

PLANNING POLICY AND LOCAL PLAN COMMITTEE

31 MAY 2022

REPORT OF THE ACTING DIRECTOR (PLANNING)

A.2. 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. To request the Committee's approval to recommend to Cabinet that it approves a statutory consultation on the document.</p>
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">- The Jaywick Sands Place Plan SPD (outlined in a separate committee report); and- The Jaywick Sands Design Guide SPD. <p>A corporate priority of the Council 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 with better quality flood resilient homes.</p> <p>The draft document 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 draft document has been produced in consultation with the Environment Agency and other stakeholders.</p> <p>Subject to the Committee's comments and Cabinet approval, the draft document will be subject to six weeks statutory public consultation. It is also proposed that the document will form part of the consultation exercise for the Jaywick Sands Place Plan (subject to a separate report).</p>
RECOMMENDATIONS
<p>That the Planning Policy and Local Plan Committee:</p>

1. notes and welcomes the Jaywick Sands Design Guide Supplementary Planning Document (SPD) Draft April 2022; and
2. recommends to Cabinet that the above document (forming Appendices 1) be approved for consultation with the public and other interested parties.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Jaywick Sands Design Guide Supplementary Planning Document Consultation Draft April 2022, referred to henceforth 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 undertaking the production of the document and part of the public consultation exercise.

Risks: the adoption of the Design SPD will assist in the replacement of poor quality housing with properties which are 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 SPD to guide replacement dwellings and small infill development; the Design 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) (Regulations11-16).

The process for preparing SPD’s 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’s

4. Adoption of the SPD

The Committee report requests permission from Members to proceed with Stage 2 of the process.

There is not a legal requirement for SPD's to be accompanied by Sustainability Appraisal and this is reinforced in national planning guidance. However, in exceptional circumstances, there may be a requirement for SPD's to be subject to 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 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.

Following consultation, the Council will carefully consider all representations received before deciding whether any amendments to the draft SPD are required. Once adopted, the Design 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 will be consulted as part of the consultation exercise.

Equality and Diversity: The Design SPD has been subject to an Equalities Impact Assessment (EQIA).

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: See 'consultation' section below.

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 Guide SPD is a tool for:

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

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 for the community. 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 standard sequential test would do. This approach to the sequential and exception test is outlined in the background document Jaywick Sands – Approach to betterment, sequential and exception test - Technical Guidance. April 2022.

The current absence of a design guide means proposals are submitted which do not meet the required standards of safety and amenity and result in protracted negotiations with the Council, delaying development within Jaywick Sands. Clear guidance helps the applicant, the community and the Council facilitate regeneration which benefits the community as a whole.

JAYWICK SANDS DESIGN GUIDE SPD

The Design SPD is split into nine chapters:

1. Introduction

This section outlines the planning policy context and who should use the design guide, namely property owners, community members, planning officers, design and planning consultants and property developers. The introduction contains a checklist of the requirements for single plot

development and multi-plot development. The document states ‘the Design Guide therefore differentiates between requirements for replacement homes (proposals to replace an existing single home with a new home on the same plot) and proposals for multi-plot development. For replacement homes on a single plot, parking and external amenity space standards can be relaxed but internal space standards should meet national technical standards, and daylight, sunlight and overlooking of neighbouring private amenity spaces, should meet accepted best practice.’

2. Characterisation

This section describes the history, character and landscape setting of Brooklands, Grassland and the Village. In particular, policy 2B seeks to maintain the local character of the area while facilitating new development. It states that ‘the distinctive gridded street pattern and plot pattern of Jaywick Sands should be maintained, including the primary north-south orientation of the streets’ and ‘developments of multiple homes should achieve variety and visual interest along the street. Groups of more than eight identical homes should be avoided.’

3. Flood resistance and resilience

This outlines the specific criteria, which has been agreed with the Environmental Agency, to allow new replacement dwellings on Jaywick Sands; this provides clear criteria to the developer, early on in the process, to create a flood resilient design. Page 34 provides an indicative diagram.

4. Massing, scale and building form

A number of criteria are outlined to assess the requirements of the proposal in terms of the site, massing, scale and building form. In particular, the document states that ‘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.’

5. Streetscape and parking

The criteria seeks to ensure appropriate boundary treatments are developed to ensure attractive street frontages which maximises natural surveillance. The appropriate parking standards are elaborated on, in particular, the requirement for off-street parking in new development proposals.

6. Internal and external space standards

The document states that ‘existing homes in Jaywick Sands, particularly within Brooklands and Grasslands, are very small and heavily overcrowded, with 94% of homes within the worst areas being official 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...’ (p39). As such, in new development, the document seeks to ensure there will be no relaxation of Nationally Described Space Standards for minimum internal areas or floor-to-ceiling height.

In addition, for the health and well-being of residents, the provision of appropriate outdoor space is required. Given the characteristics of Jaywick Sands, the criteria in 6B seeks to relax the private amenity space standards contained in the Local Plan whilst facilitating adequate provision in the context of the area. Where plots are redeveloped within the existing street layout and homes are designated as un-extendable through the withdrawal of Permitted Development rights, the criteria deems the following standards as appropriate:

- a. One bedroom homes - 25m² private amenity space
- b. Two bedroom homes - 40m² private amenity space
- c. Three or more bedroom homes - 75m² private amenity space
- d. For flats, a minimum of 5m² private balcony space must be provided, along with private shared amenity space to Essex Design Guide standards (a minimum of 25m² per dwelling)

7. Climate change and biodiversity

Fuel poverty is a significant concern within Jaