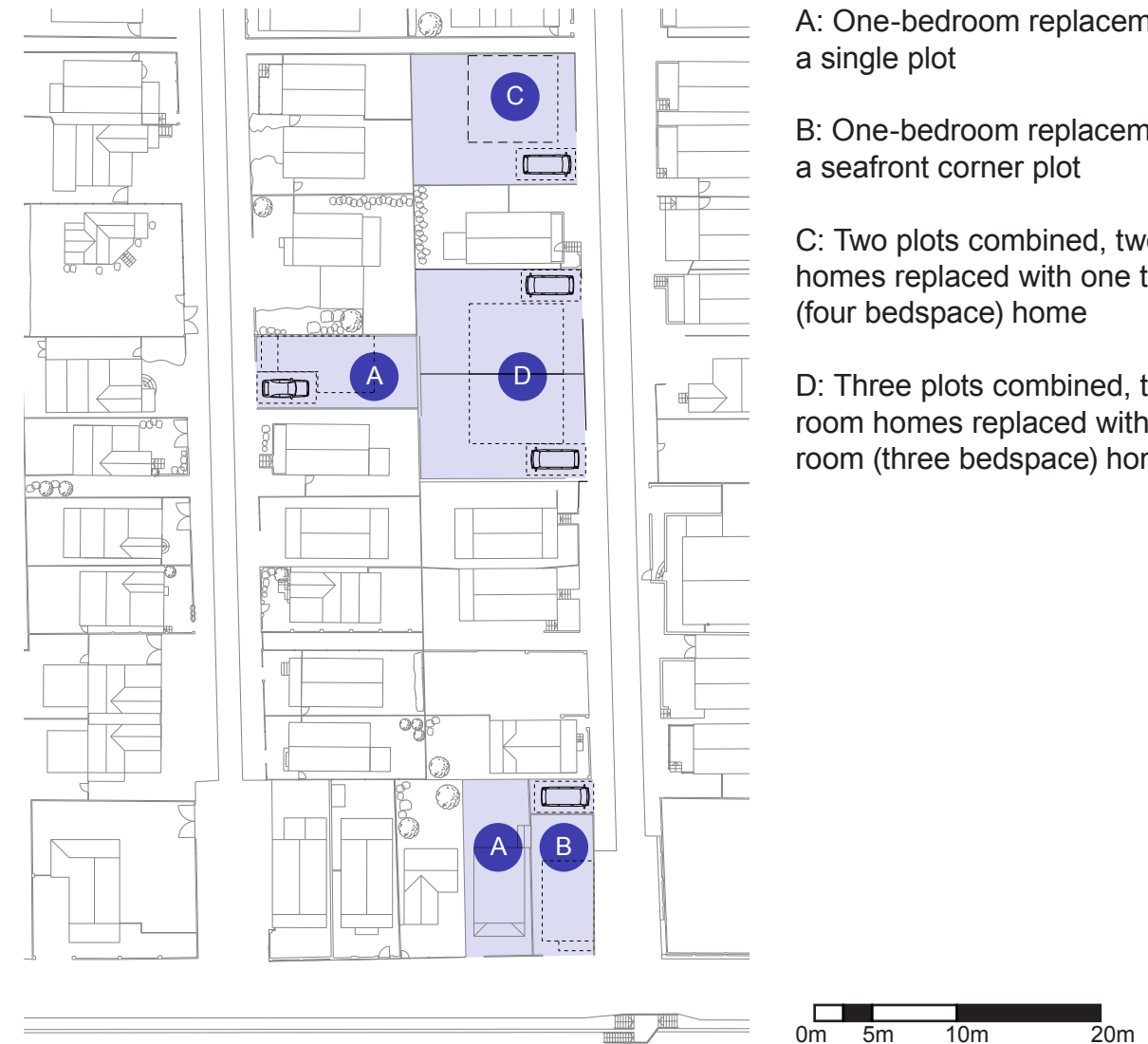
Achieving large gardens is restricted by plot sizes so where a one-bedroom home is replaced with another one-bedroom home, a minimum of 25m<sup>2</sup> private rear amenity space will be accepted.

Typical plots on north-south streets - primary design constraints

- Car parking must be accommodated on-plot in either a garage, carport or an uncovered parking space. Due to the small size of plots it will be acceptable for garages and carports not to have a full waiting area in front so long as the front of the garage or carport is less than 2.5m from the back of pavement as this will dissuade inappropriate parking that blocks the footway.
- To ensure daylight and sunlight to existing homes and gardens, unless multiple plots are consolidated for comprehensive redevelopment, new homes must be a maximum of 1.5 storeys.
- Eaves levels must be kept as low as possible to ensure new dwellings relate successfully in scale to existing homes.

Seafront plots - primary design considerations

- Scale of existing homes along seafront, and plot depths, are small. To avoid visual discontinuity and to ensure adequate daylight to existing gardens north of the seafront plots, new dwellings will be limited to 1.5 storeys.
- Taller development could be acceptable if a larger parcel of plots is acquired and developed, allowing more space to the rear of seafront homes and adequate distance from the nearest adjacent garden.
- Parking must be accommodated on-plot and where possible, should be accessed from the side street, not Brooklands.



A: One-bedroom replacement dwelling on a single plot

B: One-bedroom replacement dwelling on a seafront corner plot

C: Two plots combined, two one-bedroom homes replaced with one two-bedroom (four bedspace) home

D: Three plots combined, three one-bedroom homes replaced with two two-bedroom (three bedspace) homes

Fig. 1. Plan showing indicative locations for worked example layouts  
Scale 1:500

A: One-bedroom replacement dwelling on a single plot

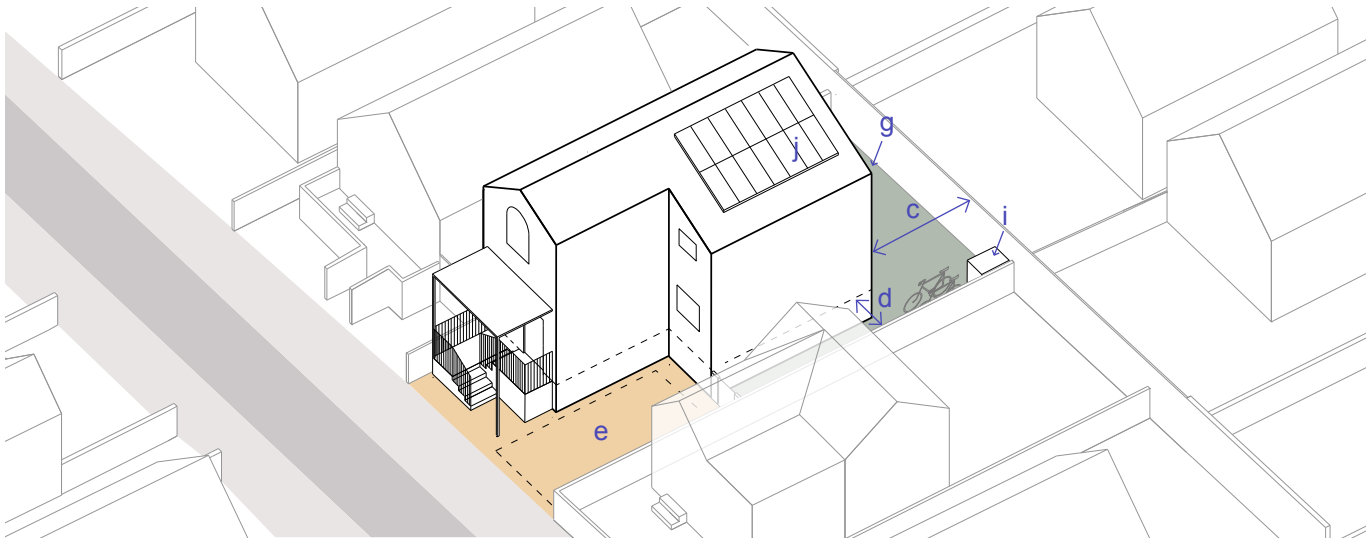


Fig. 2. Isometric view

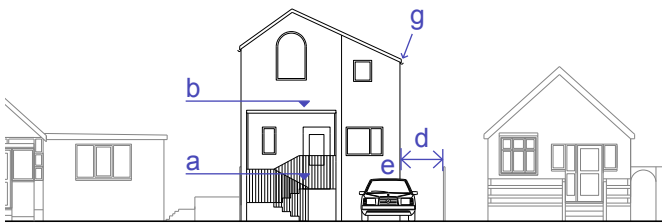


Fig. 3. Front elevation

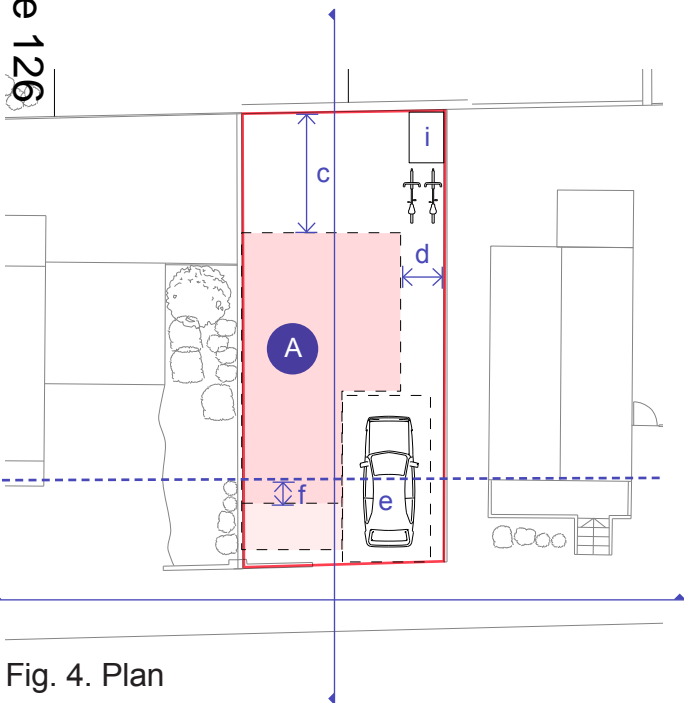


Fig. 4. Plan

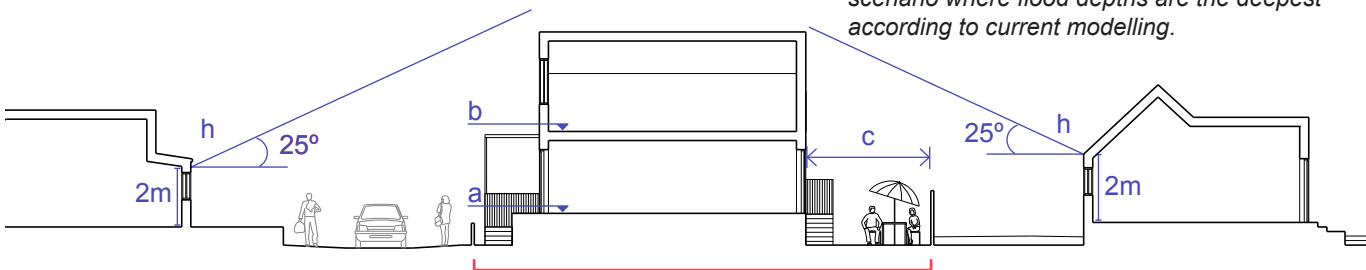


Fig. 5. Cross-section

- Plot boundary
- Notional building footprint
- Parking/external circulation
- Private amenity space

- a Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 25m<sup>2</sup> of private yard/garden to be provided.
- d 1m setback from side boundary unless party wall is created.
- e Parking on-plot - 2.9x5.5 minimum parking bay size.
- f Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i Refuse and cycle storage.
- j Use roof for photovoltaic or solar thermal panels.

*This example shows a notional worst case scenario where flood depths are the deepest according to current modelling.*

B: One-bedroom replacement dwellings on seafront corner plot

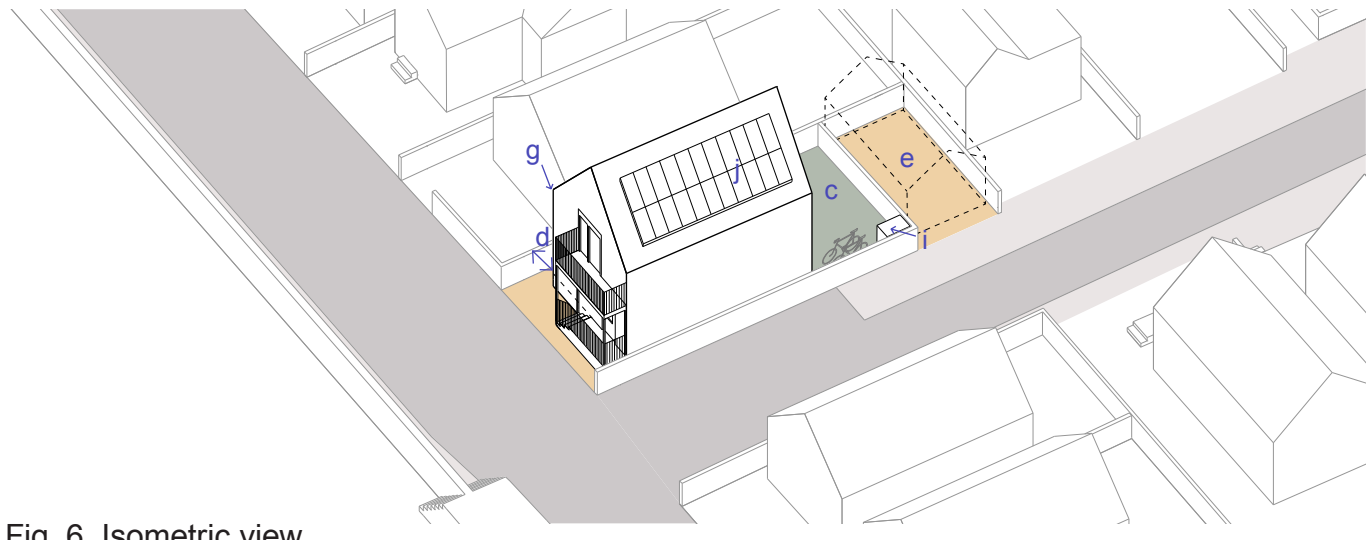


Fig. 6. Isometric view

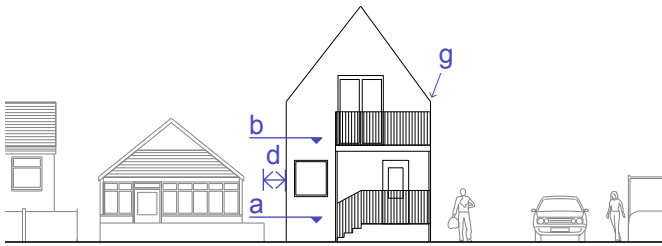


Fig. 7. Front elevation

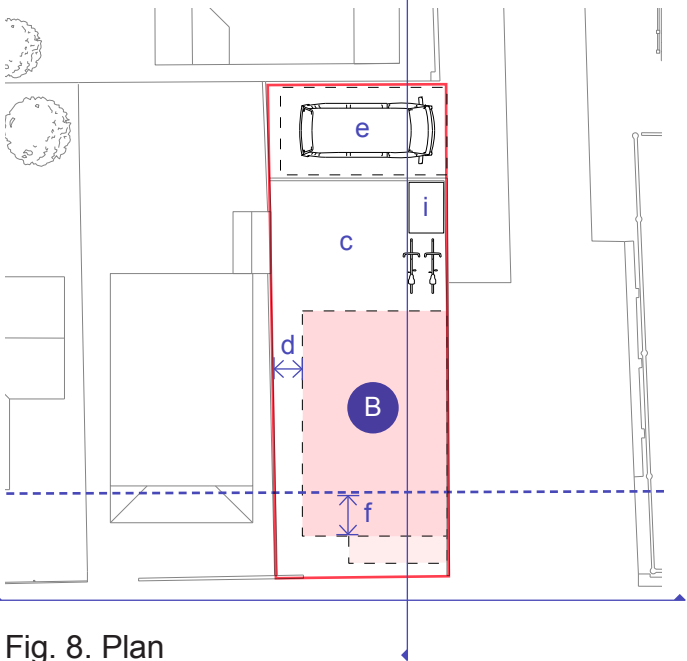


Fig. 8. Plan

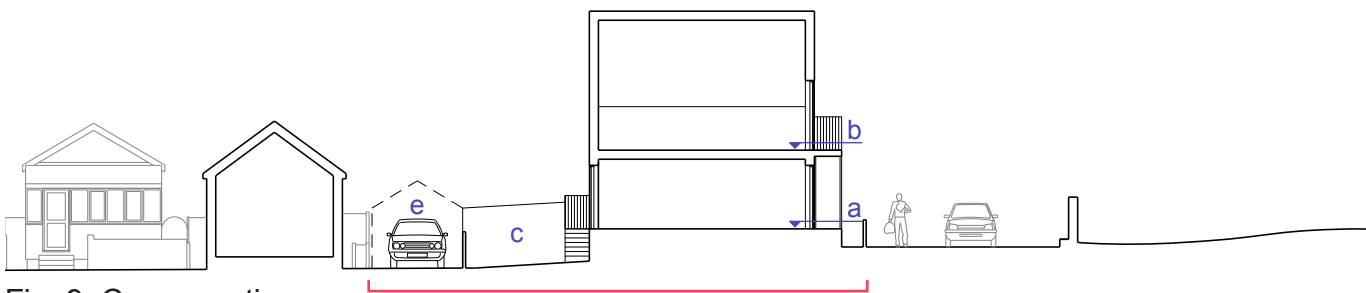


Fig. 9. Cross-section

- Plot boundary
- Notional building footprint
- Parking/external circulation
- Private amenity space

- a Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 25m<sup>2</sup> of private yard/garden to be provided.
- d 1m setback from side boundary unless party wall is created.
- e Parking on-plot and accessed from side street - 2.9x5.5 minimum parking bay size.
- f Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i Refuse and cycle storage.
- j Use roof for photovoltaic or solar thermal panels.

0m 2m 5m 10m



C: 2 plots combined, 2 one-bedroom homes replaced with 1 two-bedroom (four bedspace) home.

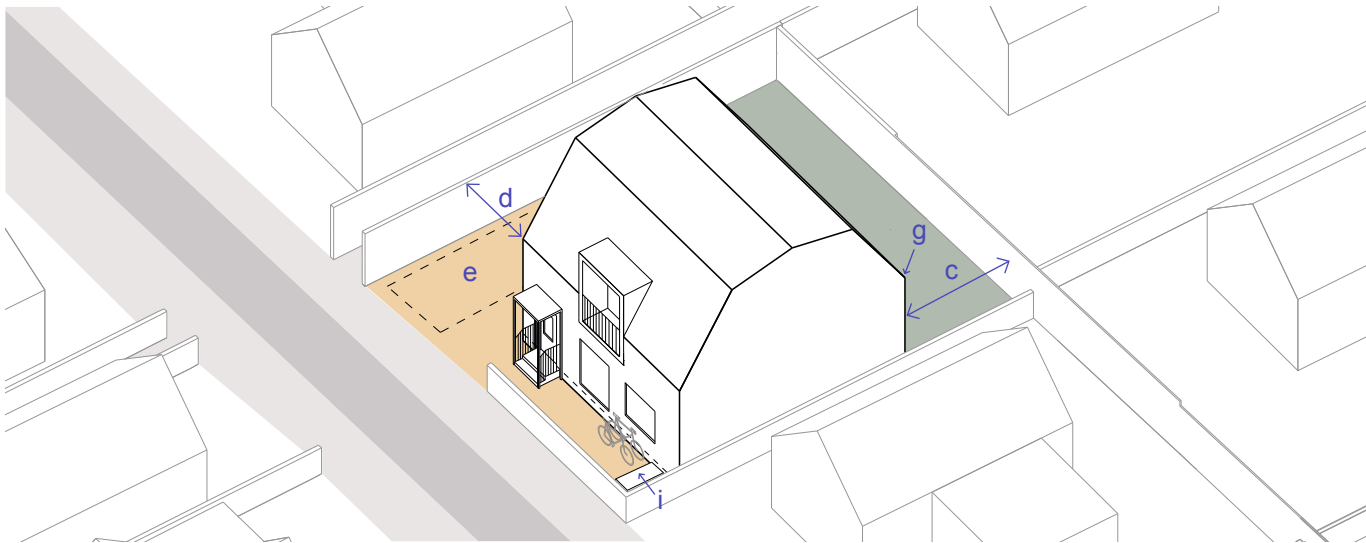


Fig. 10. Isometric view

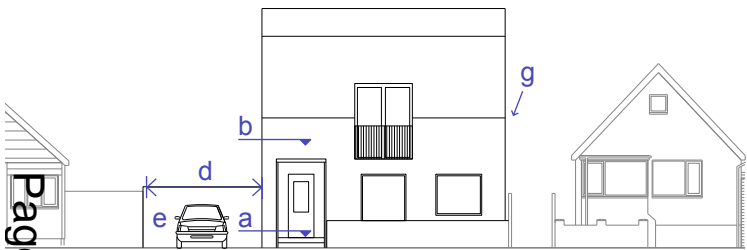


Fig. 11. Front elevation

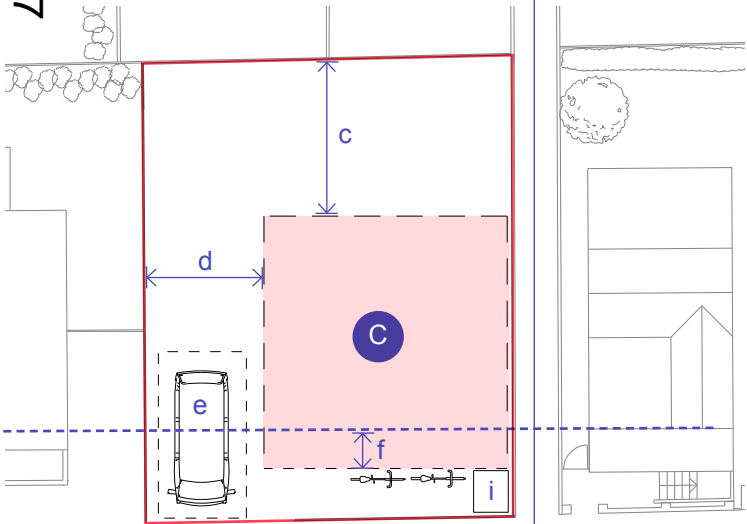


Fig. 12. Plan

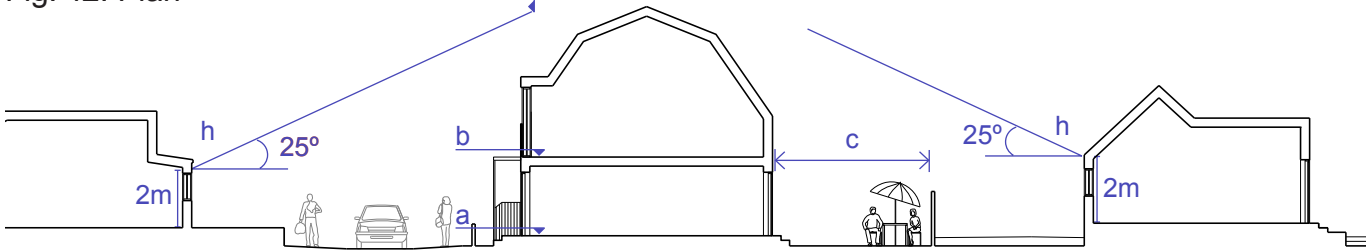


Fig. 13. Cross-section

- Plot boundary
- Notional building footprint
- Parking/external circulation
- Private amenity space
- a Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 40m<sup>2</sup> of private garden to be provided for a two bedroom home.
- d 1m setback from side boundary unless party wall is created.
- e Parking on-plot - 2.9x5.5 minimum parking bay size.
- f Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i Refuse and cycle storage.

D: 3 plots combined, 3 one-bedroom homes replaced with 2 two-bedroom (three bedspace) homes

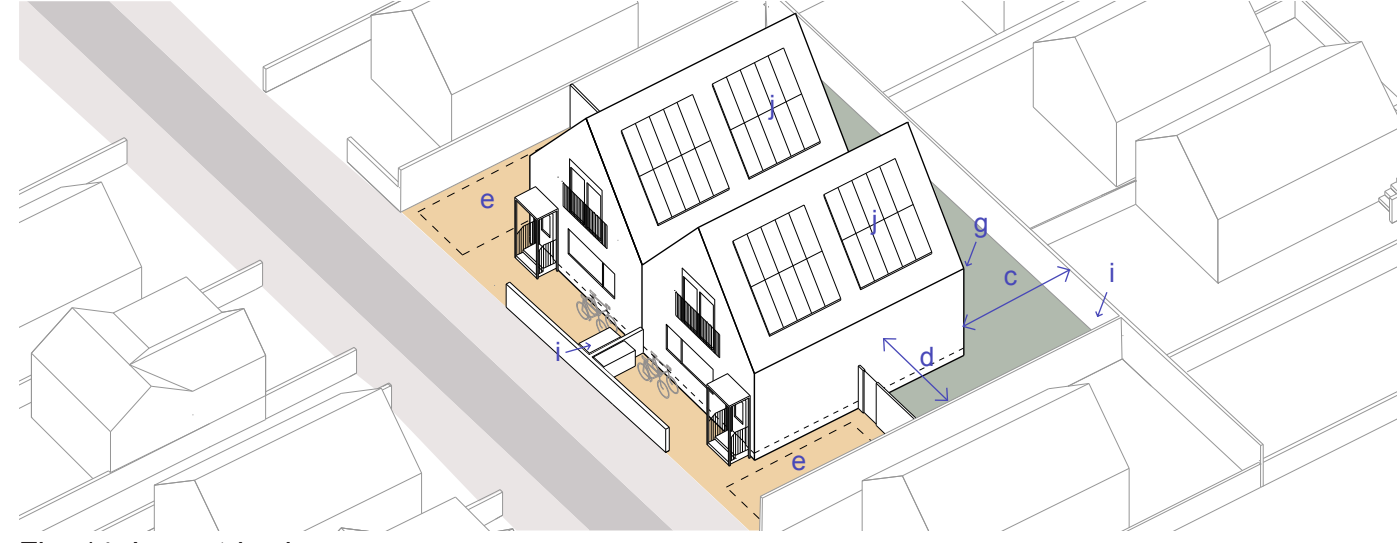


Fig. 14. Isometric view

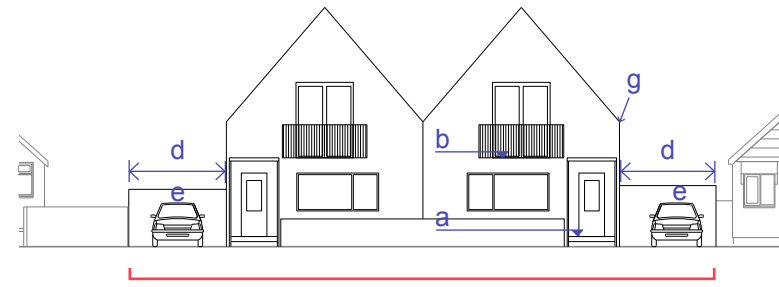


Fig. 15. Front elevation

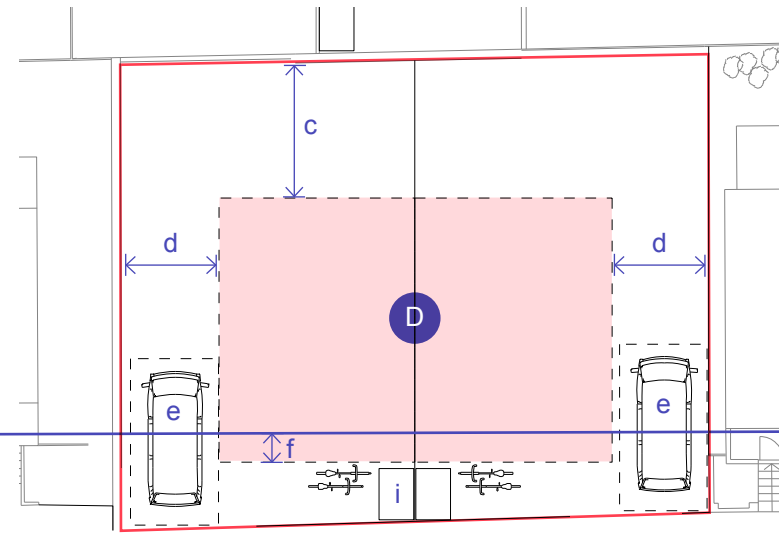


Fig. 16. Plan

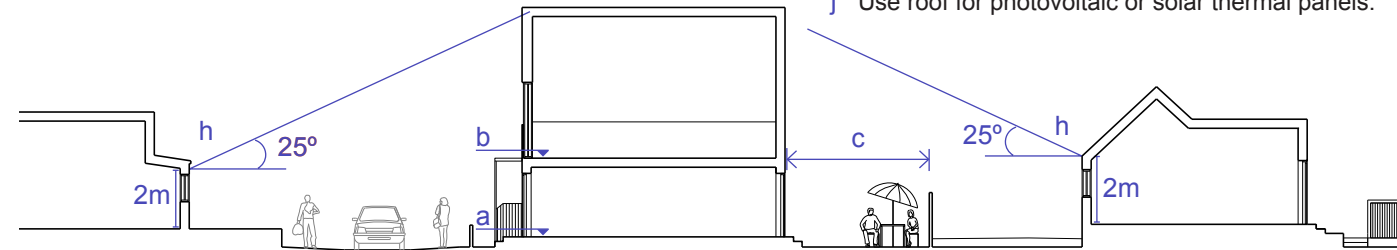


Fig. 17. Cross-section

- Plot boundary
- Notional building footprint
- Parking/external circulation
- Private amenity space
- a Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 40m<sup>2</sup> of private garden to be provided for a two bedroom home.
- d 1m setback from side boundary unless party wall is created.
- e Parking on-plot - 2.9x5.5 minimum parking bay size.
- f Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i Refuse and cycle storage.
- j Use roof for photovoltaic or solar thermal panels.

## 2. Village seafront/Broadway plots

For typical Village plots on north-south streets, the design principles demonstrated in the worked examples for Brooklands plots apply. The larger plot size allows more flexibility in terms of dwelling size and layout.

The blocks between the seafront and Broadway exhibit varied constraints and new development must be carefully designed to ensure a high quality streetscene as well as adequate privacy, daylight and sunlight to existing properties. Worked examples are shown to demonstrate the following parts of the design guidance:

- At corner plots, the building line can be brought out to the back of pavement to avoid unsightly side garden spaces and create a secure edge to the street.
- A high quality frontage to the seafront must be maintained - dwellings should have direct access to the promenade and parking should not be located on the seafront side of dwellings. All seafront plots have vehicle access to the rear from the side street.
- Taller buildings may be achieved on the seafront plots so long as daylight and sunlight to existing properties behind is not compromised.

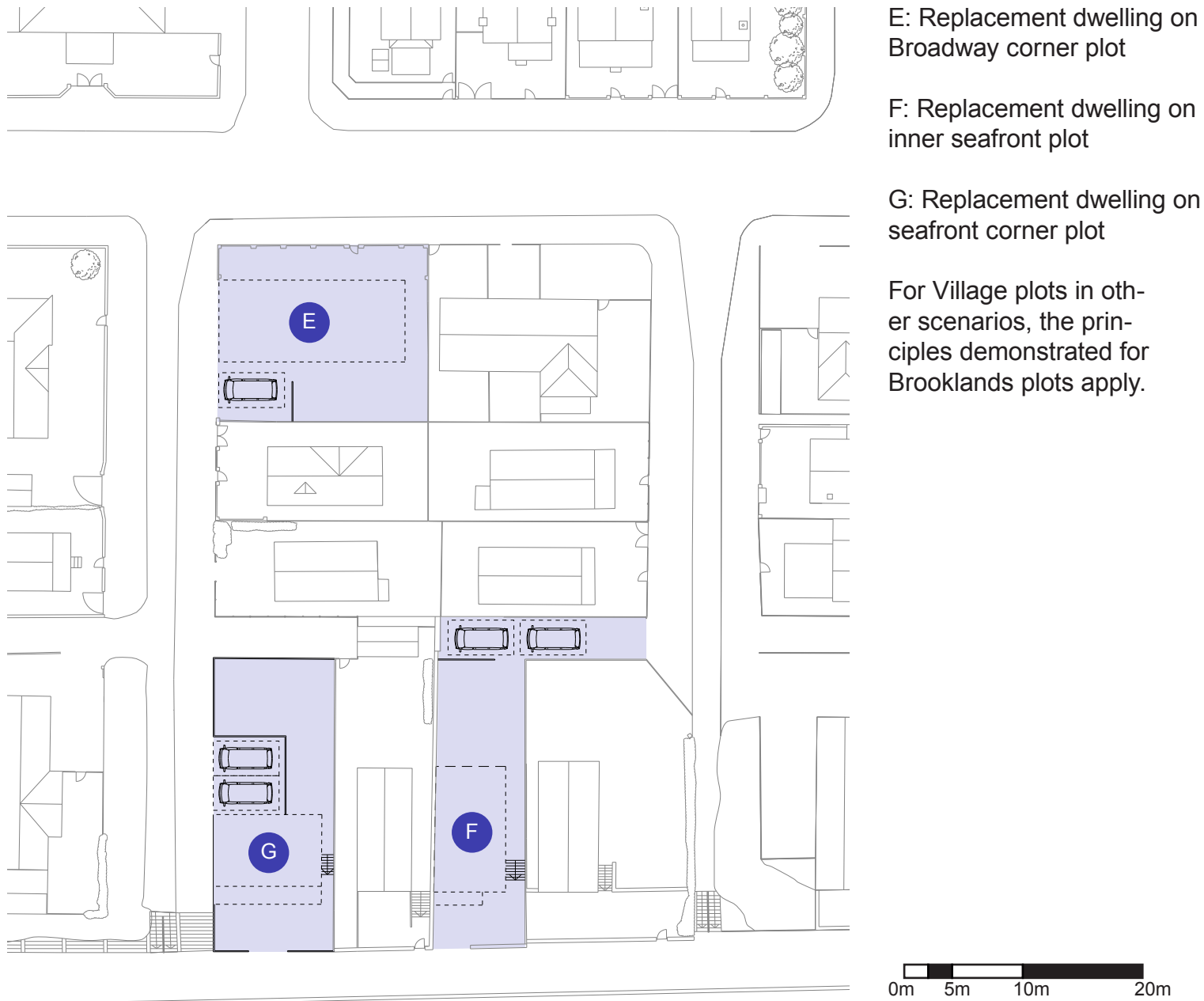


Fig. 18. Plan showing notional locations of worked examples.  
Scale 1:500

E: Replacement dwelling on Broadway corner plot

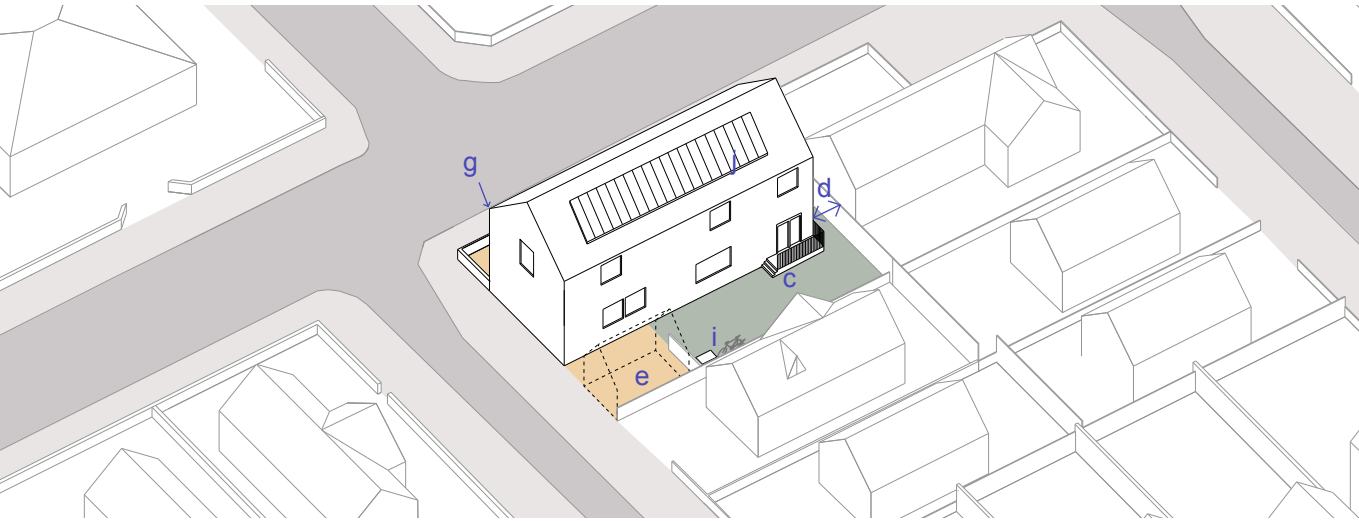


Fig. 19. Isometric view

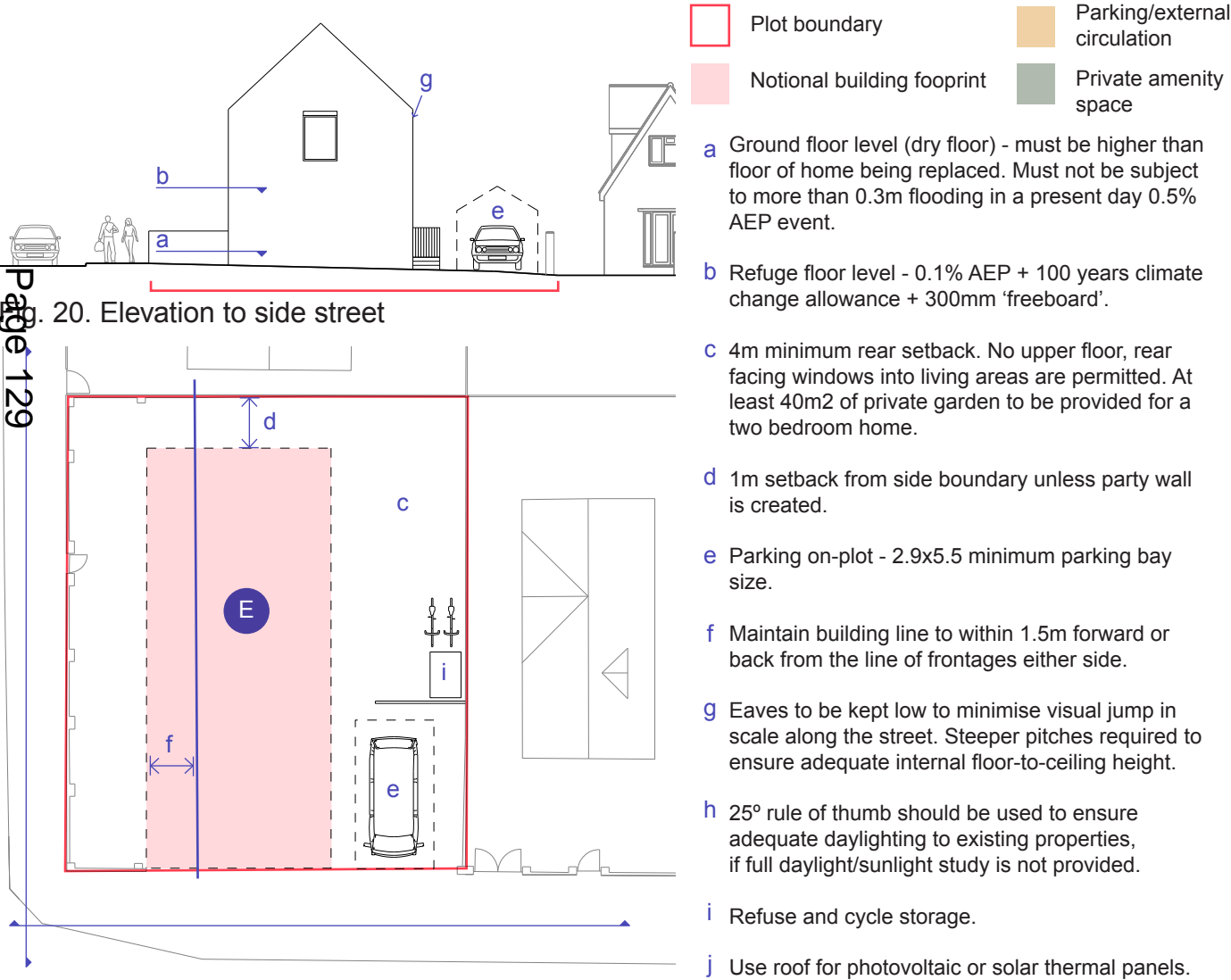


Fig. 21. Plan

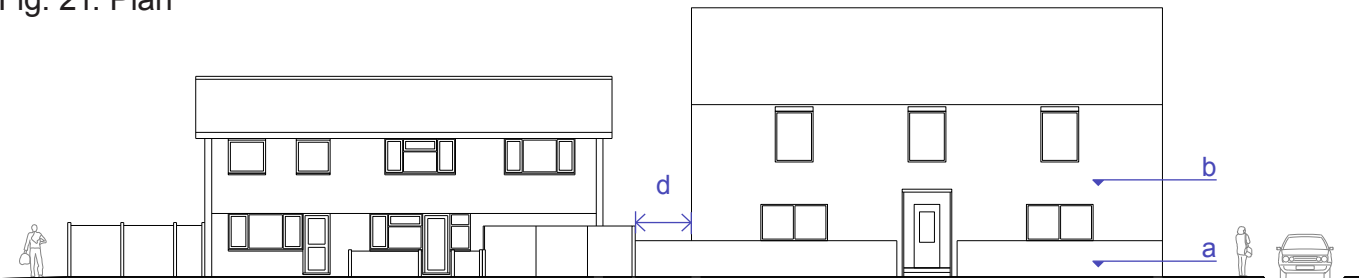


Fig. 22. Elevation to Broadway

F: Single plot replacement dwellings for typical Village seafront

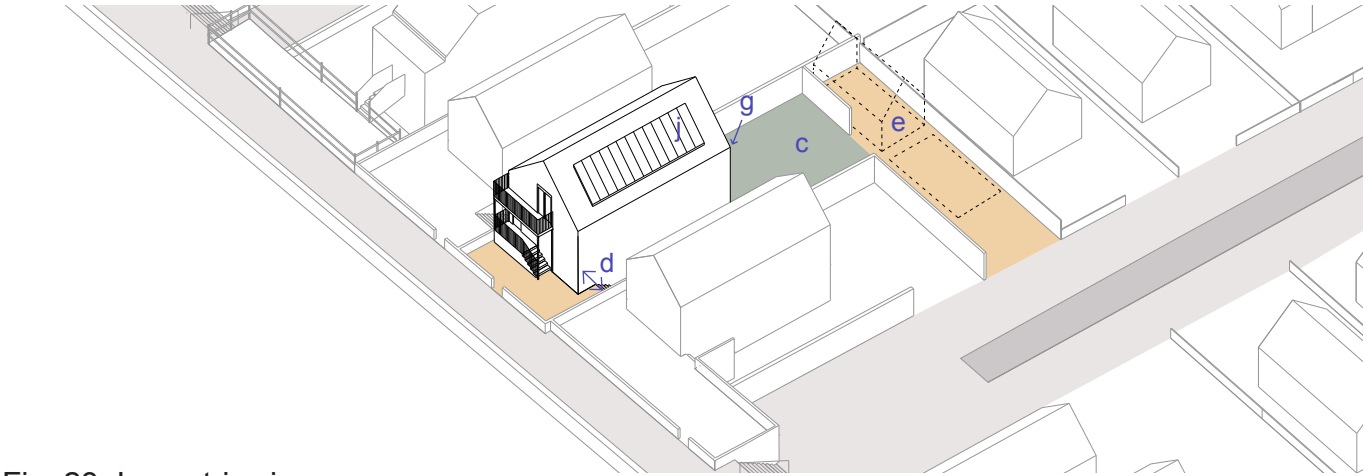


Fig. 23. Isometric view

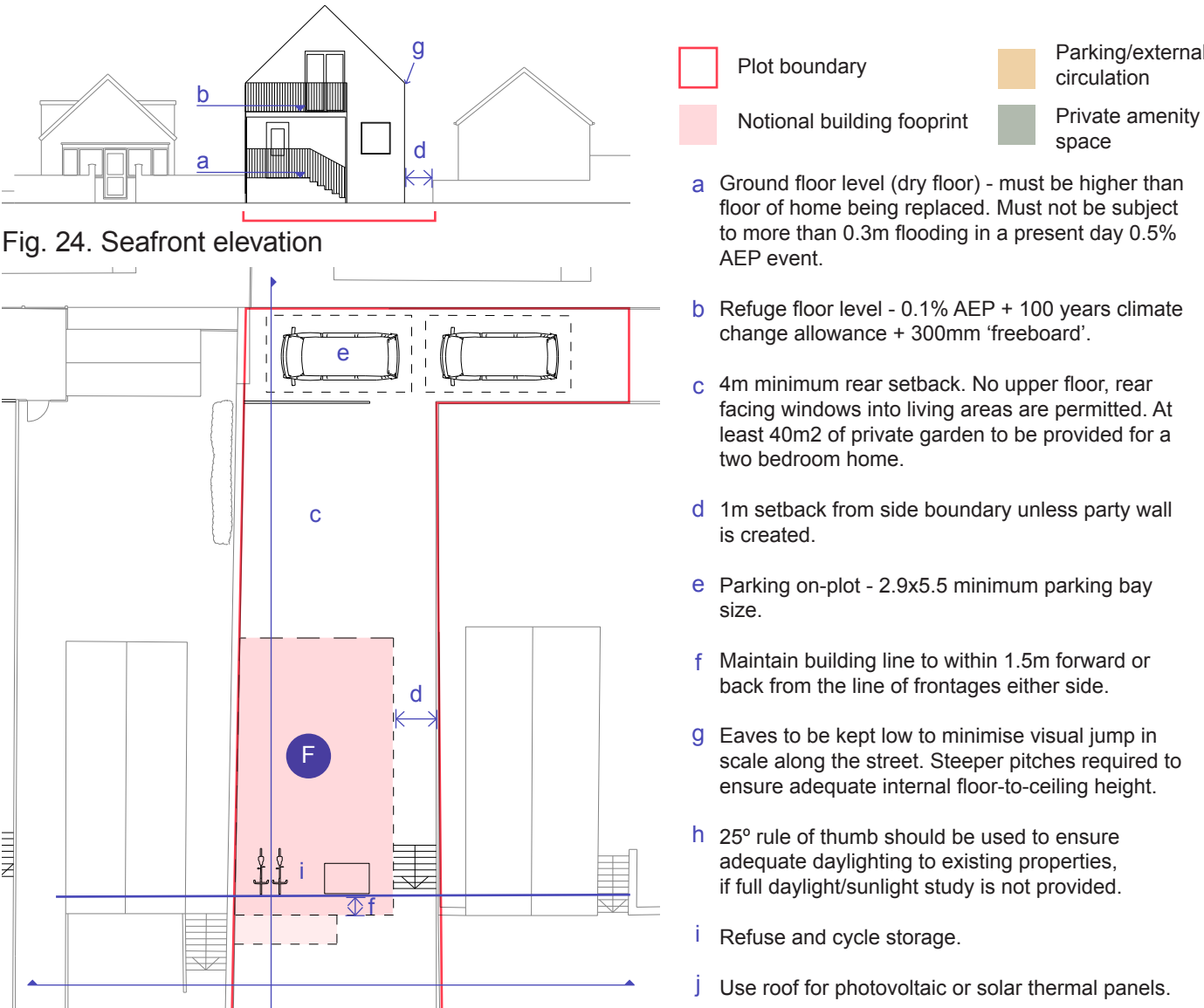


Fig. 25. Plan

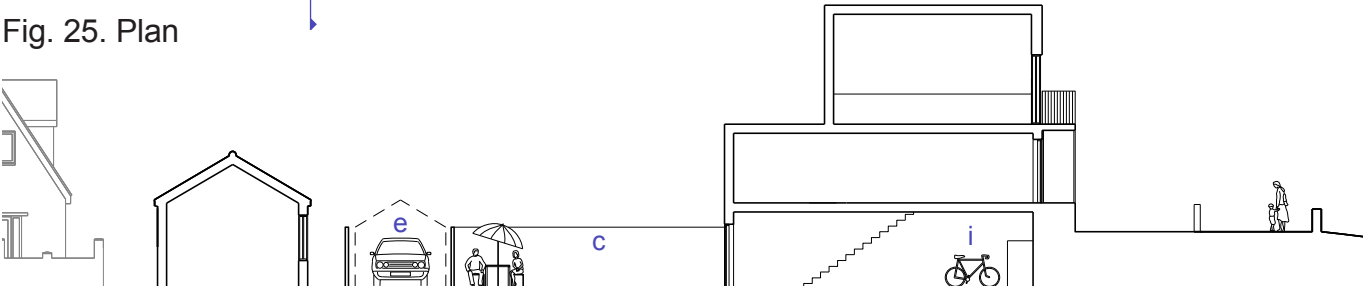
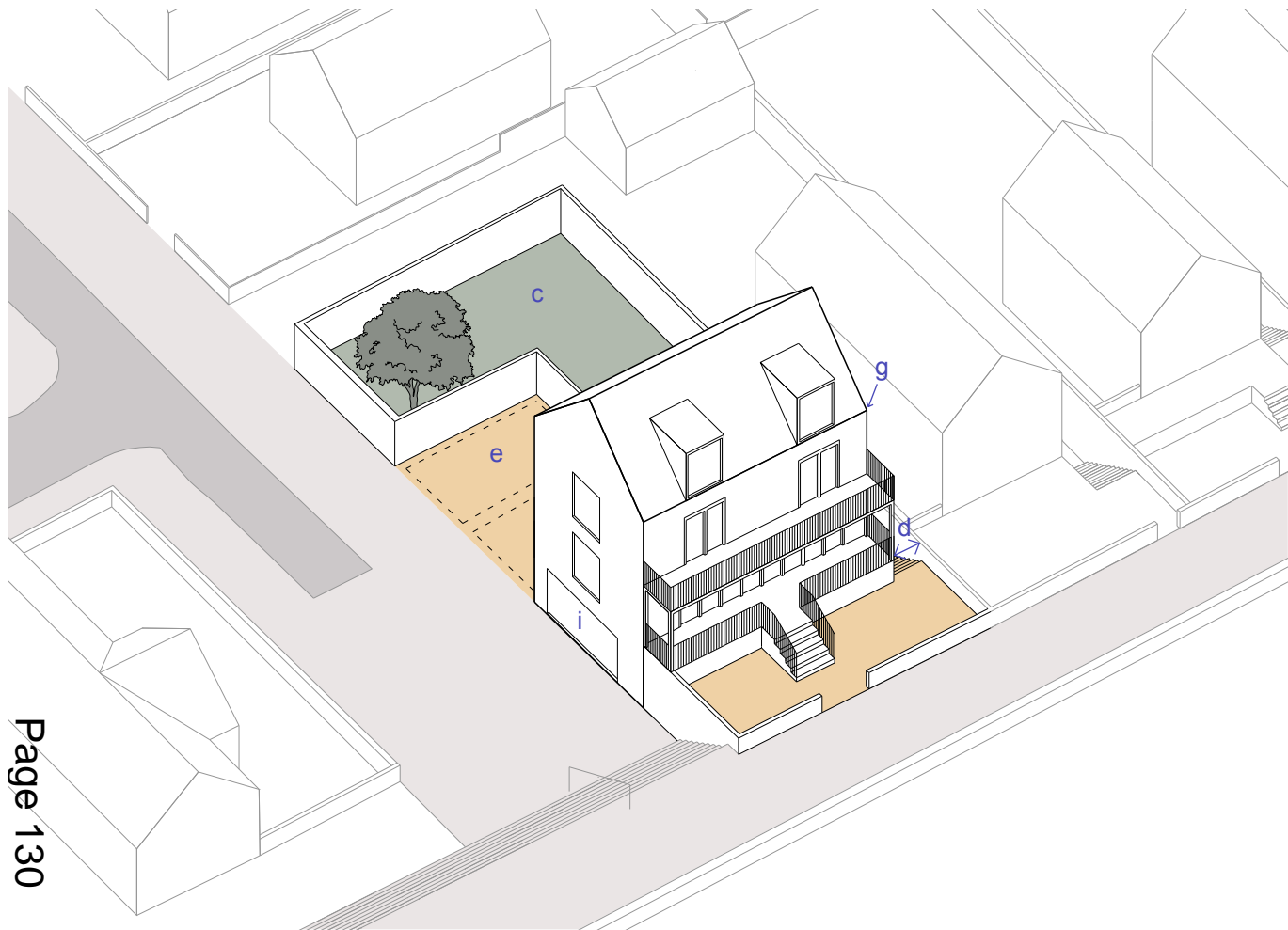






Fig. 26. Cross-section



Page 130

Fig. 27. Isometric view

- |   |   |
|---|---|
|  Plot footprint              |  Front garden/parking area |
|  Notional building footprint |  Private amenity space     |
- a** Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
  - b** Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
  - c** 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 40m<sup>2</sup> of private garden to be provided for a two bedroom home.
  - d** 1m setback from side boundary unless party wall is created.
  - e** Parking on-plot - 2.9x5.5 minimum parking bay size.
  - f** Maintain building line to within 1.5m forward or back from the line of frontages either side.
  - g** Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
  - h** 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
  - i** Refuse and cycle storage.
  - j** Use roof for photovoltaic or solar thermal panels.

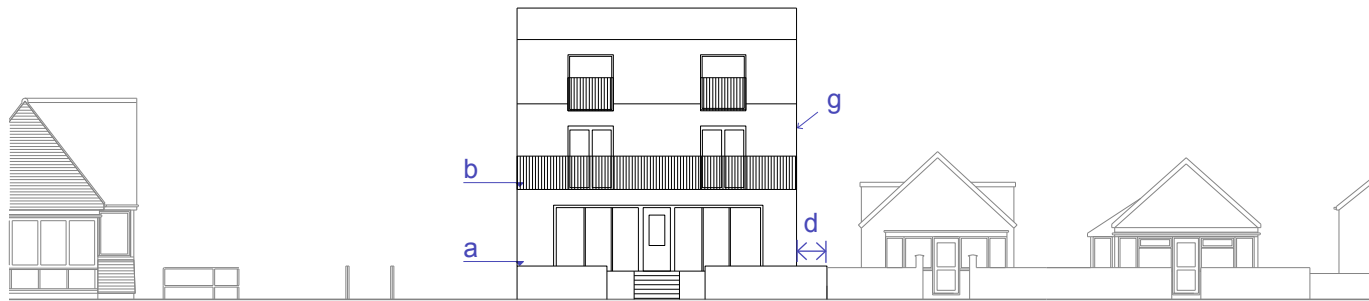


Fig. 28. Seafront elevation

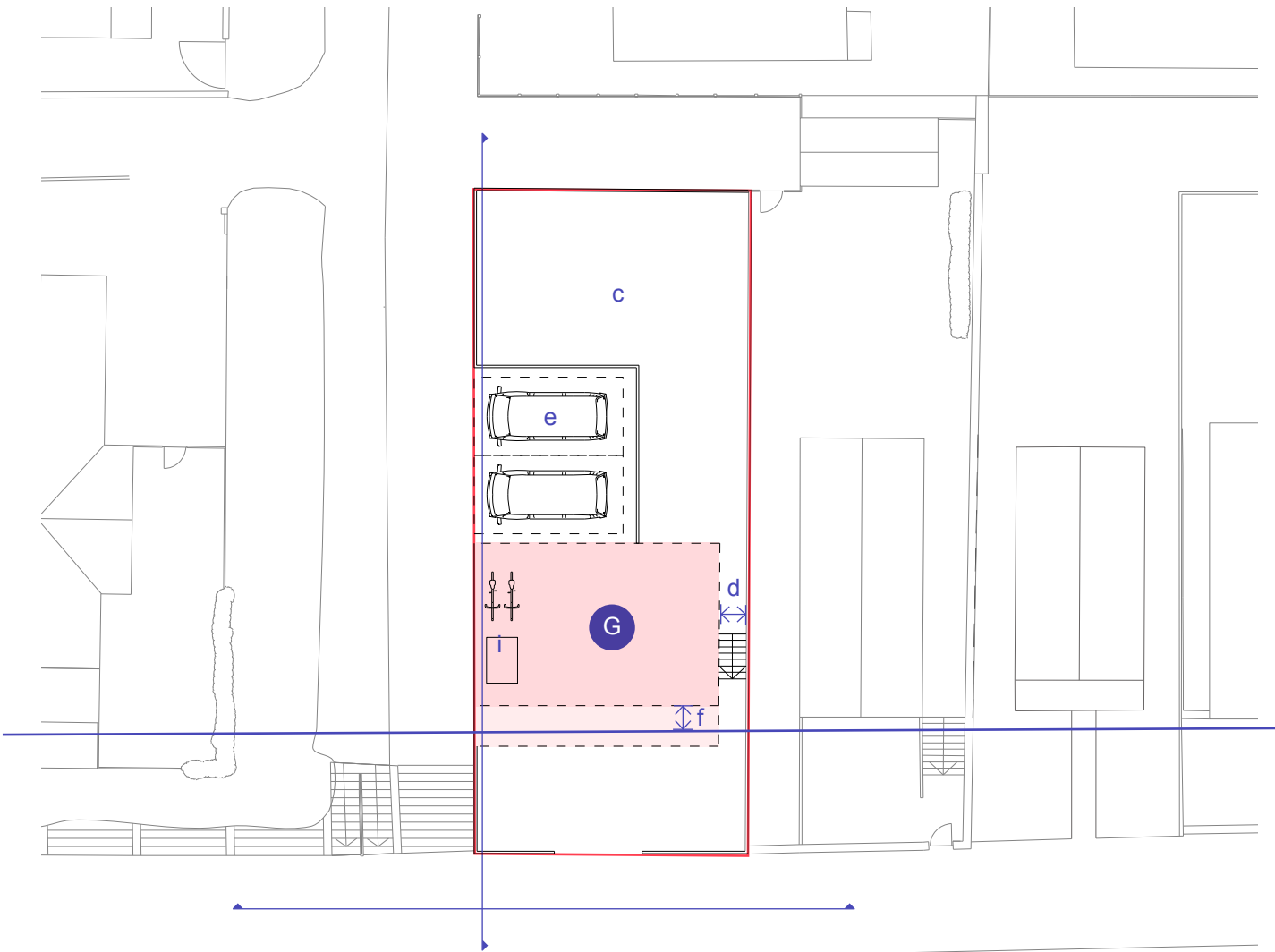


Fig. 29. Plan

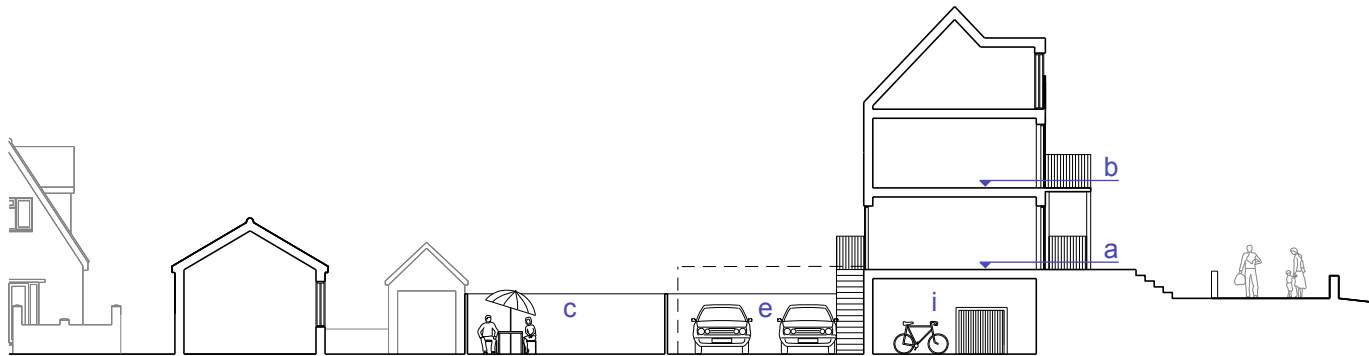


Fig. 30. Cross-section

0m 2m 5m 10m

### 3. Tandem plot replacement dwellings

- Tandem plots require careful design due to the close-knit layout, which creates privacy challenges, and, along Meadow Way, the height of the flood datum relative to the ground level.
- Rear tandem plots are highly visible from the surrounding landscape and must present a positive, high quality aspect. Rear boundary treatments must be of an appropriate design and materiality, close boarded fencing is not appropriate.
- Due to the height of the flood datum, along Meadow Way a 1.5 storey dwelling which creates the required refuge space, will be much taller than elsewhere in Jaywick Sands. For this reason, to reduce the visual dominance of buildings along the settlement's edge, three-storey dwellings are not appropriate.
- Parking must be dealt with on-plot and adequate private garden/amenity space must be created.

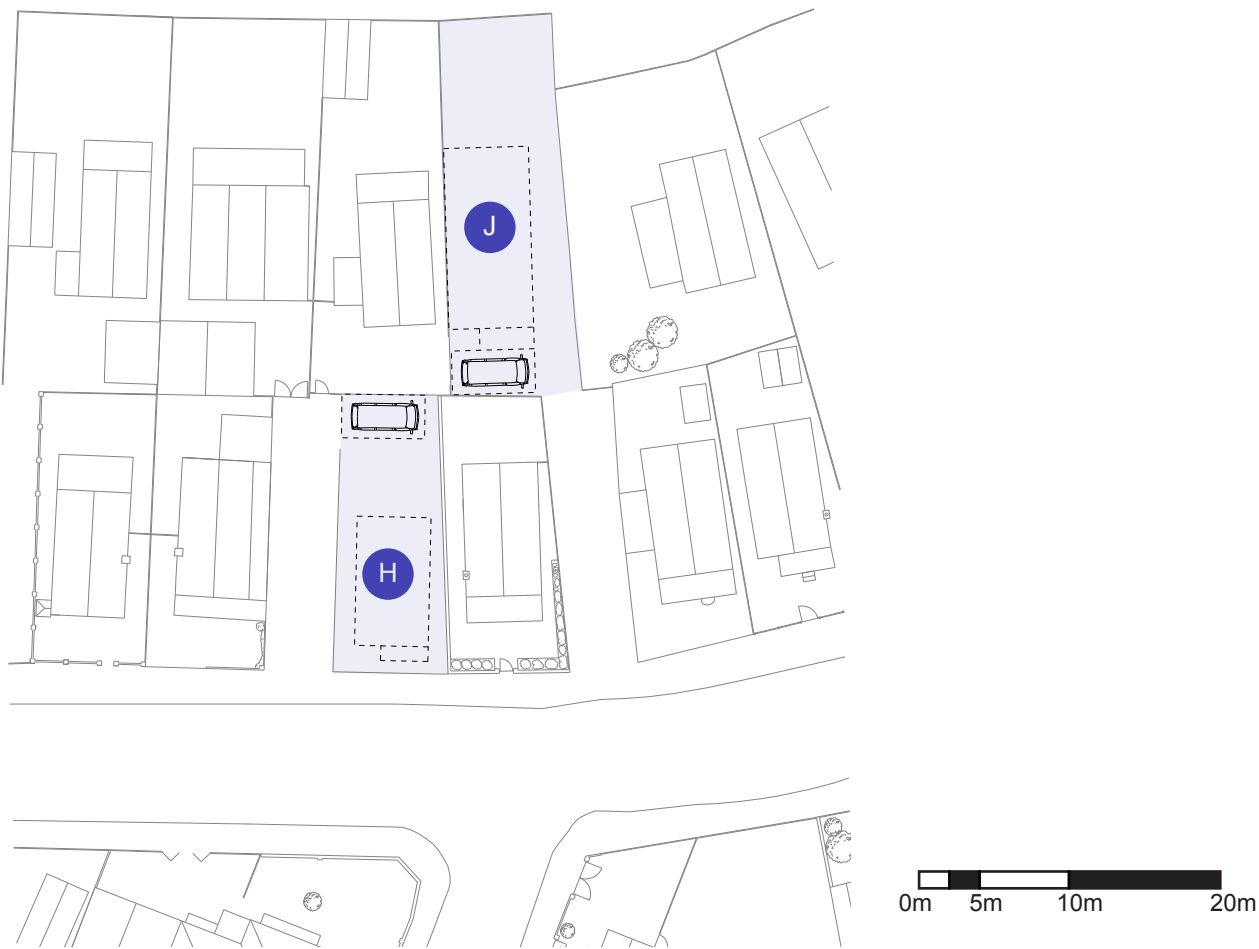
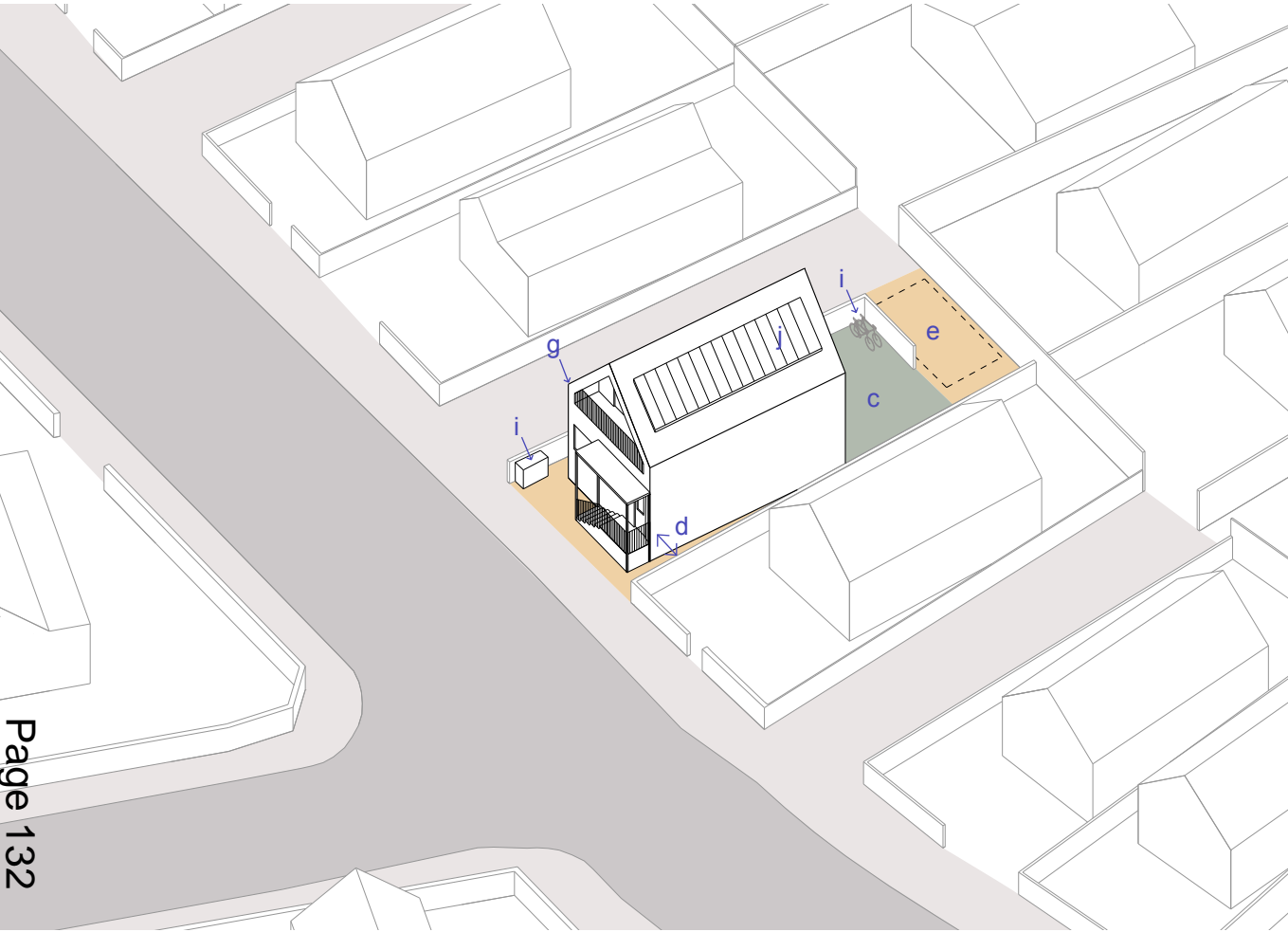


Fig. 31. Plan showing application of guidance to typical tandem plots. Scale 1:500



H: Replacement dwelling on front tandem plot



Page 132

Fig. 32. Isometric view

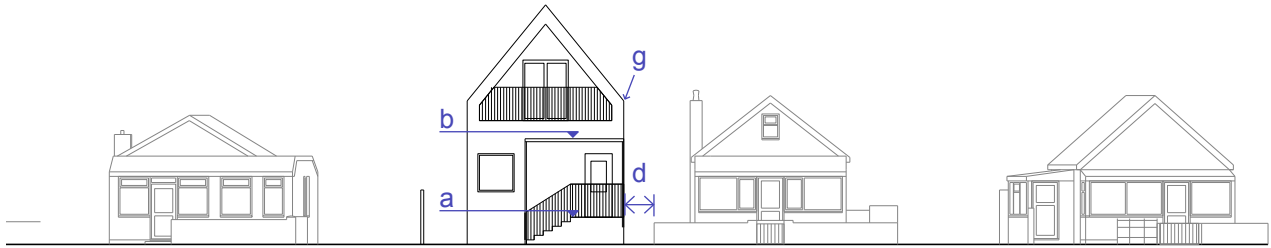


Fig. 33. Front elevation

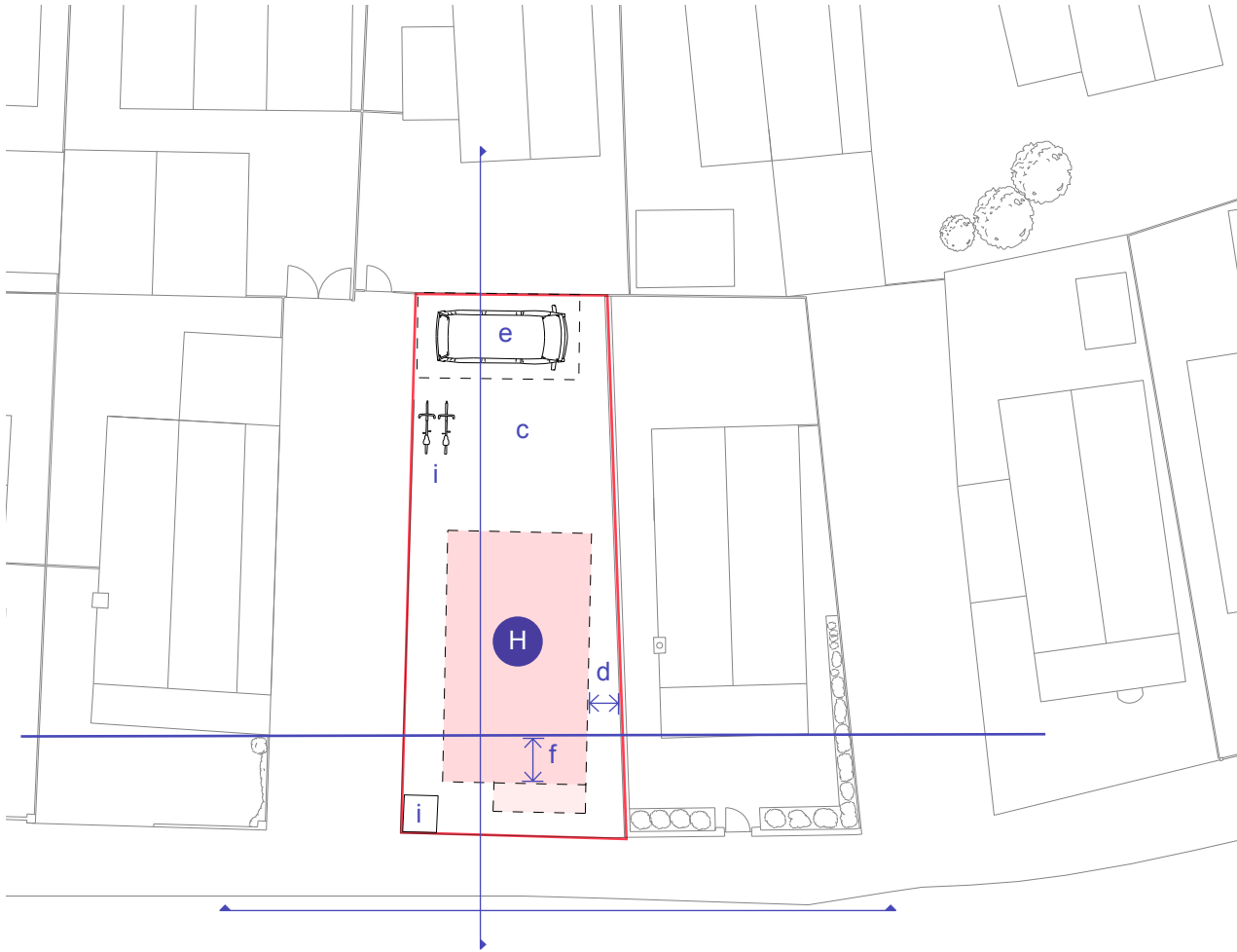


Fig. 34. Plan

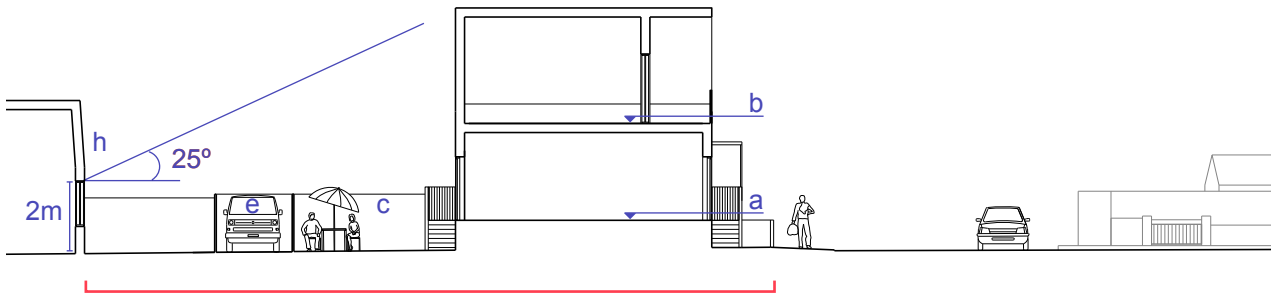
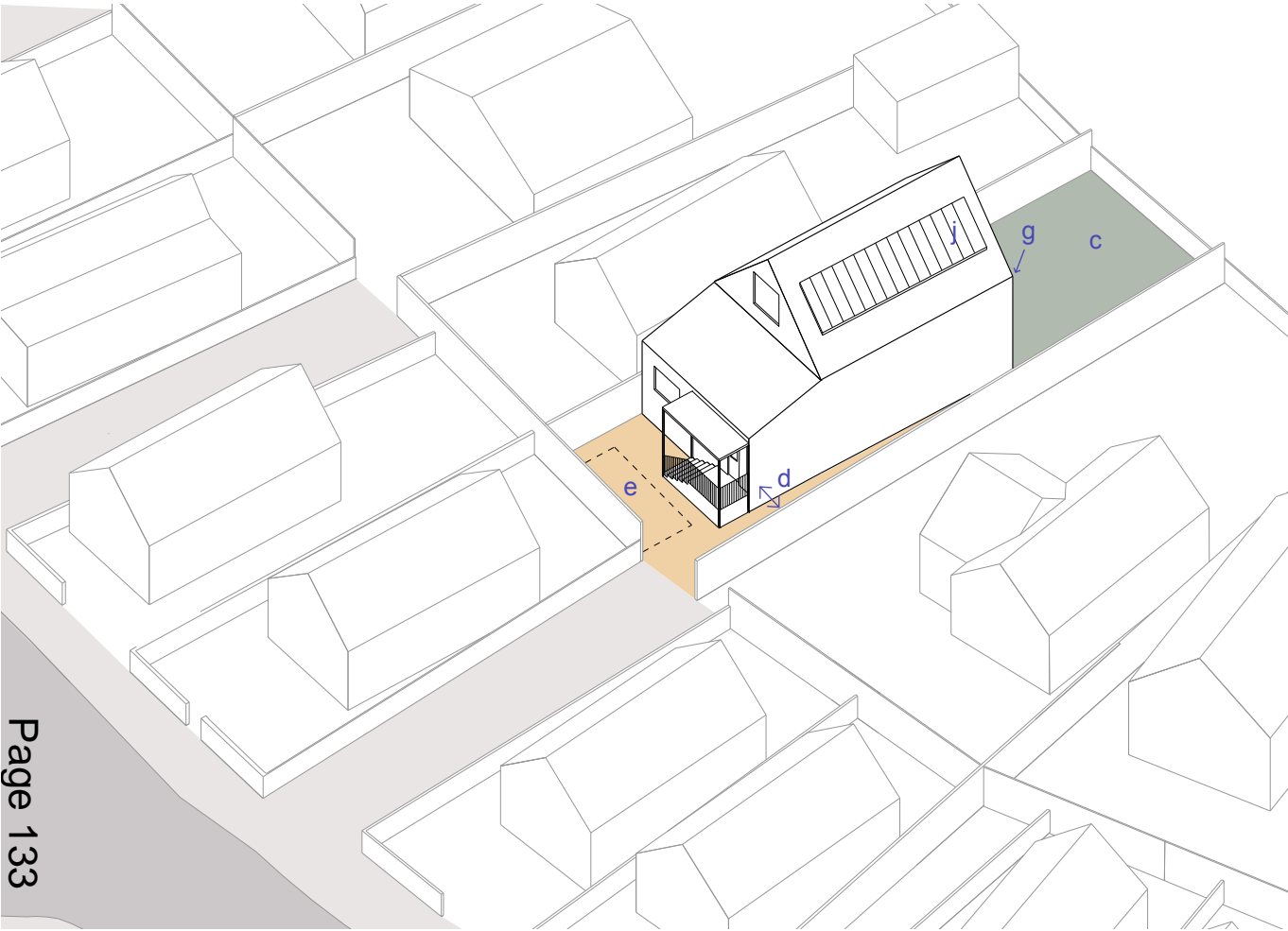


Fig. 35. Cross-section

- Plot footprint
- Notional building footprint
- Parking/external circulation
- Private amenity space
- a** Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b** Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c** 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 40m<sup>2</sup> of private garden to be provided for a two bedroom home.
- d** 1m setback from side boundary unless party wall is created.
- e** Parking on-plot - 2.9x5.5 minimum parking bay size.
- f** Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g** Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h** 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i** Refuse and cycle storage.
- j** Use roof for photovoltaic or solar thermal panels.

J: Replacement dwelling on rear tandem plot



Page 133

Fig. 36. Isometric view





- |   |  |
|---|--|
|  Plot footprint              |  Parking/external circulation |
|  Notional building footprint |  Private amenity space        |
- a** Ground floor level (dry floor) - must be higher than floor of home being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- b** Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c** 4m minimum rear setback. No upper floor, rear facing windows into living areas are permitted. At least 40m2 of private garden to be provided for a two bedroom home.
- d** 1m setback from side boundary unless party wall is created.
- e** Parking on-plot - 2.9x5.5 minimum parking bay size.
- f** Maintain building line to within 1.5m forward or back from the line of frontages either side.
- g** Eaves to be kept low to minimise visual jump in scale along the street. Steeper pitches required to ensure adequate internal floor-to-ceiling height.
- h** 25° rule of thumb should be used to ensure adequate daylighting to existing properties, if full daylight/sunlight study is not provided.
- i** Refuse and cycle storage.
- j** Use roof for photovoltaic or solar thermal panels.



Fig. 37. Front elevation

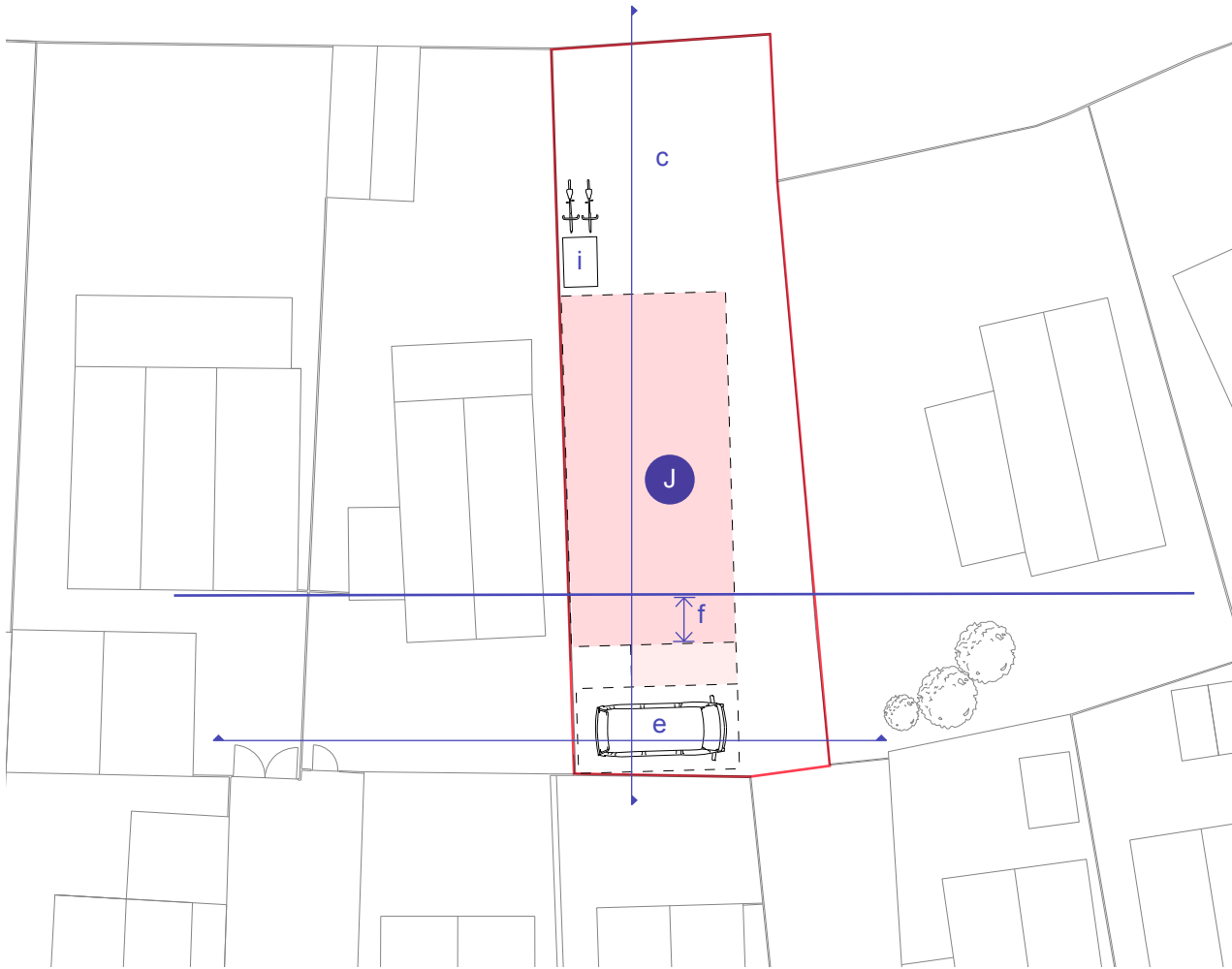


Fig. 38. Plan

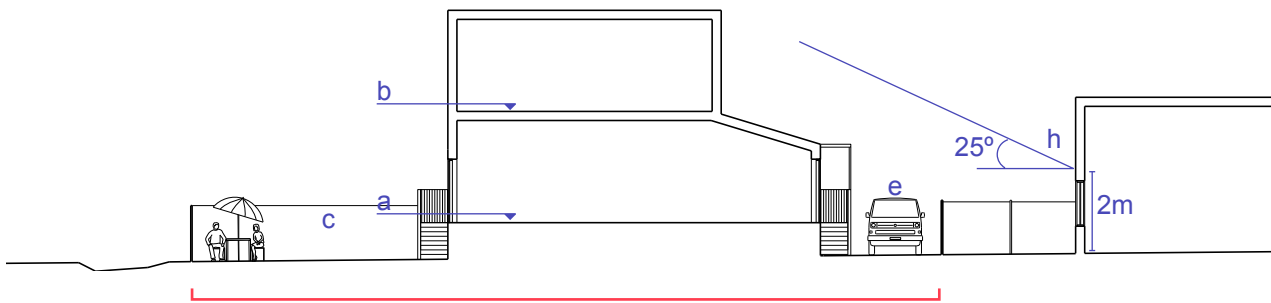


Fig. 39. Cross-section

0m 2m 5m 10m



## 4. Comprehensive redevelopment of multiple plots - up to 3 storeys

Comprehensive redevelopment of plots can provide efficiencies and allow for taller buildings and larger homes. However, care must be taken that the amenity of existing residents neighbouring the site remains protected, particularly in terms of daylight, sunlight and overlooking of what are already very small gardens and yards. In addition, new development must create a positive street frontage and provide adequate, good quality amenity space for new residents which should also enjoy sunlight in line with accepted BRE standards.

The following design requirements should be considered for all multi-plot comprehensive development:

- If a net increase in bedspaces is proposed, all habitable space must be set above the 0.5% AEP + climate change + freeboard level, meaning that living spaces will be at first floor level at minimum. This can create potentially difficult relationships with neighbouring homes with regard to overlooking. Rear setbacks should be increased in line with Essex Design Guide standards.
- If taller development is proposed, greater care must be taken to ensure that daylight and sunlight to neighbouring properties is not unreasonably impacted. It is recommended that a daylight/sunlight study is undertaken.
- Parking must be accommodated off-street to the full requirements of ECC's parking standards, including visitor parking. If garages are proposed, a full waiting space must be provided in front of garage doors, which does not obstruct the footway.
- Boundary treatments to the rear will form a 'front' to the street and must therefore be of high quality as well as secure. Close boarded fencing will not be an acceptable boundary treatment.

Page 134

- Private gardens, balconies and/or shared private garden space must be provided to Essex Design Guide standards..
- Flat or pitched roof forms may be used but designs of 3 or more stories must be of very high quality due to their visibility within the landscape in long range as well as close up views.
- Comprehensive development of seafront plots can create the opportunity for three storey development if plots to the rear are incorporated within the development area.
- The seafront street (Brooklands) must retain an active frontage and parking courts should therefore be accessed from the side streets. Rows of garages facing Brooklands are not acceptable. Front doors should open onto Brooklands and ground floor space that cannot be used for habitable accommodation should be designed to incorporate other non-vulnerable uses such as co-working, meeting room, shared laundry, storage, cycle storage and similar. E class commercial uses are also suitable along Brooklands although servicing access must be carefully considered.
- In practice, seafront comprehensive redevelopment will require a large number of plots to be consolidated into a single site, in order to provide adequate amenity space and parking for both future and existing residents.

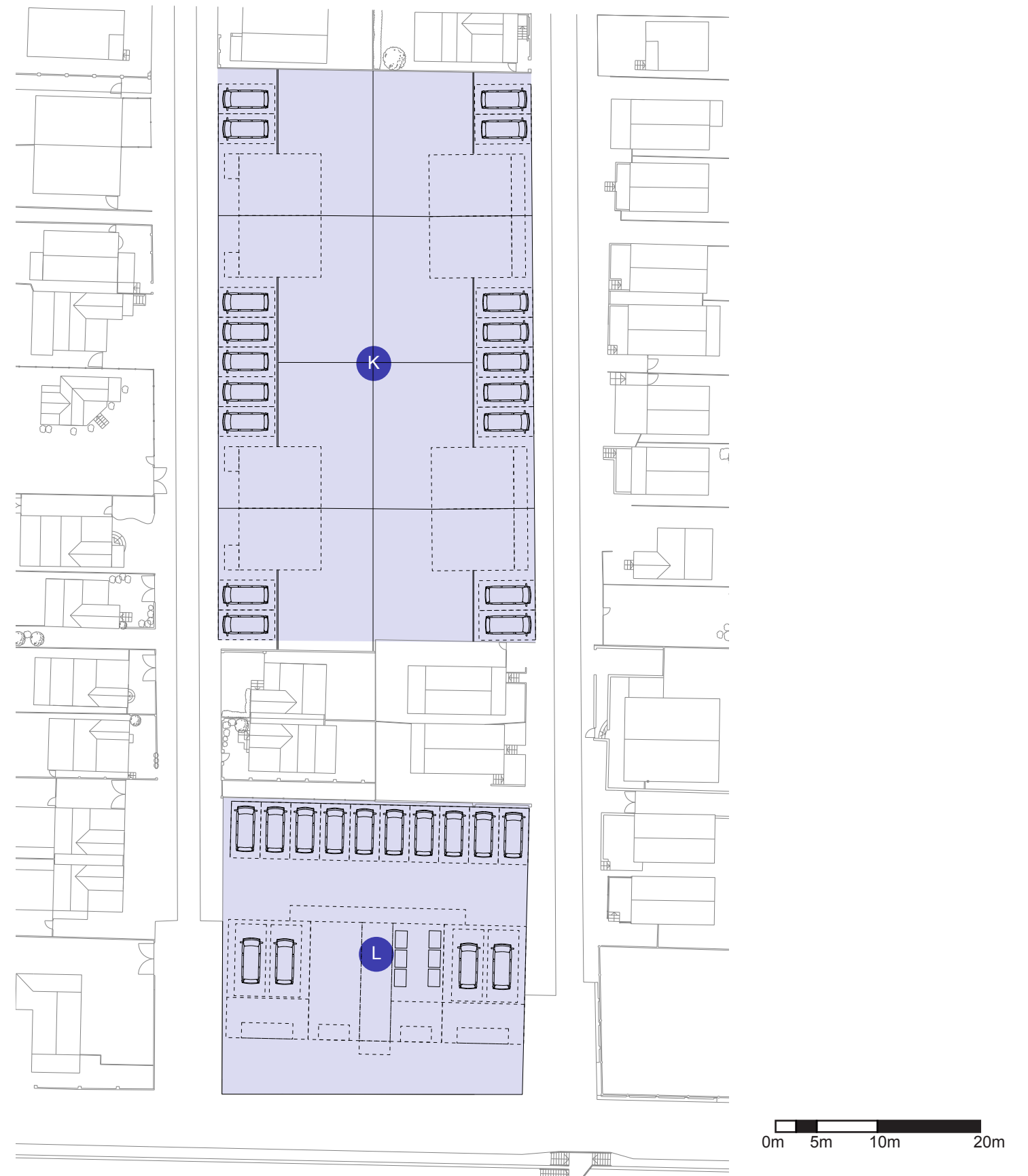


Fig. 40. Map showing notional locations of worked examples of comprehensive redevelopment. Scale 1:500

K. Indicative approach to acceptable three-storey development on a typical Brooklands street.  
 16 plots redeveloped to 8 new homes, assuming a betterment approach (no net increase in bedspaces)

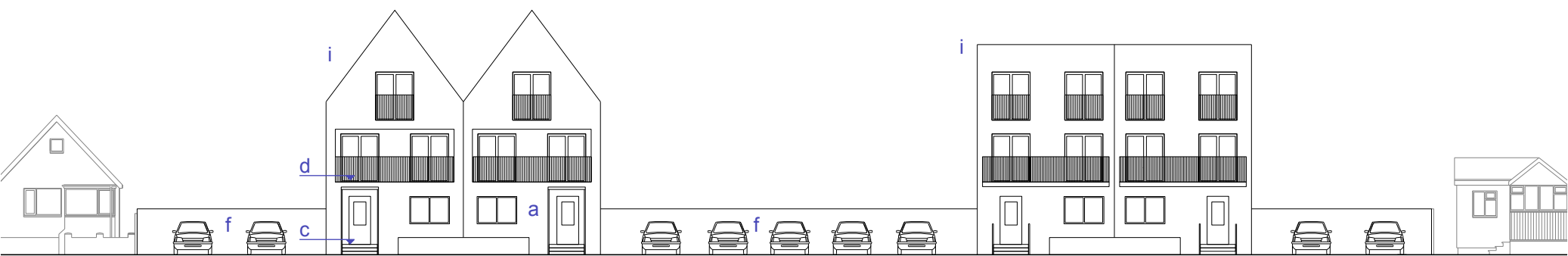


Fig. 41. Front Elevation

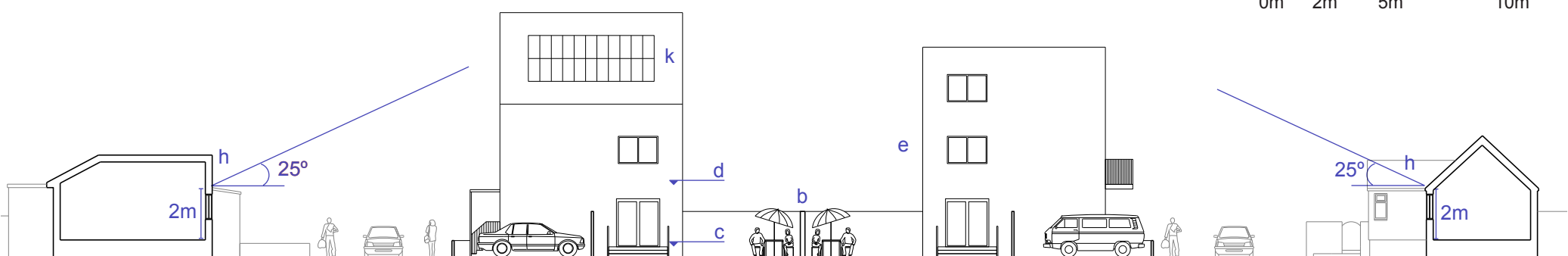


Fig. 42. Side Elevation

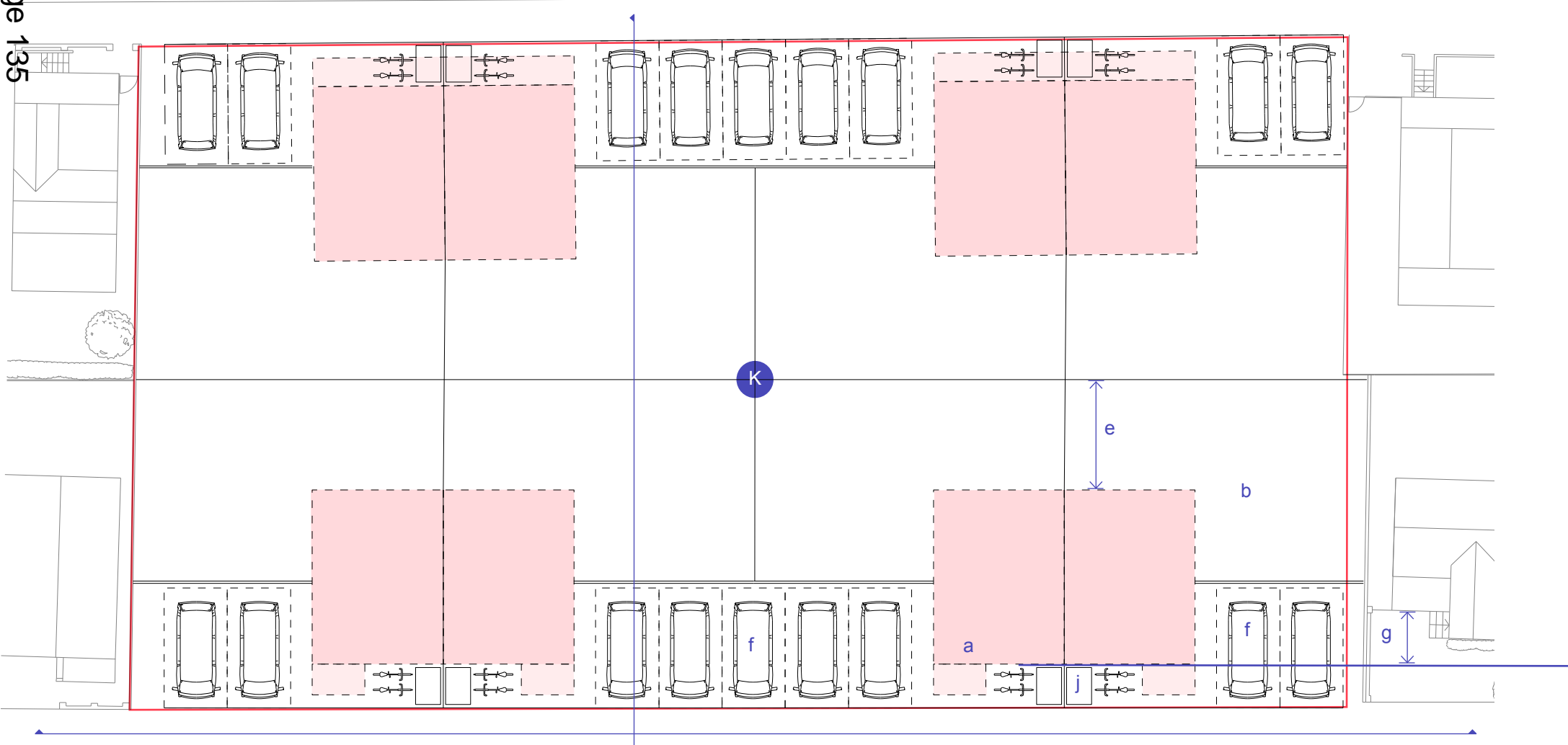


Fig. 43. Plan

- Plot boundary
- Notional building footprint

- a** Layout ensures active frontages to both streets and avoids overlooking and overshadowing of existing and new gardens.
- b** New gardens enjoy good quality sunlight and meet minimum standards of 75m2 for a 3/4 bedroom home.
- c** Ground floor level (dry floor) - for a betterment proposal as shown, must be higher than floor of all homes being replaced. Must not be subject to more than 0.3m flooding in a present day 0.5% AEP event.
- d** Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- e** 4m minimum rear setback to plot boundary. Any first floor living spaces to face the street or the side of the property and not to the rear, to avoid overlooking of gardens.
- f** Parking on-plot - comprehensive development requires visitor parking to ECC highways standards. 1 space for 4 dwellings is shown.
- g** More flexibility in building line in relation to existing frontages can be accommodated due to more spacious layout.
- h** 25° rule of thumb should be used to ensure adequate daylighting to existing properties unless daylight/sunlight study is submitted. With more spacious layout as shown, daylight/sunlight study is likely to demonstrate that taller buidings will not have unacceptable impacts.
- i** Flat or pitched roof forms can work as more spacious layout means that change in scale from neighbouring properties is less problematic.
- j** Refuse and cycle storage.
- k** Use roof for photovoltaic or solar thermal panels where possible.

L. Three storey comprehensive development on seafront  
 5 seafront plots with four rear plots (nine total) redeveloped as 4 two-bedroom and 4 one-bedrom flats.  
 Net increase in bedspaces, no habitable ground floor space

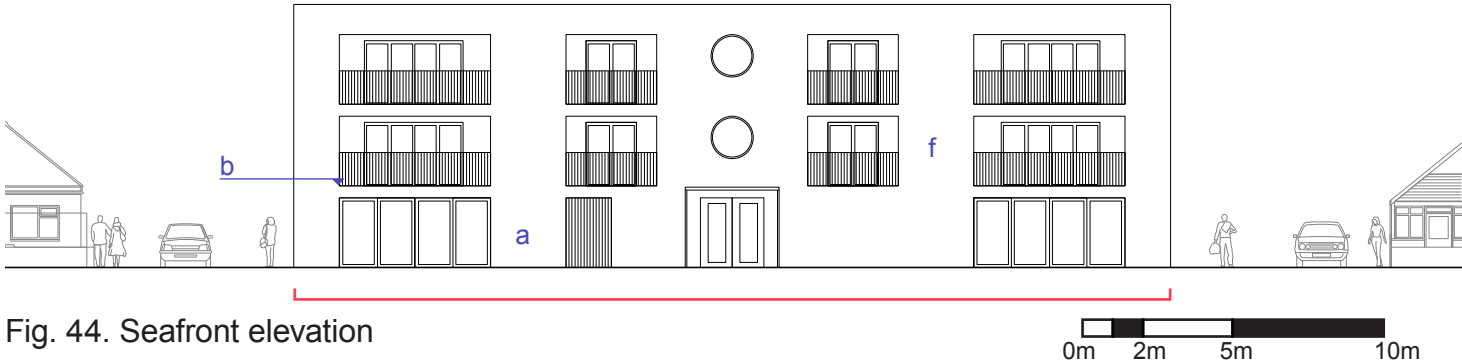


Fig. 44. Seafront elevation

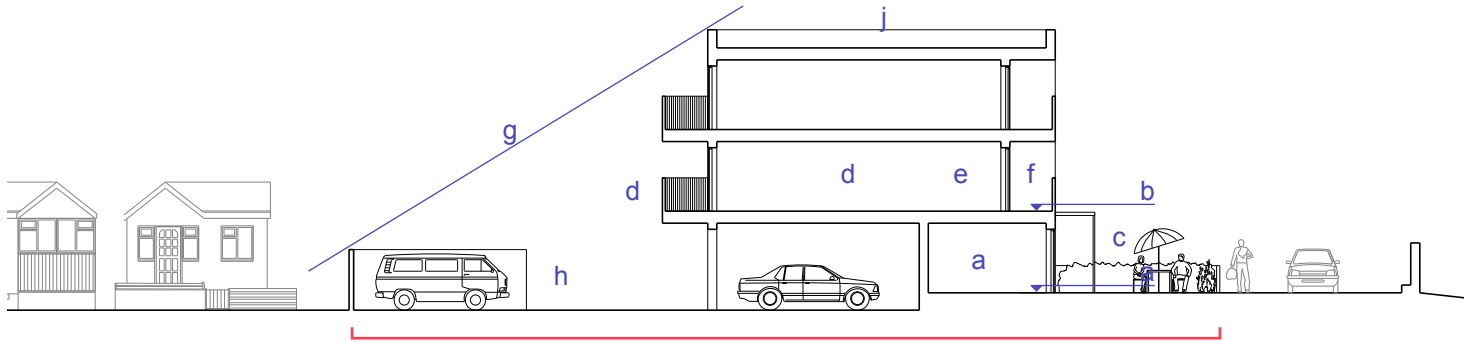


Fig. 46. Cross-section

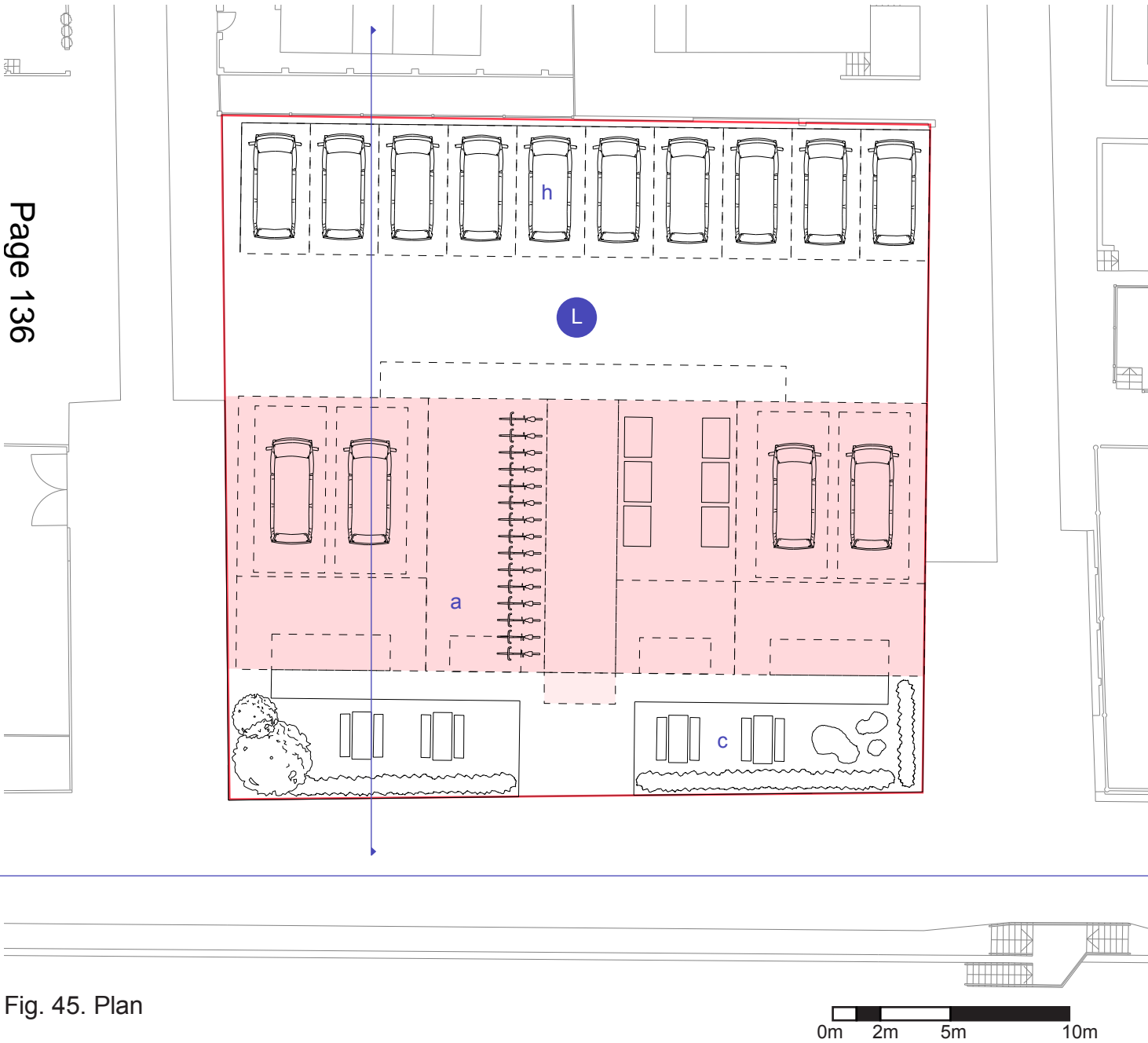


Fig. 45. Plan

- Plot footprint**
- Notional building footprint**
- a** For proposals resulting in a net increase in bedspaces, no ground floor habitable space is permitted. Ground floor to be designed for non habitable uses only. Ensure active frontage with front doors to street. Ground floor space can be used for non habitable purposes such as Class E uses, shared resident facilities such as co-working or laundry, cycle storage, refuse storage, garaging (accessed from rear only) or plant.
- b** Floor level for all habitable space - 0.5% AEP + 100 years climate change allowance + 300mm 'freeboard'. Refuge floor level - 0.1% AEP + 100 years climate change allowance + 300mm 'freeboard'.
- c** Resident shared outdoor amenity space (garden/courtyard) to be provided to Essex Design Guide Standards. Amenity space to be located and designed to receive direct sunlight in line with BRE guidelines. North-facing amenity space will not be acceptable.
- d** Apartments to be dual aspect to provide good daylighting and cross-ventilation to reduce overheating. Consider use of gallery access at rear.
- e** Living spaces to face the street to avoid overlooking of neighbouring gardens to the rear. If rear facing living spaces are proposed, setbacks to neighbouring gardens must meet Essex Design Guide standard.
- f** Private balconies to all units, minimum 5m2 with depth of not less than 1.5m. Inset balconies preferred on south and west facing elevations to prevent overheating and provide privacy.
- g** Daylight and sunlight analysis should be provided to demonstrate that neighbouring gardens will continue to receive adequate sunlight.
- h** Parking to be on-plot and accessed from side street. Vehicle access from Brooklands is not acceptable due to the narrowness of the road, lack of footway, and requirement to retain active frontages. Resident and visitor parking must meet or exceed ECC minimum standards.
- i** Policy compliant provision of M4(2) and M4(3) units required, lift access required due to non-habitable ground floor.
- j** Use roof space for PV or solar thermal panels where possible.

## Jaywick Sands Design Guide Supplementary Planning Document (SPD)

### Consultation Statement

January 2023

(Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 12))

### Introduction

Under Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 it is a requirement to prepare and make available a Consultation Statement setting out:

- i. the persons the local planning authority consulted when preparing the supplementary planning document;
- ii. a summary of the main issues raised by those persons; and
- iii. how those issues have been addressed in the supplementary planning document;

This statement is a record of consultation undertaken during the production and formal consultation stages of producing the Jaywick Sands Design Guide Supplementary Planning Document.

The Jaywick Sands Design Guide Supplementary Planning Document provides guidance to support policies within the Tendring Local Plan (2013 - 2033), and the regeneration of Jaywick Sands. It specifically supports the following policies:

- PP 14 Priority Areas for Regeneration
- SPL 3 Sustainable Design
- LP 3 Housing Density and Standards
- LP 4 Housing Layout
- PPL 5 Water Conservation, Drainage and Sewerage

It applies specifically to development within Flood Zone 3 and the Priority Area for Regeneration as defined in Policy PP14, and not to development in the norther part of Jaywick Sands (the Tudor Estate)

### Preparation of the draft SPD

Jaywick Sands is a unique and resilient community with a distinctive sense of place. It is a rare example of a plotlands development where the original small plots, gridded street pattern and chalet-style buildings survives largely unchanged since it was founded in the 1930s. Jaywick Sands' position by the sea is both its greatest asset and also its greatest challenge as the community now faces an increasing risk of flooding, which is particularly concerning as many homes in Jaywick Sands are now in very poor condition. It is therefore vital to encourage the sympathetic replacement and upgrading of homes in Jaywick Sands to a flood safe standard while also enhancing the character of the area and supporting its regeneration.

The need for design guidance for Jaywick Sands was identified through the work to develop the Jaywick Sands Place Plan and analysis of planning applications submitted, and consents granted, over the last several years. The draft SPD was developed by HAT Projects as consultants to Tendring District Council, and in consultation with a range of stakeholders.

Early drafts of the SPD were produced in spring 2020 and shared iteratively with key stakeholders including the Environment Agency and Essex County Council, ecology specialists engaged to support the Place Plan work, and the development management team within Tendring District Council as the Local Planning Authority, who would be using and applying the guidance in pre-application discussions and the determination of applications. The following feedback was received:

- Strongly positive feedback from the TDC development management team, that the document was helpful and easy to use
- TDC development management team requested that further information on flood resilience measures be included in the design guide
- Environment Agency supported the principle of developing design guidance in a SPD form for Jaywick Sands, and the majority of the design principles set out in the draft SPD.
- Environment Agency commented that the level of actual present day flood risk in their latest coastal modelling was not fully represented, and that dry finished floors for present day flood risk would be expected. Clear evidence of betterment would be supported.
- Environment Agency also submitted detailed comments on various aspects of the SPD wording.
- Essex County Council as the highways authority supported the principle of developing design guidance in a SPD form for Jaywick Sands, and the majority of the design principles set out in the draft SPD.
- ECC as the highways authority confirmed what reduced parking standards would be acceptable for replacement dwellings.
- Woodfield Ecology commented on the specific ecological sensitivities in Jaywick Sands, in particular bats and house sparrows.

Work on the draft SPD was paused during the Covid-19 pandemic and restarted in December 2021. This included a review of updated national policy and guidance and updates to reflect the final adopted Tendring Local Plan, which was adopted in January 2022. An updated draft of the SPD was prepared and shared with the above consultees for further review and input. Further work was undertaken with the Environment Agency to ensure full clarity around the sequential and exception test, and the design issues that would trigger a holding objection from the Environment Agency as a statutory consultee. Updated modelling of flood levels, including updated climate change allowances, were provided by the Environment Agency and incorporated into the design guidance.

SEA and HRA Screening was undertaken as part of the evidence gathering and engagement stage of draft Jaywick Sands Design Guide SPD preparation to determine if the draft SPD is likely to have any significant effects on the environment and therefore require SEA and HRA.

A Screening Statement was produced and sent to the relevant statutory consultees (Environment Agency, Historic England and Natural England) for comment. This statement set out the reasons why the Council had determined that SEA and HRA are not required. The responses from the statutory consultees agreed with this conclusion, therefore in accordance with Regulation 9 (3) of the SEA Regs, a final version of the Screening Statement is being prepared which confirms that SEA and HRA are not required for the draft SPD

### Consultation on the draft Jaywick Sands Design Guide SPD

The consultation was held from 9am on 5th September 2022 to 5pm on 27th October 2022. This consultation period was extended from the original six-week period due to the unforeseen national mourning period for Queen Elizabeth II which fell during the consultation period. The consultation combined the formal consultation on the SPD with informal consultation on the Jaywick Sands Place Plan, the regeneration framework for Jaywick Sands also being developed by Tendring District Council.



The Strategic Environmental Assessment and Habitats Regulations Assessment screening reports, and the Equalities Impact Assessment, were made available alongside the Consultation Statement.

The draft SPD and other supporting documents were available for inspection during the consultation period at the following locations:

- online on the Council's website;
- in hard copy at the Council's offices and libraries through the district

In accordance with statutory requirements, a Public Notice was placed on the Council's website. An advertisement was also placed in the Clacton Gazette (with associated on-line advertisement) and a press release was issued to raise awareness of the consultation through local media outlets.

The local planning authority maintains a Planning Policy consultations database, which currently contains 874 consultees. All of these consultees were notified of the consultation and invited to make representations. A list of organisations on the LPAs consultation database is included in appendix 1. Please note that the individuals on this database have not been listed in the appendix.

In addition, drop-in events were held during the consultation period, in liaison with community groups and venues in Jaywick Sands and in conjunction with the planned consultation on the Jaywick Sands Place Plan. Times and venues for drop-in events were publicised on the Council's website and social media as well as through flyers distributed to all households in Jaywick Sands.

The drop-in and online events held were:

- Saturday 24th September: Inclusion Ventures
- Wednesday 28<sup>th</sup> September: online webinar
- Friday 30<sup>th</sup> September: Inclusion Ventures (senior lunch club – not open to the general public)
- Friday 7<sup>th</sup> October – Martello Tower
- Thursday 13<sup>th</sup> October – Community Resource Centre
- Saturday 22<sup>nd</sup> October – Community Resource Centre

A press release was issued to raise awareness of the consultation through local media outlets.

Comments could be made using:

- an online questionnaire, which is available via the Council's website
- a paper response form, which will be available at drop-in events, as a download on the Council's website and on request to the Planning Policy team at [consultationfeedback@tendringdc.gov.uk](mailto:consultationfeedback@tendringdc.gov.uk)

Who did we reach with the consultation?

Mailing lists: 638 email notifications and 236 letters sent out.

Around 115 people attended in-person drop-in events during the consultation period.

Social media posts reached over 12,000 people over the consultation period, generating up to 71 link clicks per post and a substantial amount of online engagement.

There were 222 views of the webinar (including asynchronous viewings of the recording).

The consultation survey gained 1 response online, 3 email responses, and 4 substantive responses from statutory consultees. While this appears to be a low response rate, many comments were received at in-person drop-in events and in responses to the wider Place Plan consultation which were relevant to the SPD. The material planning matters raised have been included in the summary of feedback.



## Consultation representations and feedback

### Public and non-statutory body responses via email and online/paper response form:

- Cycle parking – cycle garage, cycle hangars, security of cycling storage should be included
- Section 106 payments towards improving the Jaywick-Clacton cycle route
- Seafront development must include disabled access to the sea wall and promenade
- Designs of buildings should be flood proof and have aesthetic design in keeping with a seaside resort
- Consideration should be made to make the new properties wheelchair accessible allowing for appropriate access in case of flooding
- 4 story buildings are not conducive with a seaside town
- Building companies should install solar panels as standard
- Limited and in many cases impossible access for disabled people to local amenities shops dental surgeries and doctors. Disabled access must be fully considered in the future

### Public feedback at in-person drop-in events:

- Strong support for design guidance to secure high quality design in Jaywick Sands
- Strong appreciation for the existing character and built form of Jaywick Sands, including that it was charming; had a lot history; was easy to find your way around; and that the uniqueness of all the homes was part of its distinctive and positive identity.
- Strong support for ensuring new buildings do not overlook and overshadow existing properties
- Support for ensuring flood safety through raised ground floors, but the level to which they should be raised was felt to be too high in recently design properties due to accessibility concerns.
- Support for building measures to address climate change, including solar panels and green roofs
- Support for combining two or more plots into a single plot as a single plot was felt to be too small to build a good quality home on without compromising other aspects of design
- Significant concerns about accessibility of new flood safe properties for disabled people and people with babies and children, with strong views expressed that all properties should be accessible without many or any steps.
- Significant concerns about external stairs as a means of access due to safety in wet and icy conditions
- Concerns over refuse storage and collection arrangements
- Concerns over height of new buildings with many comments that new dwellings should be bungalows/chalet style dwellings and no taller than 2 storeys.

### Statutory consultees responses:

- Affinity Water – no specific comments, welcome mention and continued consistent application of Policy PPL5 – Water Conservation, Drainage and Sewerage from the Tendring Local Plan
- Coal Authority – no comments
- Historic England – no specific comments
- Marine Management Organisation – no specific comments, standard advice regarding the Coastal Concordat reiterated
- National Highways – no comments
- Natural England – no specific comments
- Essex County Council:
  - o Would like to see Local Plan policies referred to in each guidance section (Shaded box)
  - o Introduction - Refer to Local Plan Policies PPL1 and PPL10
  - o Page 4 - Note that car and cycle parking standards are not 'Essex County Council' standards but are 'Essex Parking Standards'
  - o Page 7 - Further define 'High quality frontage'
  - o Page 29 – clarify that the Shoreline Management Plan is a government document and the responsibility of the Environment Agency
  - o Page 32 – update reference to PPG 3 to reflect new PPG referencing
  - o Page 37 – Essex parking standards and electric charging point (typo)
  - o Page 39 – clarify whether TDC seeks, or has sought, to withdraw permitted development rights

- Page 41 - The introductory text to this section in the third paragraph should refer to ECC as the Lead Local Flood Authority (LLFA) responsible for surface water management. The Essex SuDS Design Guide should also be referenced, which development must have regard to. Include reference to the Essex Climate Action Commission (ECAC), which is a formal independent cross-party commission established in October 2019. The ECAC's formal role is to:
  - identify ways where we can mitigate the effects of climate change, improve air quality,
  - reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the county; and
  - explore how we attract investment in natural capital and low carbon growth.
 ECC's comment seeks to see the following requirements included in the SPD:
  - development is built to the highest standards of energy efficiency, water efficiency and renewable energy generation;
  - all buildings are net zero carbon;
  - proposals must demonstrate the application of the 'energy hierarchy' to reduce energy demand for heating, lighting, and cooling and minimise carbon dioxide emissions using an energy assessment tool proportional to the scale of the development;
  - proposals must minimise carbon emissions associated with operational energy and construction, including materials; and
  - all buildings must be designed to reduce energy demand and maximise fabric energy efficiency including such measures as: building orientation; high levels of insulation of roofs, floors, and walls; maximising airtightness; and using solar gain through window/door orientation whilst avoiding overheating.
- Section 7B: should state that all new development should incorporate SuDS and have regard to the Essex SuDS Design Guide. Reference should be made to rainwater harvesting, grey-water recycling etc to mitigate surface water flood risk. Further, all minor developments should manage runoff off using porous surfaces or otherwise discharge from the site should be limited to 1-year greenfield rates or 1 l/s, whichever is greater.
- Section 7C: ECC seek wording similar to the below to be included regarding green infrastructure:
  - Proposals will be encouraged that seek to conserve, and where appropriate enhance the green infrastructure of Jaywick Sands, demonstrating how they:
  - Conserve and where appropriate enhance designated green spaces and/or create new green/open spaces where appropriate.
  - Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public Rights of Way (PRoW) and cycle and footpath networks.
  - Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development through biodiversity/environment net gain.
  - Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the Green Infrastructure Network.
  - Take into consideration the principles of Sustainable Drainage (SuDS) and natural flood management techniques, which will enhance biodiversity and ecosystems.
  - Consider the multi-functional use and benefits of local green spaces as part of the Green Infrastructure network.

Environment Agency:

- Comments on the stated flood depths are from most recent modelling. Ensure source of modelling is included in notes

- Does not support any net increase in people living within the areas of Jaywick Sands within Flood Zone 3
- Appendix worked examples should mention flood resilient construction
- Minor comments on referencing to updated Planning Practice Guidance and other minor wording changes (not substantive)
- Suffolk and North East Essex integrate care Board (SNEE ICB)
  - No specific comment on SPD, support measures to reduce flood risk.
- Essex County Fire and Rescue Service
  - We note the design guide discusses and considers climate change over the longer term. ECFRS agree climate change is a vital consideration due to the increased vulnerability in the Jaywick area, and the possible range of impacts arising for vulnerable residents in the area, from climate change and supports engagement with communities on this.
  - Advise consideration of
    - suitable principles in design to avoid deliberate fire setting.
    - road widths to be accessible whilst not impeding emergency service vehicle response through safe access routes for fire appliances including room to manoeuvre (such as turning circles).
  - The inclusion of electric vehicle charging points is welcomed, however the position of the charging points should be considered in relation to fire spread to properties in the event of a fire in an electric vehicle
  - support the proposed provision of off street (on plot) parking
  - The location of storage of refuse should consider the potential for fire spread in event of an accidental or deliberate fire within stored refuse.

## Schedule of changes

Page/section ref	Change	Reason
Page 4, Page 37,	Replaced 'Essex County Council Highways standards' with 'Essex Parking Standards' throughout	Using correct terminology following comment from Essex County Council
Page 7, section 2A	Amended guidance on what a 'high quality frontage'.	Comment from Essex County Council
Page 32	Changed reference to Planning Practice Guidance 3 to Planning Practice Guidance: Flood Risk and Coastal Change and added hyperlink to <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change">https://www.gov.uk/guidance/flood-risk-and-coastal-change</a>	For accuracy
Page 37	Changed 'car charging point' to 'electric car charging point'	For clarity following comment from Essex County Council
Page 37	Changed 'Secure dedicated cycle storage' to 'Secure dedicated cycle storage, which could be in the form of a cycle hangar or cycle garage, and should include electric bike charging facilities'	Comment from Colchester Cycling Campaign
Page 41	Third paragraph –reference added to Essex County Council as the Lead Local Flood Authority (LLFA) responsible for surface water management. Included reference to the Essex Climate Action Commission (ECAC)	Comment from Essex County Council
Page 42 section 7B	Amended first guidance point to read 'Surface water entering mains drainage must be limited to 1-year greenfield rates, or 1 litre/second, whichever is greater. Added guidance point to read 'Development	Comment from Essex County Council

	must have regard to the Essex SuDS Design Guide when designing sustainable drainage systems.’ Added guidance point to read ‘Development should incorporate rainwater harvesting and grey-water recycling where possible.’	
Generally	Many community members raised concerns about accessibility to properties with raised ground floors. Further guidance on this has been included, i.e. how to meet and interpret requirements of Part M of the Building Regulations.	Community comments
Generally	EA provided further detailed data and flood levels for 0.5% AEP in text and diagrams have been updated accordingly. Source of modelling included in references.	Comment from Environment Agency
Generally	Section 1 has been updated to clarify how guidance applies to development that results net increase and development that would result in no net increase.	Comment from Environment Agency (response to EA request adapted to align with wider Place Plan strategy)
Appendix	Statement regarding flood resilience construction added to appendix.	Comment from Environment Agency

This page is intentionally left blank

## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JANUARY 2023

### REPORT OF THE DIRECTOR OF PLANNING

#### **A.4 CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN – BRIGHTLINGSEA HALL AND ALL SAINTS CHURCH**

(Report prepared by William Fuller)

#### **PART 1 – KEY INFORMATION**

<b>PURPOSE OF THE REPORT</b>
<p>To report to Planning Policy and Local Plan Committee the Brightlingsea Hall and All Saints Church Conservation Area Appraisal and Management Plan prepared for the Council by Essex Place Services, and for the Committee to agree a recommendation to Cabinet that this be published for consultation.</p>
<b>EXECUTIVE SUMMARY</b>
<p>As Members will recall, the third tranche Conservation Area Appraisals were considered at this Committee on 10<sup>th</sup> October 2022 where a decision was made to progress these appraisals to Cabinet and then to public consultation. Those third set of Conservation Area Appraisals were those of Kirby-le-Soken and Great Oakley.</p> <p>This report asks Members to consider the next Conservation Area Appraisal of Brightlingsea Hall and All Saints Church. The Committee is asked to consider this appraisal and to agree a recommendation to Cabinet to publish it for consultation.</p>
<b>RECOMMENDATIONS</b>
<p>That the Planning Policy and Local Plan Committee:</p> <ul style="list-style-type: none"><li>a) <b>endorses the new Conservation Area Appraisal and Management Plan for Brightlingsea Hall and All Saints Church (Appendix 1);</b></li><li>b) <b>recommends to Cabinet that the above document be published for consultation with the public and other interested parties; and</b></li><li>c) <b>notes that Conservation Area Appraisal and Management Plans for the District's remaining Conservation Areas will be brought before the Committee in due course and before the new financial year.</b></li></ul>

#### **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**



The Conservation Area Appraisals will support the Corporate Plan 2020-24 (aligned with the core themes of Tendring4Growth and Community Leadership) through delivery of interventions aimed at:

- Delivering High Quality Services
- Community Leadership Through Partnerships
- Building Sustainable Communities for the Future
- Strong Finances and Governance
- A Growing and Inclusive Economy

## RESOURCES AND RISK

**Resources:** TDC Officers are leading on this project with the input of Essex County Council Place Services under a service level agreement.

Adoption of the Conservation Area Appraisals will assist in attracting external funding for heritage related activity in the District. Potential sources of funding include:

- National Heritage Lottery Fund
- Section 106 Agreements
- Partnership Schemes in Conservation Areas with Historic England

**Risks:** The adoption of the Conservation Area Appraisals supports the Council's duties to maintain and enhance heritage assets and so reduces the risk of the district's heritage assets being diminished or lost.

## LEGAL

National Planning Policy Framework (February 2019), paragraph 185 states:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- (a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- (d) Opportunities to draw on the contribution made by the historic environment to the character of a place.

Consideration of any legal implications of actions proposed in the strategy will be needed in due course.

## OTHER IMPLICATIONS

**Crime and Disorder:** Heritage assets are, unfortunately, vulnerable to crime. Having a strategy for promoting heritage assets in the district should contribute positively to their maintenance.

**Equality and Diversity:** The recommendations in this report are aimed at benefitting all who live, shop, work and visit the District.

**Health Inequalities:** There is a growing wealth of evidence that demonstrates the role heritage plays in improving mental wellbeing and physical health. People who visit heritage sites reported higher life satisfaction and happiness scores, as well as lower anxiety (Department for Culture Media and Sport 2015). Across Essex there are a number of schemes and organisations to encourage and support healthy activity, such as Active Essex and Healthy Life Essex. Tendring's heritage provides a positive platform to encourage people to enjoy the outdoors and take positive steps for their personal health and wellbeing. Heritage Trails, for example, are already established in Harwich and Dovercourt, Frinton-on-Sea, Clacton-on-Sea, Jaywick Sands and Walton-on-the-Naze, they encourage walkers to take routes through the historic environment. Promoting these to new groups and partnering with healthy organisations can open heritage to new audiences and increase wellbeing.

**Area or Ward affected:** All, with a focus on those where Conservation Areas are being reassessed.

**Consultation/Public Engagement:** Members will recall that it was agreed at the October Committee meeting to send the first five Conservation Area Appraisals to public consultation. That public consultation took place over the summer and the results of which are being collated and analysed by Place Services and Council Offices.

The second set of Conservation Area Appraisals and Management Plans are due to go out to public consultation at the end of September for a period of six weeks. The third set of Conservation Area Appraisals and Management Plans (attached at Appendix 1 and 2 will be consulted on toward the end of the year for a period of no less than six weeks.

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

Members will recall that the Council's Heritage Strategy was considered by the Local Plan and Planning Policy Committee on 29<sup>th</sup> October 2019. At that meeting it was resolved that the Committee noted the Strategy and comments made by Members at the meeting.

On the 20<sup>th</sup> March 2020 Cabinet agreed to formally adopt the Council's Heritage Strategy. This Strategy contained a number of actions which were envisaged to be carried out by the Council and its partners throughout the lifetime of the Strategy. Two of these actions were for Officers to update

Conservation Area Appraisals and prepare a 'Local List' of non-designated heritage assets within the District.

After identifying the first five Conservation Areas to be assessed in October 2021, Members then agreed the second set of Appraisals in May of this year, a third set of two was also agreed in October of this year. Members are now presented with the next two draft Conservation Area Appraisals; Brightlingsea Hall and All Saints Church.

Officers intend to review the seven remaining Council's Conservation Areas before the new tax year. The next two (Lawford and Great Clacton) are at final draft and the last five have already been commissioned from Place Services.

## **CONSERVATION AREA APPRAISALS**

Members will recognise general structure of this Appraisal as being very similar to others presented at this Committee. At the start of this Appraisal a section detailing the context and general character of the Conservation Area and the evolution of the Conservation Area is given. There are however a number of elements specific to this Appraisal which are of note.

### **Alterations To Boundaries**

The boundary currently includes the listed church, its surrounding churchyard, and the Hall with historic barn complex which is now occupied by businesses.

It is proposed that the area is extended to include the pair of early nineteenth century dwellings to the south of the area. They contribute positively to the historic character and appearance of the area. Their location and proximity to the road creates a sense of a gateway for the Conservation Area. They are prominent in views towards the Church to the north west. The building is red brick with details such as the flat headed arches at ground floor level, and single polychromatic diamond above the original central entrance. The simple but decorative detail adds to the quality and character of the building and Conservation Area. Although some changes have occurred, such as the loss of original windows and roofing, and timber lean to extensions on both sides, the building still makes a positive contribution. It is considered, therefore, that the Conservation Area and building would both benefit from inclusion within the boundary.

### **Designated Heritage Assets**

There is one designated heritage asset within the Brightlingsea Hall and All Saints Church Conservation Area, the Grade I listed Church of All Saints (List UID: 1337182).

This building has been listed due to its special architectural and historic interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Proposed Non-designated heritage assets**

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. This Appraisal has identified heritage assets which make a positive contribution to the Conservation Area and could be considered

for local listing in the future. This list is not exhaustive, and further buildings may be identified as non-designated heritage assets through the planning application process. Buildings and features within the Conservation Area which are considered to be non-designated heritage assets include:

- Brightlingsea Hall
- All Saints Church Lych-gate

### **Heritage at Risk**

The Grade I Church of All Saints is included on Historic England's Heritage At- Risk Register, in a 'very bad' condition and at immediate risk of further rapid deterioration or loss of fabric, with no solution agreed. As a key, landmark building of the Conservation Area, it is important that a solution is agreed to work towards taking this building off the register.

### **Archaeology**

Throughout the Conservation Area there is the potential for a multitude of below-ground heritage assets yet to be discovered. In general the appraisal promotes a cautious approach to development which might disturb or destroy these assets.

### **Assessment of significance**

A detailed assessment of significance of the Conservation Area is then presented. The assessment considers the following features:

- Layout
- Building materials and boundary treatments
- Listed buildings and non-designated heritage assets
- Other buildings
- Landscaping and open spaces
- Views

### **Opportunities for Enhancement**

This section of the Appraisal identifies the issues facing the Conservation Area. A large number of the issues are common to all Conservation Areas throughout the District, but where they are unique, that is also highlighted.

- The Conservation Area could use better interpretation to complement that already in place within the Church building.
- On-street parking detracts from the historic character of the Conservation Area.
- The Conservation Area suffer from the loss of or inappropriate use of architectural detailing such as UPVC windows and doors, rainwater goods and external paintwork.
- The public realm and green spaces could be better utilised.

### **Management Proposals**

As outlined above, there are a wide range of issues facing this Conservation Area, many of which share common themes with other Conservation Areas seen by this Committee. This section recommends management proposals which address these issues in both the short and long term.

- The preparation a Local Heritage List of non-designated heritage assets is suggested for this Conservation Area.
- The Council is encouraged to use its enforcement powers to prevent inappropriate development.
- The monitoring of trees and additions to tree planting within public open space is recommended.
- Publishing guidance for homeowners and businesses in Conservation Areas could help owners identify appropriate alterations to their properties within Conservation Areas.
- The timely renewal of these Conservation Area Appraisals could help to monitor change within the Conservation Areas more accurately.
- Further interpretation could help with legibility.

### **Funding Opportunities**

- Heritage lottery fund
- S106 Agreements
- Partnership Schemes in Conservation Areas

## **CONCLUSION**

Taking into account the discussion had at this meeting, Members of the Planning Policy and Local Plan Committee are asked to recommend to Cabinet that this Conservation Area Appraisal is to be put to a six week public consultation.

## **APPENDICES**

Appendix 1 – Brightlingsea Hall and All Saints Church Conservation Area Appraisal

## **BACKGROUND DOCUMENTS**

None



# Brightlingsea Hall and All Saints Church Character Appraisal and Management Plan

Client:  
Tendring District Council

Date:  
Dec 2022

*Tendring*  
District Council







#### Disclaimer

All reasonable efforts have been made to obtain permission for use of images within this report. Materials and images used in this report which are subject to third party copyright or require reproduction permissions have been reproduced under licence from the copyright owner. This is except in the case of material or works of unknown authorship (as defined by the Copyright, Designs and Patents Act 1988) or the copyright holder is unknown after all reasonable effort has been made to seek licence to reproduce.

All maps within this document are subject to copyright. © Crown copyright 2019 OS 100019602. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Any person who wishes to apply to reproduce any part of this work or wishing to assert rights in relation to material which has been reproduced as work of unknown authorship in this document should contact Place Services at [enquiries@placeservices.co.uk](mailto:enquiries@placeservices.co.uk)



## Contents

<b>1. Introduction</b>	<b>5</b>	<b>4. Opportunities for Enhancement</b>	<b>33</b>
1.1 Summary	5		
1.2 Purpose of Appraisal	6	<b>5. Management Proposals</b>	<b>35</b>
1.3 Planning Policy and Guidance	6	5.1 Positive Management: Short term	35
1.4 Designation of the Conservation Area	7	5.2 Positive Management: Longer Term	38
1.5 Proposed Boundary Revision	7	5.3 Funding Opportunities	39
<b>2. Brightlingsea Conservation Area</b>	<b>9</b>	<b>6. Appendices</b>	<b>40</b>
2.1 Context and General Character	9	6.1 Bibliography	40
2.2 Origin and Evolution	9	6.2 Legislation, Policy and Guidance	41
2.3 Designated Heritage Assets	18	6.3 Glossary	42
<b>3. Assessment of Significance</b>	<b>21</b>		
3.1 Summary	21		
3.2 Significance of buildings	22		
3.3 Character Analysis	24		
3.4 Character areas	30		
3.5 Setting of the Conservation Area	31		





All Saints Church

Brightlingsea Hall

B1029

### Legend

-  Proposed Conservation Area Boundary
-  Proposed Addition

0 30 60 120 Metres



# 1. Introduction

## 1.1 Summary

This Appraisal and Management Plan provides an overview of the Brightlingsea Hall and All Saints Church Conservation Area, outlining its designation history, alterations to the boundary, and a description of its special interest. The appraisal will also consider buildings, greens, spaces, and features which contribute to the Conservation Area's character and appearance. The appraisal will also consider the significance of heritage assets within the area and the contribution that these, along with their setting, make to its character. The understanding of significance can be used to help manage future change.

Conservation Area designation provides broader protection than the listing of individual buildings as it recognises all features within the area which form part of its character and appearance. This ensures that planning decisions take the enhancement and preservation of the area into consideration.

The Conservation Area includes the All Saints Church and Brightlingsea Hall, prominent on the main entrance to the Brightlingsea peninsular. The Hall is a nineteenth century building with a range of outbuildings of various dates and styles, mostly in light industrial use. The Conservation Area's key significance is derived from its historic, landmark buildings and location on the main route to Brightlingsea.



Figure 1 View towards All Saints Church, Grade I Listed landmark building within the Conservation Area (List Entry Number: 1337182)



## 1.2 Purpose of Appraisal

This document is to be used as a baseline to inform future change, development, and design with regard to the sensitivities of the Conservation Area and its unique character and appearance.

The appraisal recognises designated and non-designated heritage assets within the Conservation Area which contribute to its special interest. It will consider how the area came to be developed, in terms of its building styles, forms, materials, scale, density, roads, footpaths, open spaces, views, landscape, landmarks, and topography. These qualities will be used to assess key characteristics, highlighting potential impact future developments may have upon the significance of heritage assets and the character of Brightlingsea Hall and All Saints Church area. This assessment is based on information derived from documentary research and analysis of the individual character areas, as well as a review of the previous Conservation Area Appraisal for the area (2006).

This appraisal will enhance understanding of Brightlingsea and its development, informing future design. Applications that demonstrate an understanding of the character and appearance of a Conservation Area are more likely to produce appropriate and responsive design with positive outcomes for agents and their clients.

It is expected that applications for planning permission will also consult and follow the best practice guidance outlined in Section 6.2.

## 1.3 Planning Policy and Guidance

The legislative framework for conservation and enhancement of Conservation Areas and Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (HMSO 1990). In particular section 69 of this act requires Local Planning Authorities to designate areas which they consider to be of architectural or historic interest as Conservation Areas, and Section 72 requires that special attention should be paid to ensuring that the character and appearance of these areas is preserved or enhanced. Section 71 also requires the Local Planning Authority to formulate and publish proposals for the preservation and enhancement of these areas.

The National Planning Policy Framework (NPPF) highlights good design as one of twelve core principals of sustainable development. Sustainable development relies on sympathetic design, achieved through an understanding of context, the immediate and larger character of the area in which new development is sited.

National planning policy in relation to the conservation and enhancement of heritage assets is outlined in chapter 16 of the Government's National Planning Policy Framework (DCLG 2021).

This assessment follows best practice guidance, including Historic England's revised *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2019) and *Good Practice Advice in Planning: 3 The Setting of Heritage Assets* (2017).

The Conservation Area which is the subject of this report is located within the area covered by Tendring District. Local planning policy is set out in the Tendring District Local Plan 2013-2033 and Beyond Section 2 (2022).



Policies which are relevant to the historic environment include:

- Policy SPL 3 - Sustainable Design
- Policy PP 8 - Tourism
- Policy PPL 3 - The Rural Landscape
- Policy PPL 7 - Archaeology
- Policy PPL 8 - Conservation Areas
- Policy PPL 9 - Listed Buildings
- Policy PPL 10 - Renewable energy generation and energy efficiency

The Conservation Area is located outside the town's Development Boundary, and is within the Coastal Protection Belt.

#### 1.4 Designation of the Conservation Area

Brightlingsea Hall and All Saints Church Conservation Area was first designated in 1993. An appraisal was first adopted in 2006.

#### 1.5 Proposed Boundary Revision

The boundary currently includes the listed church, its surrounding churchyard, and the Hall with historic barn complex which is now occupied by businesses.

It is proposed that the area is extended to include the pair of early nineteenth century dwellings to the south of the area. They contribute positively to the historic character and appearance of the area. Their location and proximity to the road creates a sense of a gateway for the Conservation Area. They are prominent in views towards the Church to the north west. The building is red brick with details



Figure 2 Buildings on Church Road

such as the flat headed arches at ground floor level, and single polychromatic diamond above the original central entrance. The simple but decorative detail adds to the quality and character of the building and Conservation Area. Although some changes have occurred, such as the loss of original windows and roofing, and timber lean to extensions on both sides, the building still makes a positive contribution. It is considered, therefore, that the Conservation Area and building would both benefit from inclusion within the boundary.







## 2. Brightlingsea Conservation Area

### 2.1 Context and General Character

The Conservation Area includes All Saints Church, Brightlingsea Hall and the outbuildings to the Hall, including a barn complex. These are located on the edge of a ridge of high ground above the Alresford creek. The modern edge of Brightlingsea town is visible across level fields to the south-east of the area. The Conservation Area is bisected by the B1029, the only main road accessing Brightlingsea.

The area is rural in character, surrounded by arable fields and open land stretching to the creek.

### 2.2 Origin and Evolution

The following section provides an overview of the history of the Conservation Area, and its environs.

#### *Prehistory (500,000 BC – 43 AD)*

The archaeology of the Brightlingsea area is well documented through cropmark evidence and suggests a rich history dating back to the Mesolithic period. Evidence of early human activity is suggested on aerial photography, which shows buried archaeological features as a visible trace in the landscape. These have revealed a widespread multi-period landscape stretching back to the Mesolithic period. Neolithic activity is evidenced from flint tool manufacture as well as large scale ritual monuments. During the Neolithic period, the landscape was cleared of trees by early settlers for monuments and likely for agricultural purposes.

The occupation of the area continued into the Bronze Age with extensive cemeteries located upon the gravel ridge. These cemeteries, with their many barrow monuments, would have been important landmarks in the Bronze Age landscape. Extensive field systems were established during the Bronze Age, marked out by ditches and trackways. Occupation within the area continued through into the Iron Age.



Figure 3 Aerial image of Brightlingsea All Saints Church and Hall (Google Earth 2009). Cropmarks are visible within the field to the south, highlighted in red, possibly showing a double-ditched trackway and field boundaries (HER 2131)

### ***Roman (43 – 410)***

The church is located on the site of an earlier Roman building. Roman building material has been recovered within the church grounds and incorporated into the church walls. These remnants of Roman materials which can be seen to the left of the south door are in a round-headed recess incorporating the Roman brickwork.

The environs of the Conservation Area was also occupied, with the remains of villas and farmsteads, linked by trackways along the gravel ridge. New field systems were also laid out across this area in the Roman period.

### ***Anglo Saxon (410 – 1066)***

All Saints Church likely has Saxon origins. Brightlingsea was one of a group of Anglo-Saxon royal manors, the central settlement in the area which would likely have been attended by the king. Remains of the settlement have been revealed southwest of the Church and the presence of a church is confirmed in a writ dating to 1096.

It is likely that the land within the Conservation Area was home to an ancient meeting place for the wider, scattered agricultural community of the parish; this made it the natural site for its ecclesiastical centre.

Before the sea receded, Alresford Creek provided a sheltered haven for the town of Brightlingsea, and the meadow below All Saints Church is still called Church Dock.<sup>1</sup>

### ***Medieval (1066 – 1540)***

The medieval period saw the expansion of the port of Brightlingsea, as after 1353 the historic port was established as a limb of the Cinque Port of Sandwich, Kent. Cinque Ports were an association of ports and their supporting 'limbs' spread

across Kent, Sussex and Essex. Their purpose was to provide ships and men to the crown. They were first established by Edward I as a defensive group, but later grew in importance and peaked in their production in the thirteenth and fourteenth centuries.<sup>2</sup> Already a thriving ship-owning port at this time, Brightlingsea was able to contribute to the ship-service quota of Sandwich, acting as its limb. Brightlingsea was, and still is, unique in that it is the only element of the Cinque Ports and their associated limbs which lies in Essex.

All Saints Church's fabric dates mainly from the thirteenth century, although it contains earlier material. It is possible that the Church was connected to the thirteenth century owner and resident of nearby Moverons, Alexander de Brightlingsea, who was a man of importance; this may explain its separation from the main town of Brightlingsea.<sup>3</sup> The church stands on the highest point of the town. The tower, one of the finest in East Anglia displaying diagonal buttressing, stands at 97 feet tall, acting as a wayfinder and landmark within the wider landscape. It may once have served Thorinton and Arlesford Parishes too. The interior of the church is rich with history, and contains seven brasses of the Beriffe family. The Beriffes were notable wool merchants and the owners of Jacobes Hall in Brightlingsea; the family contributed to the rebuilding of the church. Within the baptistry is a Tudor font, carved with roses.

Brightlingsea Hall was formerly the rectory, and was called Brightlingsea Rectory Hall in 1458. The change from the name Brightlingsea Rectory Hall to Brightlingsea Hall would have occurred at a later date. The existing hall was built in 1874, replacing the timber house, and as such is not likely to be the rectory house of 1458 unless very much altered.<sup>4</sup>

The Vicarage house stood to the south of the Church facing the Green. The tithe barn stood behind it. In 1610 it was stated that a stable and garden were attached to it. The house burnt down in 1816.

<sup>1</sup> Michael Swindlehurst Vicar, The Parish Church of All Saints, Brightlingsea (2002 rev.)

<sup>2</sup> <https://www.britannica.com/topic/Cinque-Ports>

<sup>3</sup> Edward Dickin, History of Brightlingsea (1913)

<sup>4</sup> History of Brightlingsea op. cit.





Figure 4 Chapman and Andre map of 1777. The map depicts buildings south of the Church along the road which has a distinct sharp bend. The Hall is named, and the main road appears wide, perhaps showing the presence of a small green here.



In 1814 the roof and clerestory of the church collapsed and as a result the church was refurbished c.1870s. This work was undertaken by Charles Pertwee, the brother of the Vicar. The clerestory was not rebuilt. The tower was used as a guiding light for fishermen; it is recorded that Rev. Canon Arthur Pertwee, vicar 1872-1912, even in old age climbed the tower to give lantern light to the fishing fleet entering the harbour.<sup>5</sup>

5 Historic England, [https://historicengland.org.uk/listing/the-list/list-entry/1337182?section=of-](https://historicengland.org.uk/listing/the-list/list-entry/1337182?section=official-list-entry)  
 6 Barbara Vesey, *The Hidden Places of East Anglia* Travel Publishing (2003), p77



© Place Services 2022



12



Figure 7 Top left: John Bateman, Above: Brightlingsea Hall, shown in 1908, during the time of John Bateman's occupation (source Brightlingsea Museum)

The existing Brightlingsea Hall was built in the latter half of the nineteenth century. One of its most notable residents was a Mr John Bateman, a renowned horticulturalist, who bought the hall and its estate in 1871. On his arrival in Brightlingsea, Bateman introduced new ideas in agriculture, establishing maize, silage, and tobacco. Within the grounds of Brightlingsea Hall he also introduced the *Eucalyptus Gunnii* (or the "Blue Gum"); Bateman introduced the *Eucalyptus* tree from seeds sent from Argentina.<sup>7</sup> He is regarded as one of Brightlingsea's most loved benefactors, known as the "Old Squire". In 1883, he built a folly known as Bateman's Tower located on Promenade Way in the town which is now Grade II Listed. After the revival of the Cinque Port Liberty, Bateman became Brightlingsea's first Deputy and held the office for seven years, from 1887 to 1891, and again in 1899 and 1903. In 1893, he presented Brightlingsea with the Deputy's badge and chain of office, a large opal carved with a seascape on a solid silver chain with alternate links of oysters and crossed sprats, which is still worn by the Deputy today. Bateman died at Brightlingsea Hall on 12 October 1910 and his wife, Mrs Jessie Bateman, died in October 1925 at the age of 89.<sup>8</sup>

<sup>7</sup> Leslie, Andrew, Mencuccini, Maurizio and Perks, Mike P. (2011) *Eucalyptus in the British Isles*. Quarterly Journal of Forestry, 105 (1). pp. 43-53.

<sup>8</sup> Tom Moulton, 'Tom Bateman', The Cinque Port Library (2008) <<http://www.cinqueportliberty.co.uk/johnbateman.htm>>



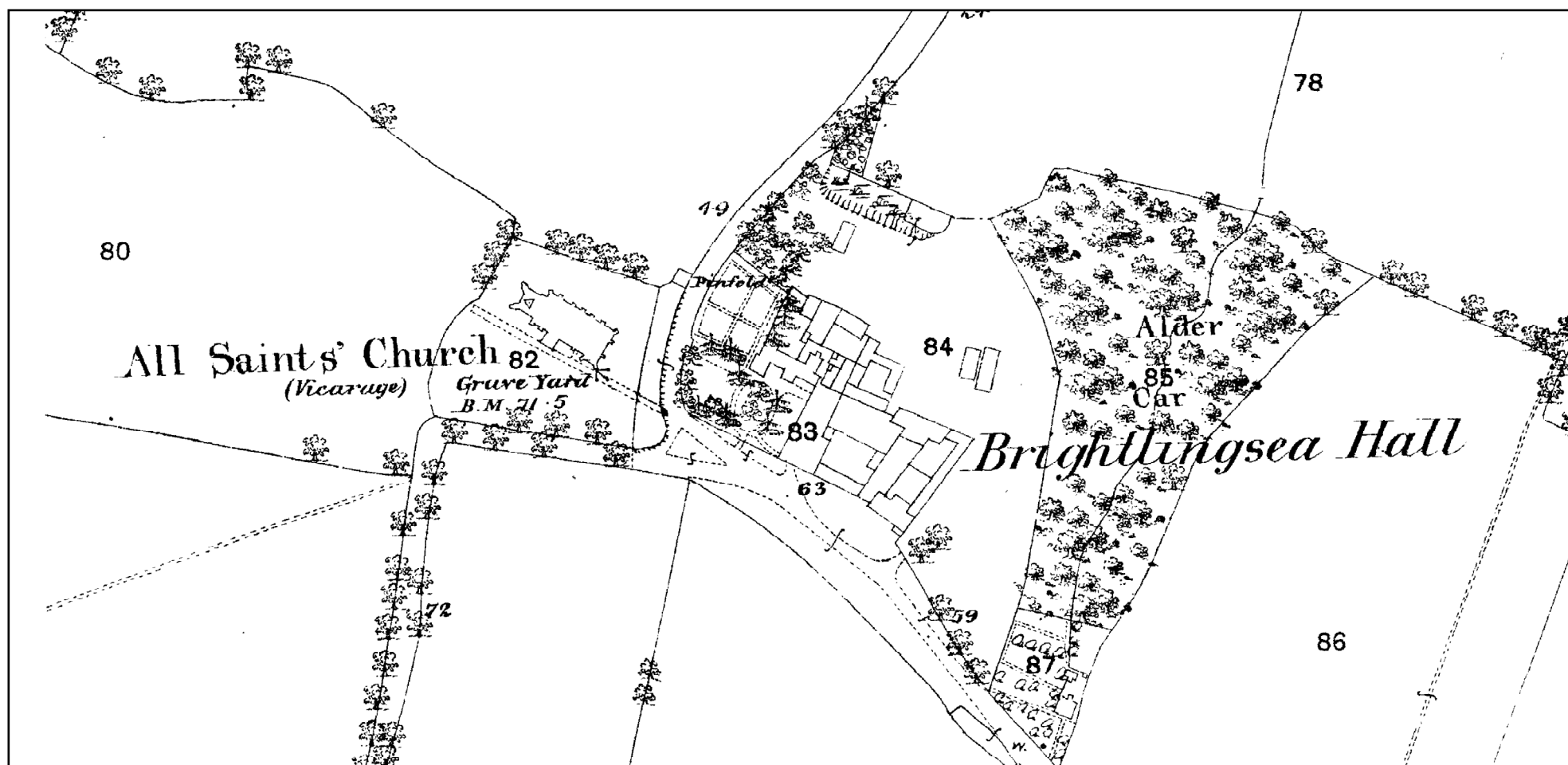


Figure 8 First Edition Ordnance Survey Map, c.1881, showing All Saints Church, Brightlingsea Hall and the historic barn complex. The historic buildings to the south of the Church, previously shown on the Chapman and Andre Map, have been removed. 'Alder Car' suggests a watery area of woodland to the east of the Conservation Area at this time.

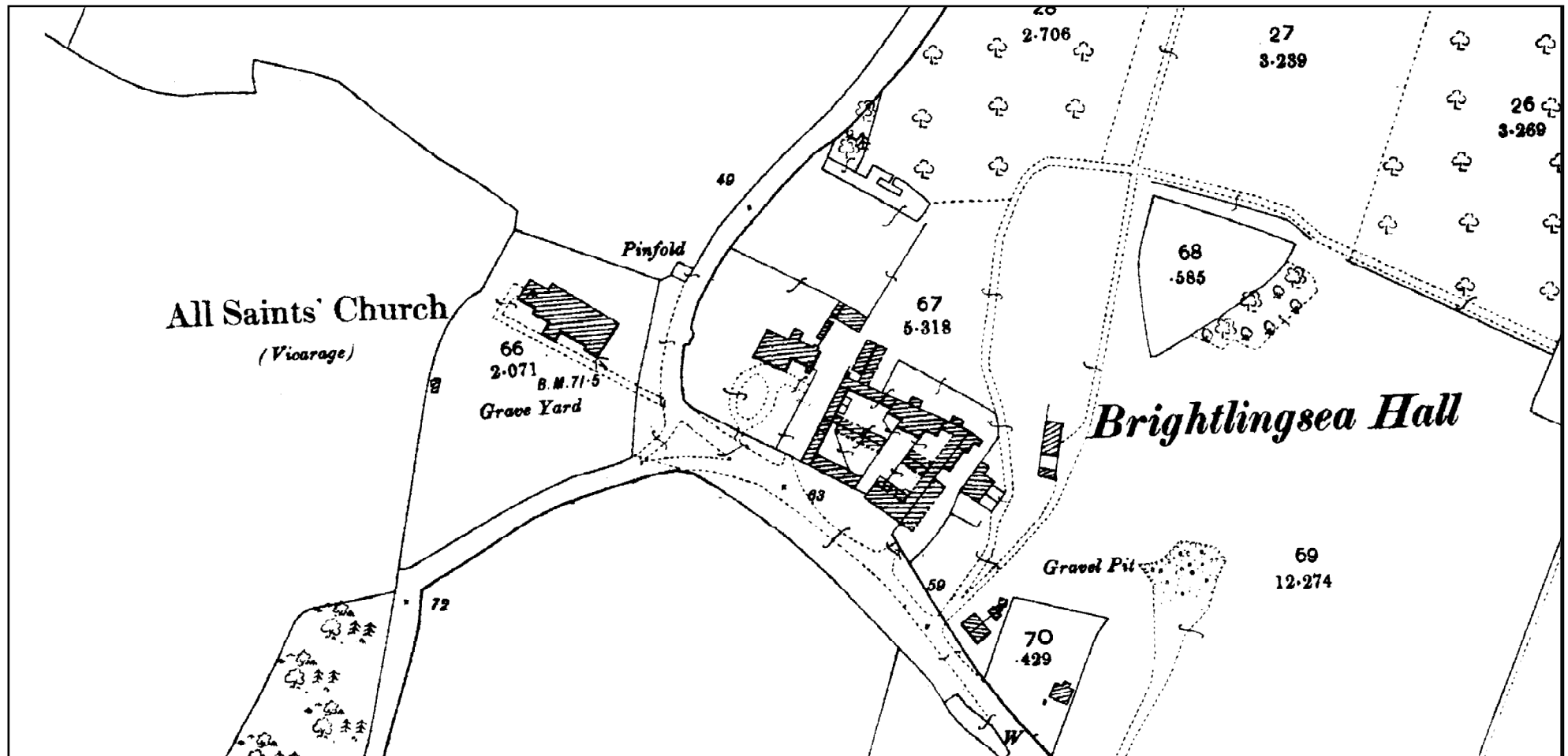


Figure 9 Second Edition Ordnance Survey Map, c1897, showing little change to the area, except for the additional cottages to the south, loss of woodland, and new gravel pit.

There is a pinfold shown on historic maps (Figure 7 and 8) to the north east of the Church. These were spaces where animals could be tethered and are located at the edges of towns and cities. This demonstrates the fact that this area marks the gateway into Brightlingsea.

### **Modern (1901 – now)**

There have been some small-scale changes to the area throughout the twentieth century.

The lych-gate of the church dates from around the end of the First World War. The lych-gate is a memorial to Canon Arthur Pertwee, Vicar from 1872-1917. The gate was damaged in 2018 by a car collision and was restored in 2019.

Brightlingsea Hall was for a time used as a hotel in the twentieth century. It gained permission for conversion to residential home for retirees and a nursing home in 1992.<sup>9</sup> It was used residentially until it was subdivided into separate properties in 2016.<sup>10</sup>

Within All Saints Church, the chapel has been completely refurbished for worship in recent years. The modern glass in the east window, by Caroline Swash, represents Mary's contribution as the Mother of Jesus. Work to All Saints Church is currently being undertaken, and will span 2022- 2023. This work is part of a £498,000 grant from the National Lottery Heritage Fund and includes an extension to house a lavatory. The work aims to allow the building to function as a host for music, arts, and other community events, and make more of its maritime history.<sup>11</sup>

The Church is still used as the place where the Freemen of the town meet to elect the Cinque Port Deputy, as part of a historic tradition.

9 Planning application reference 92/00662/FUL

10 Planning application reference 15/01636/FUL

11 Planning application reference 20/00169/FUL

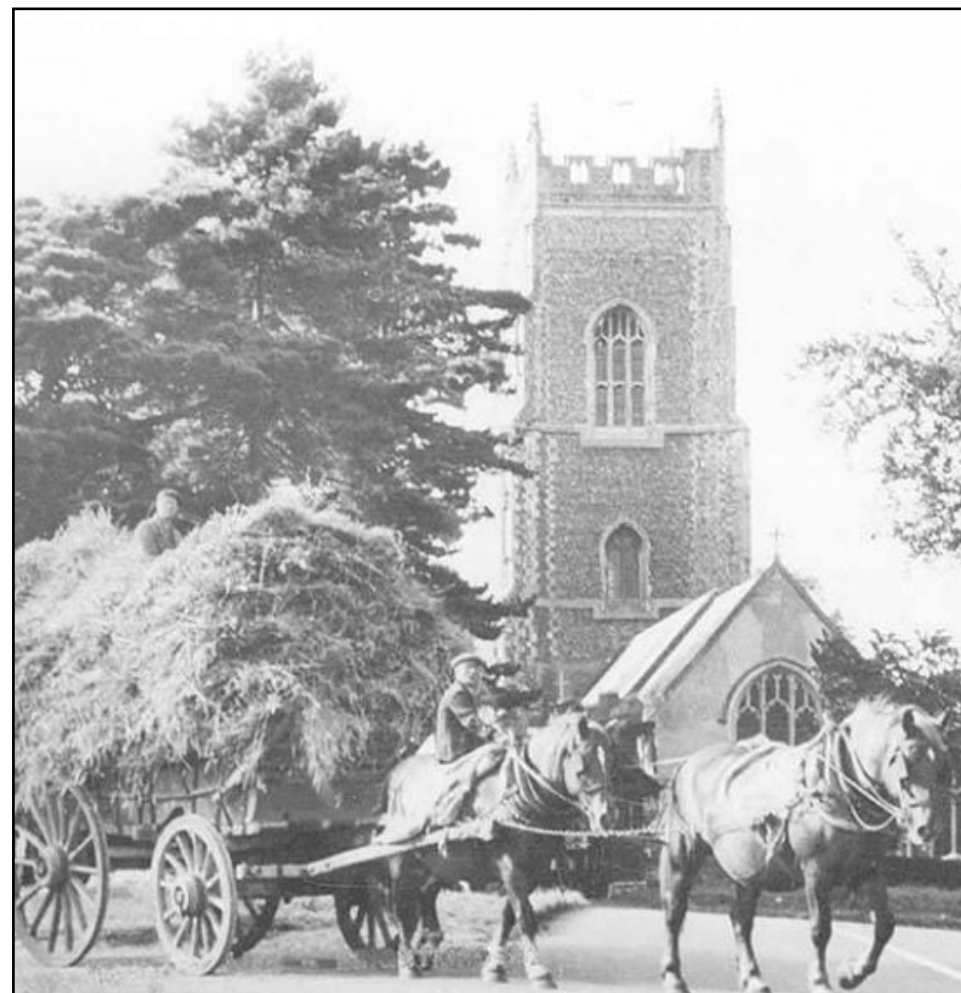


Figure 10 View of All Saints Church, 1940





Figure 11 Historic images of the barn complex at Brightlingsea Hall, all taken in 1985 (Essex County Council)



### 2.3 Designated Heritage Assets

There is one designated heritage asset within the Brightlingsea Hall and All Saints Church Conservation Area, the Grade I listed Church of All Saints (List UID: 1337182).

This building has been listed due to its special architectural and historic interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Further information about the listing process can be found on the Historic England [website](#).

Listed buildings are protected by government legislation and there are policies in place to ensure that any alterations to a listed building will not affect its special interest. It is possible to alter, extend or demolish a listed building but this requires listed building consent and sometimes planning permission.

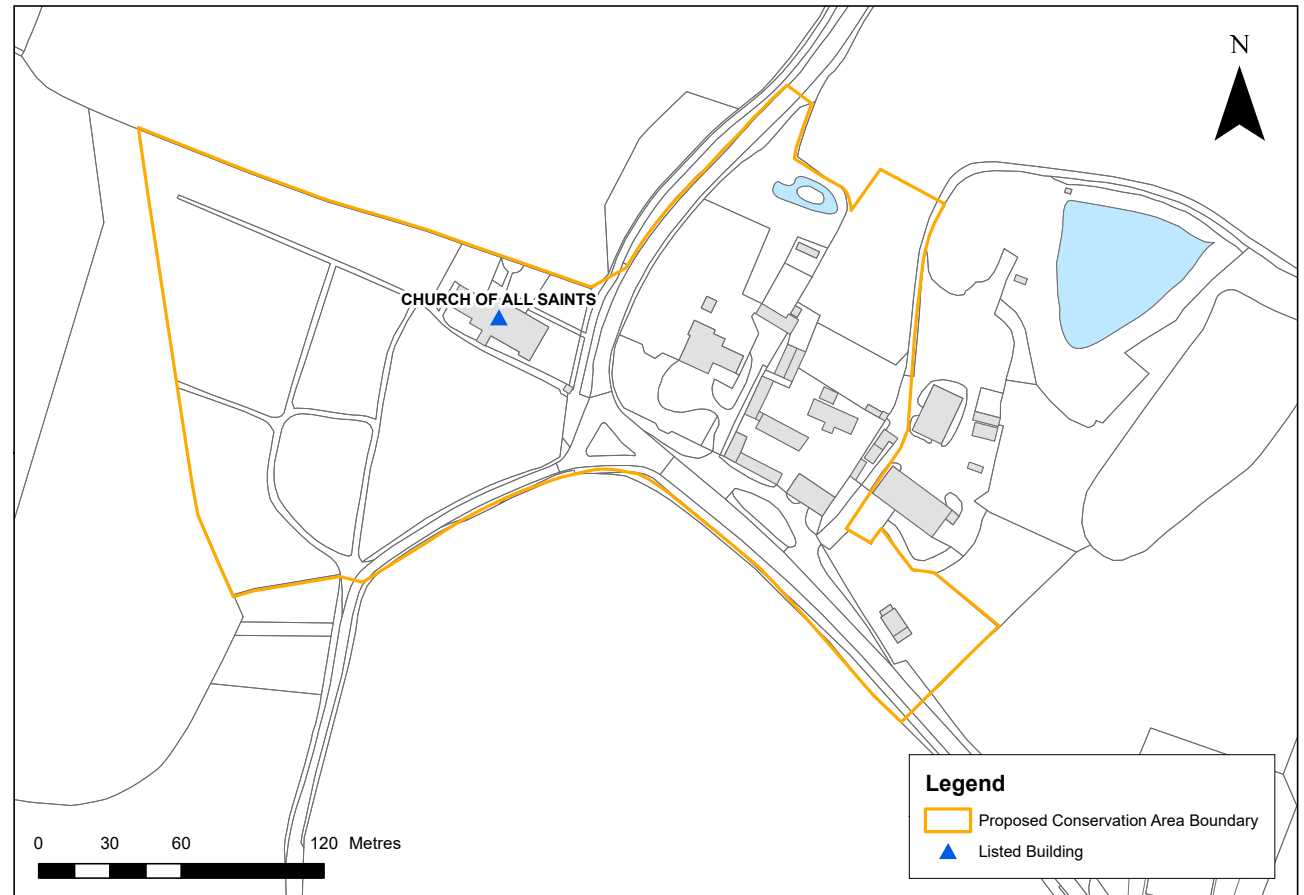


Figure 12 Map showing location of the only designated heritage asset within the Conservation Area



### ***Non-Designated Heritage Assets***

Every building, space, and feature within a conservation area makes a contribution to its character and special interest, be it positive, neutral or negative.

Heritage assets are defined in Planning Policy as 'A building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.'

Not all heritage assets are listed, and just because a building is not included on the list does not mean it is of no heritage value. Buildings and other structures of the built environment such as fountains, railings, signs, and landscaping can make a positive contribution to the appreciation of an area's historic interest and its general appearance.

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. This document has identified heritage assets which make a positive contribution to the Conservation Area and could be considered for local listing in the future. This list is not exhaustive, and further buildings may be identified as non-designated heritage assets through the planning application process. Buildings and features within the Conservation Area which are considered to be non-designated heritage assets include:

- Brightlingsea Hall
- All Saints Church Lych-gate



Figure 13 The Lych-gate, an important, non-designated building within the Conservation Area

### ***Heritage at Risk***

The Grade I Church of All Saints is included on Historic England's Heritage At-Risk Register, in a 'very bad' condition and at immediate risk of further rapid deterioration or loss of fabric, with no solution agreed. As a key, landmark building of the Conservation Area, it is important that a solution is agreed to work towards taking this building off the register.





### ***Archaeological Potential***

Within the Conservation Area there is the potential for the preservation of significant archaeological remains dating from the prehistoric period to post medieval period. The extensive and ongoing excavations, which have taken place over a number of years to the southeast in advance of quarrying, have revealed multi-period archaeological remains. Recent excavations on the outskirts of the settlement suggest this activity is spread across the Brightlingsea Peninsula.

Previous investigations and cropmark evidence have revealed the Conservation Area is located within a widespread ritual landscape dating from the Neolithic period. This landscape was also settled and farmed through to the Anglo-Saxon period. Further remains relating to funerary, settlement and agricultural activity are likely to survive within the Conservation Area. Of greater significance is the known remains of a Roman building below the chancel in the grounds of the existing church and the potential for an earlier Saxon predecessor church to have existed within the Conservation Area.

The Conservation Area primarily comprises the Church and manor. The manor is Saxon in origin and settlement evidence has been revealed to the southwest of the church, it is considered likely that the full extent of the settlement has not yet been revealed and that it may extend northwards towards the church.

The isolated nature of the Church and Hall are a common medieval settlement pattern where they are located at some distance from the main settlement area. The survival of the medieval Church is an important, well preserved resource. The Chapman and Andre map of 1777 depicts buildings south of the Church along the road which has a distinct sharp bend. By the first edition OS map the graveyard

has been extended and the buildings are no longer extant. The road layout south of the church was altered prior to c.1900 and below ground remains of the former buildings along it and the road itself are likely to survive within the area.

The location of the medieval manorial hall is likely to be within the area of the existing hall. A building, identified as Brightlingsea Rectory Hall, is recorded in 1458 before the site became known as Brightlingsea Hall. The Chapman and Andre map of 1777 depict the Hall east of the church set back from the road on the edge of a possible medieval green. The present hall was built in 1874 and so earlier structures are likely to have been located within the same area and below ground remains may exist within the grounds of the current hall. Buildings associated with the hall, as well as agricultural buildings, would have been erected and replaced during the medieval to postmedieval period and evidence for these may also survive.

The recovery of pottery, industrial remains, shell and bone from excavated sites on the periphery of the Conservation Area would suggest good survival of most archaeological remains. Environmental remains, preserved in deeper features, have yielded information on the wider landscape as well as evidence for food and cereal production. Within the areas surrounding the church there is potential for earlier graves associated with a possible Saxon church here.

Much of the Conservation Area surrounding the Church is in use as a graveyard which will have largely truncated any surviving archaeological remains. However survival of archaeological remains is demonstrated closer to the existing church and there is potential in any areas of less disturbance.

## 3. Assessment of Significance

### 3.1 Summary

The Brightlingsea Hall and All Saints Church Conservation Area is notable for its location, historic buildings, and rural character. It has small but distinctive spaces, separated in terms of land use and physically by the main arterial road that runs through the area, the B1029. This acts as the main gateway into Brightlingsea town, making it a significant route.

To the north west of the area is All Saints Church, a notable landmark within the Conservation Area, of national significance. The church is a good example, typical of East Anglian style. Surrounding the church is a six-acre churchyard, serving the local community of Brightlingsea, and demonstrating a strong historic connection to the town.

The churchyard is separated from Brightlingsea Hall, and the barn complex to the south east, by the main road into Brightlingsea. Brightlingsea Hall is a significant positive building within the Conservation Area, and is set within a substantial garden, bounded by a historic red brick wall.

Further south east are historic barns, now used as commercial premises. These have been much altered in recent years, which has impacted their significance; however, the site retains a number of historic buildings and is legible as a historic barn complex. The south of the area is terminated by early twentieth century cottages, which make a positive contribution and are prominent in views along the main road.



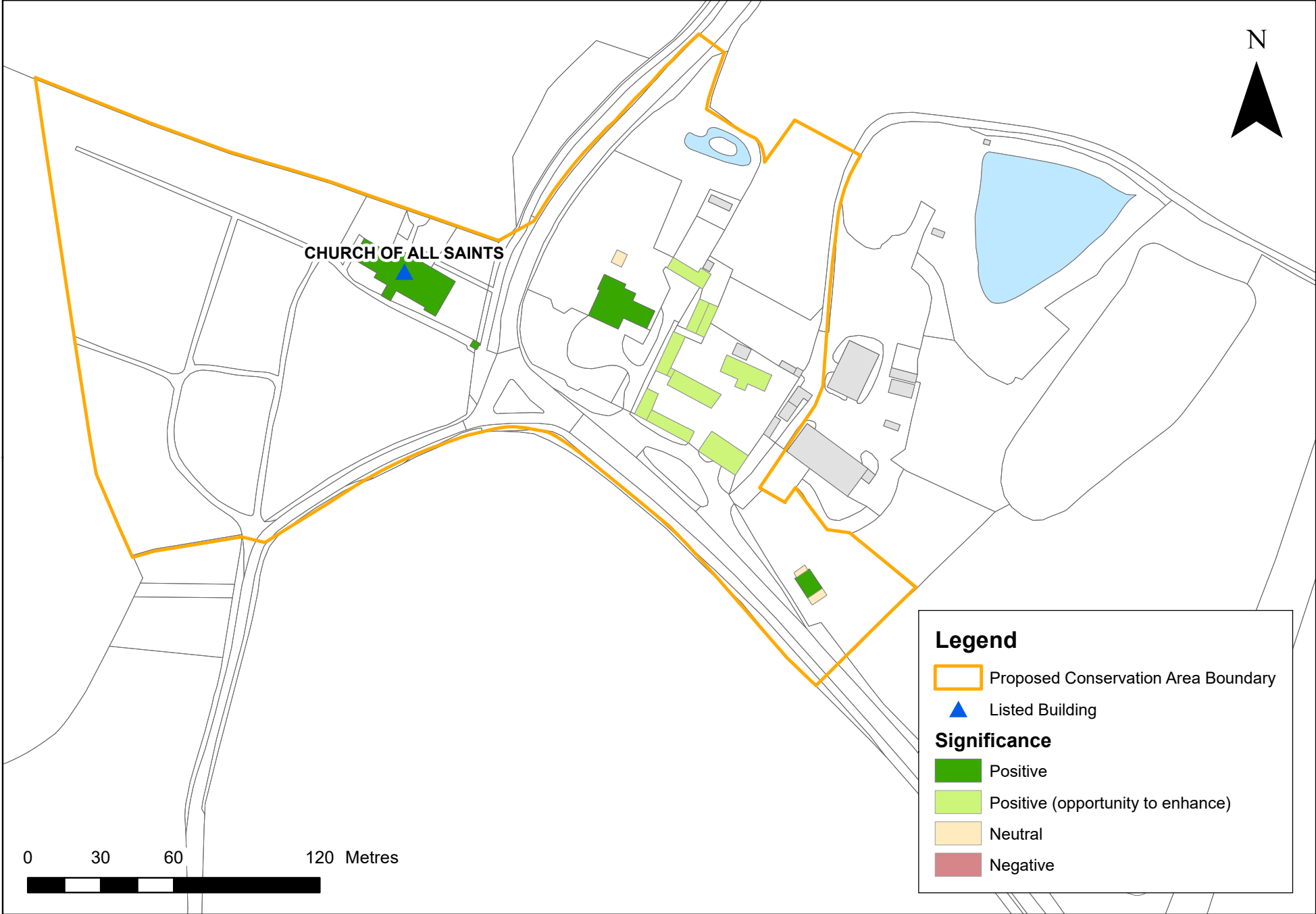
Figure 14 Planted sign within the Conservation Area, along the main route into Brightlingsea

### 3.2 Significance of buildings

Where visible from areas of public realm, the buildings within the Brightlingsea Hall and All Saints Church Conservation Area have been assessed. The map on page 23 (Figure 15) should be read in conjunction with the key notes opposite. These outline the broad descriptions of positive, neutral and negative attributed to buildings within the Conservation Area. It should be noted that just because a building is positive it does not mean it cannot be enhanced. Some positive buildings may have intrusive aspects (such as inappropriate windows) and are addressed in the management plan. The buildings identified as 'Positive with opportunity for enhancement' tend to have more bespoke or fundamental issues that are not generally observed or widespread across the area.

- **Positive:** these are buildings that have been identified as positive contributors to the character or appearance of the Conservation Area. Whilst identified as positive there are likely to be enhancements which can be made to better reveal the architectural interest of the building and improve its contribution to the character and appearance of the Conservation Area. These general enhancements are noted in the management plan. One example would be the replacement of windows where the buildings have UPVC. The upgrade of these items would be beneficial as a general rule.
- **Positive with opportunity for enhancement:** these are buildings have been highlighted as they are positive contributors, however, they have been compromised due to intrusive alterations or additions. These buildings can be enhanced through the removal, replacement or redesign of intrusive or unsympathetic alterations. In the case of Brightlingsea Hall, buildings have been highlighted which require changes that go further than the widespread issues such as inappropriate windows and can include buildings with unsympathetic roof replacements, replacement windows, doors, and extensions.
- **Neutral:** These buildings make no beneficial or adverse contribution to the character or appearance of the Conservation Area.
- **Negative:** These buildings make an adverse or intrusive contribution to the character or appearance of the Conservation Area. None have been identified within the Conservation Area.

Figure 15 Map showing significance of buildings within the Conservation Area





### 3.3 Character Analysis

#### *Summary of character*

The character of the Conservation Area derives from its small size, low density of buildings, and its secluded position on the highest topographic point of Brightlingsea. Although there are very few buildings within the area, those that are here are varied in character. The buildings range from the historic ecclesiastical landmark of All Saints Church, and the historic nineteenth century Brightlingsea Hall and barn complex to the south-east.

#### *Land Usage*

The Church, and its surrounding churchyard, are located to the west of the B1029 and the historic ecclesiastical use of the land here is prominent. The churchyard contains further areas such as the peaceful Remembrance Garden, areas of wild grass, and forest church activity.

To the north east of the B1029 are Brightlingsea Hall and nineteenth century pair of cottages.

Commercial businesses occupy the historic barn complex located between the Hall and cottages. The historic agricultural use of the buildings is still legible in the group of buildings, however, the changes that have occurred have led to some loss of historic features and eroded their character individually.

There are two small areas of public realm space throughout the area, flanking the main arterial route that leads into Brightlingsea town. These are planted.

#### *Landmark Buildings*

The area contains the Grade I Listed All Saints Church (Figure 16). Due to its importance, use, and scale, it is a key landmark within the Conservation Area and wider landscape. Its spire is visible from the sea, acting as a way-finder throughout history.

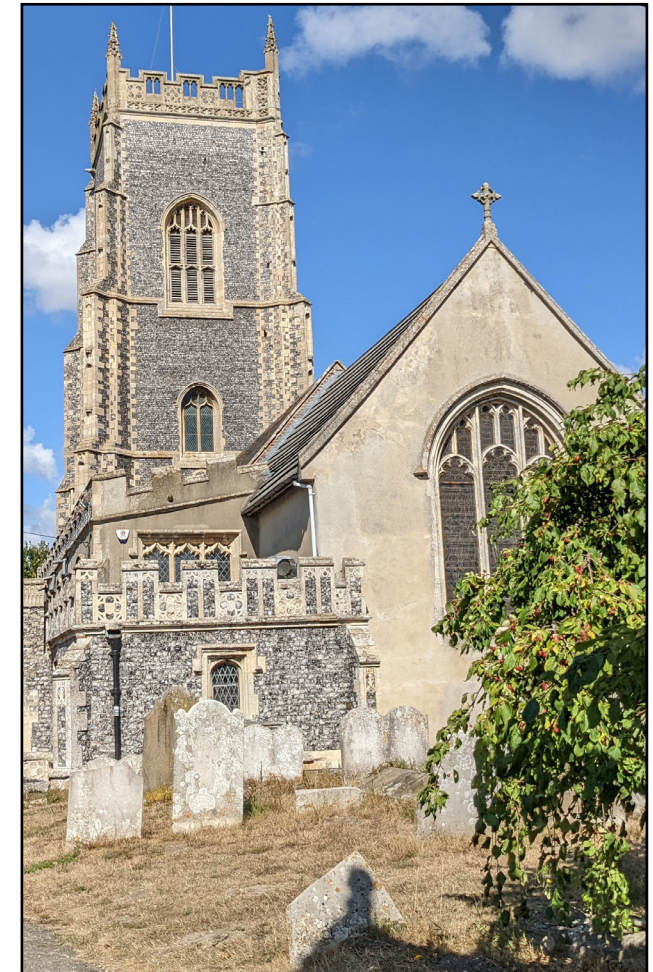


Figure 16 Grade I All Saints Church, a landmark building within the area

### Local Building Materials and Details

The Church is built in the perpendicular style. It contains reused materials, notably the roman brickwork in the south aisle wall of the doorway, likely the remaining doorway of the early Norman church. The exterior is in flint rubble walls and flint flushwork to east bay of North Chapel, South Vestry and West Tower. The roofing is predominantly grey slate, with some lead. It has a plastered east wall.

The Churchyard is fronted by a low brick wall, older and with half round coping to the north, more modern and with copings of red engineering brick to the south.

The lych-gate dates from around the end of the First World War and is a traditional open structure in black stained timber.

Brightlingsea Hall is a Victorian building of two storeys, with red brick elevations under a clay tiled roof. It displays detail such as the polychromatic diamond brickwork, and decorative ridge tiles. The sash windows are in arched openings. To the rear is a simply detailed single storey modern property with rendered walls under a concrete tiled roof.

The historic barns within the area are weatherboarded, the one adjacent to the road has a pantile roof. The modern additions are of varying construction and facing materials.

The cottages to the south east of the area are red brick with a simple polychromatic diamond on the front elevation, and flat headed arches to windows. It has a modern concrete roof, and modern windows.



Figure 17 Material palette showcasing buildings and structures within the Conservation Area



### *Landscaping, Open Spaces and Public Realm*

Surrounding the plots and road are wide, planted grass verges, that contribute to the green character, and sense of low building density within the Conservation Area.

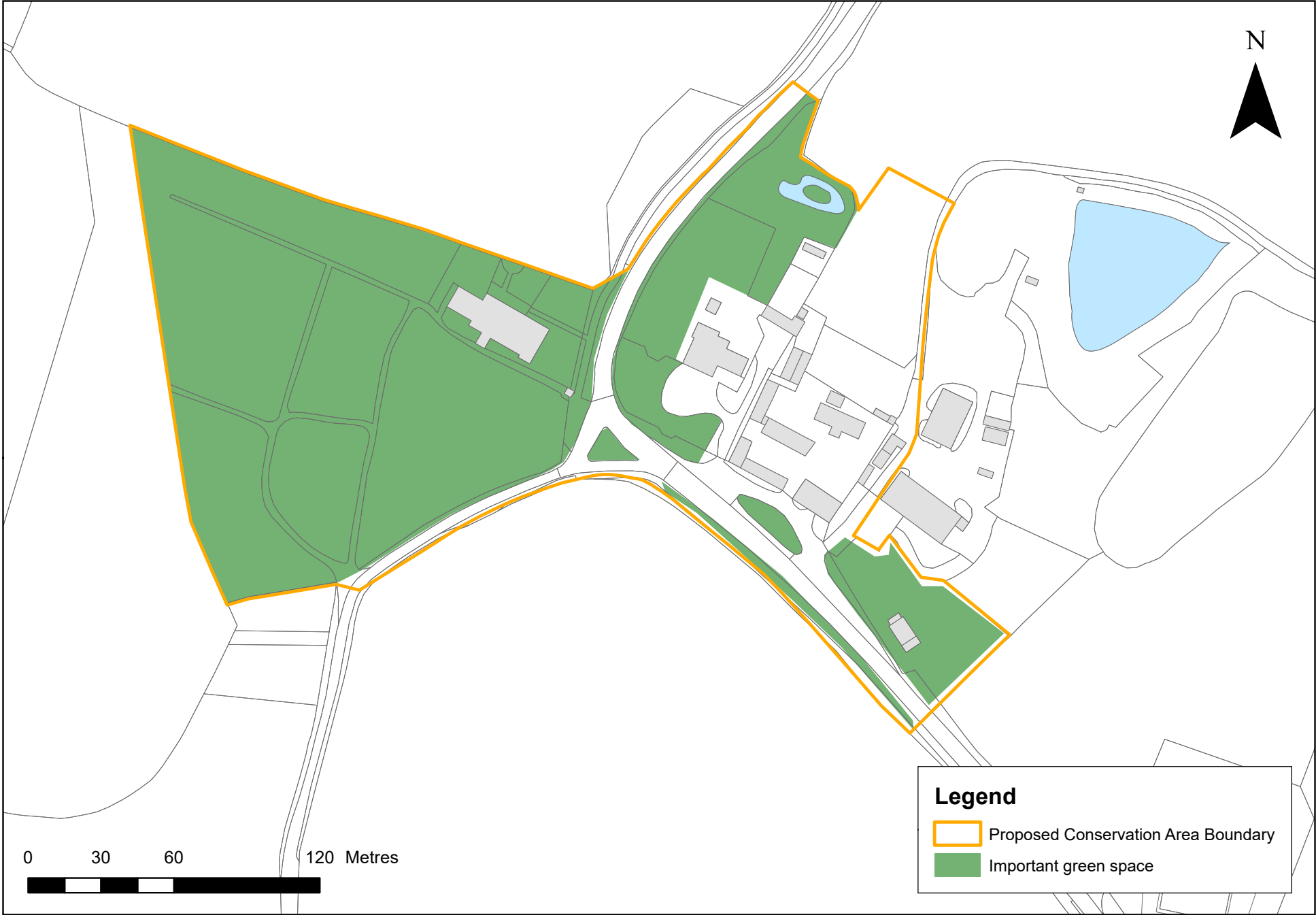
Outside the churchyard there is a small triangular green, its floral display linking with the Brightlingsea name board on a small grassed area on the other side of the road.

The garden surrounding Brightlingsea Hall is a notable open space within the Conservation Area and is of significance due to its historic association with the horticulturalist John Bateman. Historic maps demonstrate that there was once a fairly substantial garden, with a drive, planting and walled garden. In front of the Hall are traces of Victorian planting, particularly in the remains of the circular bed in the centre of the drive, and in the conifer by the vehicular entrance.



Figure 18 Examples of landscaping, open space and public realm within the area, including street furniture and sculptures

Figure 19 Map showing important green space within the Conservation Area



### ***Contribution by Key Un-Listed Buildings***

Brightlingsea Hall makes a key contribution to the character and appearance of the Conservation Area. It is a fairly large hall, with simple but well preserved architectural detailing, set within its grounds which are largely visible from public areas. The site, opposite the Church, is prominent within the Conservation Area and along the main route into Brightlingsea. It shares a historic connection with John Bateman, a key figure in the local community.

### ***Key Views***

Key views are identified on Figure 20. The views included in this assessment are not exhaustive; for example, there are also glimpsed and kinetic views informal glimpsed views that contribute to the character and appearance, particularly those to the south towards the core of Brightlingsea and towards the church spire. Any proposals for development within the Conservation Area, or its environs, should consider the views below and any others which may be relevant or highlighted as part of a bespoke assessment of that proposal.

#### ***Views of All Saints Church***

The principal views of All Saints Church are from Brightlingsea Road and Church Lane. The views take in the Grade I listed landmark within the Conservation Area, and highlight its prominent location on high ground along the main route into Brightlingsea. The church tower in particular is a very prominent feature in views towards the area; the tower acts as a waymark in the landscape, for the local community as well as for those at sea.

#### ***Views from All Saints Church***

The views from the spire towards the sea are particularly significant, as they historically were used to guide fishermen.

#### ***Views into the surrounding landscape***

The views into the surrounding rural landscape, towards the town centre and sea make a positive contribution to the conservation area. They give the small rural area context, and highlight its important position within the landscape topographically.

Figure 20 Map showing key views identified within the Conservation Area





### 3.4 Character areas

Given the scale of the Conservation Area, there are no defined character areas identified. However, descriptions derived by historic land use have been included below, to aid understanding of any variance in characteristics across the area as a whole.

#### *The Church*

The church and its large churchyard are distinct in character. The churchyard is well planted with mature trees and hedgerows, which creates a sense of tranquillity. Glimpsed views into the wider landscape also contribute to a sense of isolation here.

The church itself is a fine example of the East Anglian perpendicular church, incorporating earlier materials. It is constructed in flint rubble and flushwork with freestone dressings. The tall tower is crenelated and is prominent in wider views. The churchyard is bounded by a low brick wall and hedgerows. It is accessed by the twentieth century lych-gate, constructed in timber under a tile roof with decorative ridge tiles.

The churchyard comprises a small, formal memorial garden to the north of the church, with burial ground to the west and south. The memorial garden to the north has open views towards the creek, with benches orientated to take in the views. The burial ground area is traversed by wide paths lined with trees, giving the space a formal character. There is a small forest school area to the west of the churchyard, in use by the local community. Memorial benches are located throughout the churchyard, providing space for quiet reflection.

#### *The Hall*

Brightlingsea Hall and its grounds are another distinct area. The garden is bounded by a low buttressed brick wall with more substantial walls fronting the churchyard. The hall is a Victorian building of two storeys, with red brick elevations under a clay tiled roof. The sash windows are in arched openings with straight-sided heads. To the rear is a simply-detailed single storey modern property with rendered walls under a concrete tiled roof.

The square forecourt in front of the Hall shows traces of Victorian planting, particularly in the remains of the circular bed in the centre of the drive, and in the notable conifer by the current vehicular entrance.

#### *Barns*

The outbuildings of the hall are now the premises of independent businesses. The most prominent buildings are a historic weatherboarded barn with a red pantiled roof on the road frontage, and a similarly-scaled though heavily-altered former agricultural building to the rear of the premises, now of two storeys with modern windows.

The remaining buildings are largely modern single storey, of varying construction and facing materials, and of very limited visual value.

To the rear of the building complex, the ground drops relatively sharply into the yards and car park attached to the works.



### 3.5 Setting of the Conservation Area

The NPPF describes the setting of a heritage asset as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

Historic England Good Practice Advice Note on the Setting of Heritage Assets (2017) indicates that the setting of a heritage asset is the surroundings in which the asset is experienced. It goes on to note ‘Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset’.

Historic England’s advice note on setting includes a:

“(non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance’. As the advice note states, ‘only a limited selection of the attributes listed will be of a particular relevance to an asset.’

This checklist has been used to inform this assessment.

The Conservation Area draws its significance from key features outside of its boundary, most notably from the creek, town centre, and sea. Due to the topography of the Conservation Area, the land slopes towards the water and the town of Brightlingsea to the south east; this affords views from high ground into the wider area. The location of the Church and height of its tower means it is visible widely within the landscape; the tower can be seen for seventeen miles out to sea, making it an important landmark that was used to guide fishermen home.

The wider setting is formed of arable farmland and creeks, as well as the town of Brightlingsea. The surrounding fields make a positive contribution to the rural character of the Conservation Area, with the main town separated from the area by arable fields.

The church also shares a strong connection with the town, as it serves the community there. Brightlingsea Hall shares a connection to the town through its association with John Bateman, who became Brightlingsea’s first Deputy and built Bateman’s Tower.



Figure 21 View north towards the Alresford Creek, within the setting of the Conservation Area

## 4. Opportunities for Enhancement

The following opportunities for enhancement have been identified and are summarised below in brief. The list is in no way exhaustive, and neither are the opportunities identified unique to Brightlingsea Hall and All Saints Church, with many being shared with other Conservation Areas.

### ***Car Parking***

Car parking is mostly informal, with a small, gravelled area to the south of the church and further cars parking along Movers Lane and the small layby beside the barn complex.

Car parking surrounding the green space on Movers Lane can become crowded at peak times of use, and impact views towards All Saints Church from the south-east. This can be an issue to the south side of the green, where the lane is single track, so parked cars block access (Figure 22).

### ***Inappropriate alterations and development***

Incremental changes have occurred which have impacted the historic character of some of the buildings within the Conservation Area. The changes made to the barn at the back of the complex is perhaps the most notable example of this (Figure 23), as the modern uPVC windows detract from the historic façade in terms of their positioning and material.

### ***Interpretation***

There is opportunity to enhance heritage interpretation of Brightlingsea Hall, through digital resources and physical interpretation on site.

### ***Maintenance***

Some spaces within the Conservation Area are in need of some routine maintenance to enhance their appearance. For example, the boundary walls at Brightlingsea Hall are cracked, and the mortar is failing in places (Figure 24). Routine maintenance and repairs would prevent further deterioration of this historic boundary wall, and feature of Brightlingsea Hall.

### ***Public Realm***

The Conservation Area contains high quality green spaces, which are well maintained and clearly tended for by the local community. There is opportunity to continue to maintain this high standard of planting and maintenance.

There are tracks and routes within the barn complex and courtyard spaces associated with the barns that are surfaced and patched in a variety of materials. There is opportunity to improve the condition and appearance of the tracks.

### ***Green spaces***

It is clear from the findings of this appraisal that the gardens at Brightlingsea Hall were once of interest, due to their connection with the notable horticulturalist John Bateman. Some surviving indications of the Victorian drives and gardens can be seen, and the boundary walls remain. However, little maintenance appears to have been carried out for some considerable time. Should there be sufficient investment, there is opportunity to enhance the gardens and provide the Hall with an appropriate setting which reflects its history and significance. There is also potential for this space to be further researched and understood, perhaps through local interest groups such as the Essex Gardens Trust. This may support in the future management of the site.





Figure 22 Crowded parking to the south of the Church



Figure 23 Loss of historic features within the barn complex can be seen with replacement windows, doors and roofing



Figure 24 Damage to Brightlingsea Hall boundary wall



Figure 25 Materials along the approach to Brightlingsea Hall



Figure 26 Opportunity to enhance the gardens of Brightlingsea Hall, currently used for parking

## 5. Management Proposals

There are a wide range of opportunities for the Conservation Area, many of which share common themes. This section builds on the opportunities identified in Section 4 and seeks to recommend management proposals which address these.

### 5.1 Positive Management: Short term

The first set of proposals relate to positive management and focus on good practice and improved ways of working with the local planning authority. These are generally low cost and can be implemented within a short timeframe, typically within one or two years.

#### **Enforcement**

Where the necessary permission has not been sought for alterations, such as advertising signage and building alterations which are not contained within the General Permitted Development Order, the Local Planning Authority's powers of enforcement should be considered. This could assist in reinstating any lost character or architectural features whose loss may have a negative cumulative effect on the Conservation Area, as well as avoiding a precedence being set for similar, uncharacteristic works. The loss of original windows is a particular concern within the Brightlingsea Hall and All Saints Conservation Area.

#### ***Heritage Statements, Heritage Impact Assessments and Archaeological Assessments***

In accordance with Paragraph 194 of the NPPF, applicants must describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

All applications and development proposals within the Conservation Area and its setting require an appropriately detailed Heritage Statement. Any application without a Heritage Statement should not be validated.

The key views analysed within this document are in no way exhaustive. The impact of any addition, alteration or removal of buildings, structures or trees on key views should be considered to aid decision making. This includes development outside the Conservation Area. Where appropriate, views must be considered within Design and Access or Heritage Statements. This should be in accordance with Historic England's Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2019). Applications which fail to have assessed any impact upon views and setting should not be validated.





### ***Local Heritage List***

A Local List identifies buildings and structures of local architectural and/or historic interest, and these are considered to be 'non-designated heritage assets' under the provisions of the NPPF. Local Lists can be beneficial in ensuring the upkeep and maintenance of historic buildings that contribute to the character of the settlements.

There are some buildings and features within the Conservation Area which make a positive contribution to the special interest of the area, which indicates that a Local List may be beneficial to ensure the upkeep of buildings which are significant to Brightlingsea's history and character.

There are buildings within the Conservation Area which are of sufficient quality to be considered for local list status, as highlighted in Section 2.5. These are Brightlingsea Hall and the Lych-gate (which is curtilage listed).

The exercise of creating a Local List is currently underway by Tendring District Council. It will also facilitate a greater understanding of the area and could be utilised as a public engagement strategy to improve awareness and understanding.

### ***Neutral and Negative Elements***

Tendring Council must not allow for the quality of design to be impacted by the neutral and negative elements of the built environment. Officers must, where possible, seek schemes which enhance the built environment and look to conserve and reinstate historic features. It is also considered that poor quality or unsympathetic schemes do not preserve the special interest of the Conservation Area and therefore are discouraged, both within the Conservation Area and its setting; this is due to the potential impact to the character and appearance of the area.

### ***New Development***

To be successful, any future development needs to be mindful of the local character of the Conservation Area, while at the same time addressing contemporary issues such as sustainability.

Successful new development will:

- Relate to the geography and history of the place and the lie of the land;
- Sit happily in the pattern of existing development and routes through and around it (including public footpaths);
- Respect important views;
- Respect the scale of neighbouring buildings; and
- Use materials and building methods which as high in quality of those used in existing buildings.

Tendring District Council should guide development in a positive manner by:

- Engaging with developers at an early stage through the Pre-Application Process to ensure modern development is high quality in design, detail and materials.
- Ensuring large scale development schemes are referred to a Design Review Panel (or similar) to ensure that new buildings, additions and alterations are designed to be in sympathy with the established character of the area. The choice of materials and the detailed design of building features are important in making sure it's appropriate to a conservation area.



- Seeking opportunities for developers to make a positive contribution to the wider historic environment through Section 106 Agreements.

### **Public resources**

The preservation and enhancement of private properties can be improved through the publishing of resources aimed to inform property owners and members of the public. An introductory summary of the Conservation Area Appraisal in the form of a leaflet or factsheet(s) is a simple way to communicate the significance of the area and ensure members of the public are aware of the implications of owning a property within a conservation area. In addition, a maintenance guide would assist property owners in caring for their property in an appropriate manner. A single Good Practice Design Guide on standard alterations such as signage, shopfronts, windows, doors, rainwater goods, boundaries and roof extensions will ensure inappropriate development does not continue to be the accepted norm.

- Provide guidance on appropriate design and materials for windows and doors and encouraging the retention or reinstatement of historic glazing patterns and door designs and the use of appropriate materials.
- Provide guidance on the traditional form of boundary treatments and encourage their reinstatement where they have been removed or compromised.
- Provide guidance on traditional roofing materials and encouraging the reinstatement of good quality slate and the removal of unsympathetic modern materials such as interlocking concrete tiles.

- Provide and update guidance relating to signage. This should address appropriate size and design, the extent and amount and associated lighting. All further planning applications and advert consent applications should be required to comply, where possible, with this standard, designed to help to restore the character and appearance of the Conservation Area.

Poor maintenance leads to the deterioration of the fabric of the built environment and results in a loss of architectural details. Improved awareness of simple maintenance and repair would be conducive with the preservation of the areas built heritage. At present there is some interpretation (information boards, signage, webpages) within the Conservation Area, located within the Church, aimed at improving understanding and awareness. These must continue to be maintained and updated where appropriate to ensure awareness and establish the identity of Brightlingsea as a historic settlement and its close connections with the Church and Hall.

### **Tree Management**

In line with the Town and Country Planning Act, all trees in Conservation Areas are afforded the same protection as a Tree Preservation Order. Trees which have a trunk diameter of more than 75mm, at a height of 1.5m from the ground, may not be felled or lopped unless six weeks written notice has been given to the Council. Six weeks' notice has to be given to the council under S211 of the Act.

It is also considered that any prominent trees, and trees with amenity value on private land throughout the Conservation Area should be monitored and maintained appropriately, particularly those within the grounds of Brightlingsea Hall and the churchyard. This will maintain the green character of the area. Any tree that makes

a positive contribution to the area should be retained, maintained and, if felled (only if dead, dying or dangerous) replaced with an appropriate new tree.

## 5.2 Positive Management: Longer Term

The second set of proposals are also focussed around positive management but either take longer to implement or are better suited to a longer time frame.

### *Character Appraisal and Management Plan*

The Conservation Area Appraisal and Management Plan should be reviewed every five years to monitor change and inform management proposals.

### *Conservation Area Boundary*

The Conservation Area boundary has been revised within this appraisal in accordance with the NPPF (2019) and Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management (2018). The boundary now includes the late nineteenth-century cottages to the south east of the area, due to the positive contribution they make to the area. The boundary should continue to be assessed as part of future reviews of the Management Plan to ensure it is robust and adequately protects the significance of the area.

### *Interpretation: Improved Understanding and Awareness*

There are areas of physical interpretation across the Conservation Area, predominantly found within the Church. There are also resources available digitally which promote understanding and awareness of All Saints Church and Brightlingsea Hall. There is scope for further interpretation within the Conservation Area aimed at improving understanding, particularly surrounding Brightlingsea Hall.

### *Opportunity Sites*

There are some opportunity sites across the Conservation Area which, if sensitively addressed, may enhance the character and appearance of the Conservation Area. Sites which may provide opportunity for enhancement include the historic barn complex. This is due to the erosion of historic features, such as doors, windows and roofing materials. Should there be an opportunity to reinstate these features in the future, this would benefit the character and appearance of the Conservation Area.

### *Public Realm*

Investment to improve the wider public realm can be achieved through continuing to improve and rationalise existing surfacing, and the continued maintenance of existing, high-quality street furniture.



### 5.3 Funding Opportunities

There are three main funding opportunities which would assist in the execution of these plans:

#### *National Heritage Lottery Fund*

The National Heritage Lottery Fund is the single largest dedicated funder of heritage in the UK and therefore is the most obvious potential source of funding. Funding is often targeted at schemes which preserve, enhance and better reveal the special interest of the area whilst also improving public awareness and understanding. Grant opportunities and requirements change overtime, for up-to-date information on NHLF schemes Tendring Council should consult their appointed Heritage Specialist.

#### *Section 106 Agreements*

Planning obligations, also known as Section 106 agreements, can be used by the local authority to ensure any future development has a positive impact upon Brightlingsea. These agreements could be used to fund public realm or site specific improvements.

#### *Partnership Schemes in Conservation Areas (Historic England)*

Partnership Schemes in Conservation Areas is a programme run by Historic England to target funding for the preservation and enhancement of conservation areas. As the name suggests, the scheme forms partnerships with local authorities (along with any additional funding partners) to facilitate the regeneration of an area through the conservation of its built heritage. The scheme makes funds available to individuals to enable them to carry out repairs or improvement works to their property to enhance the area. This would be suitable to preserve and enhance architectural detailing.

## 6. Appendices

### 6.1 Bibliography

#### *Publications*

J. Bettley and N. Pevsner, Essex (Pevsner Architectural Guides: Buildings of England), (Yale University Press) 2007

'Brightlingsea', in An Inventory of the Historical Monuments in Essex, Volume 3, North East (London, 1922), pp. 14-18. British History Online <http://www.british-history.ac.uk/rchme/essex/vol3/pp14-18> [accessed 6 October 2022].

Brightlingsea Hal and All Saints Church Conservation Area Appraisal, Tendring District Council (2006)

Edward Percival Dickin, A history of the town of Brightlingsea, a member of the cinque ports, T. W. BARNES, 1913

Leslie, Andrew, Mencuccini, Maurizio and Perks, Mike P. (2011) Eucalyptus in the British Isles. Quarterly Journal of Forestry, 105 (1). pp. 43-53.

Tom Moulton, 'Tom Bateman', The Cinque Port Library (2008) <<http://www.cinqueportliberty.co.uk/johnbateman.htm>>

Michael Swindlehurst Vicar, The Parish Church of All Saints, Brightlingsea (2002 rev.)

Tendring District Historic Environment Characterisation Project, Essex County Council (2008)

Tendring Geodiversity Characterisation Report, Essex County Council (2009)

Barbara Vesey, The Hidden Places of East Anglia Travel Publishing, Limited 2003

#### *Archives*

Essex County Council (ECC)

Historic Environment Record (ECC)



## 6.2 Legislation, Policy and Guidance

LEGISLATION/POLICY/GUIDANCE	DOCUMENT	SECTION/POLICY
Primary Legislation	Planning (Listed Buildings and Conservation Areas) Act 1990	All sections are relevant, although the following pertain to Conservation Area Appraisals and Management Plans:  66: General duty as respects listed buildings in exercise of planning functions.  72: General duty as respects conservation areas in exercise of planning functions.
National Planning Policy	National Planning Policy Framework (2021) DCLG	Chapter 16;  Annex 2
National Guidance	National Planning Practice Guidance (2019) DCLG	ID: 18a
National Guidance	Historic England Good Practice Advice in Planning Note 1 (2015) The Historic Environment in Local Plans	
National Guidance	Historic England Good Practice Advice in Planning Note 2 (2015) Managing Significance in Decision-Taking in the Historic Environment	
National Guidance	Historic England (2017) Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets	
National Guidance	Historic England Advice Note 1 (2019) Conservation Area Appraisal, Designation and Management	
National Guidance	Historic England (2017) Traditional Windows	
National Guidance	Historic England, High Streets for All (2018) Advice for Highway and Public Realm Works in Historic Places	
National Guidance	Historic England (2017) Repointing Brick and Stone Walls Guide for Best Practice	
Local Supplementary Planning Document	Tendring District Local Plan 2013-2033 and Beyond (2022)	Section 2

### 6.3 Glossary

Term	Description
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Local List	Local listing is a concept that is designed to ensure that the historic and architectural interest of buildings that are of local importance but do not meet the criteria for being nationally listed is taken account of during the planning process. Local lists can be used to identify significant local heritage assets to support the development of Local Plans.
Non-Designated heritage asset	Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. Only a minority of buildings have enough heritage significance to merit identification as non-designated heritage assets.
Setting of a heritage asset	The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
Significance (for heritage policy)	The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Place Services  
County Hall, Essex CM1 1QH

T: +44 (0)3330 136 844  
E: enquiries @placeservices.co.uk

[www.placeservices.co.uk](http://www.placeservices.co.uk)

 @PlaceServices



This page is intentionally left blank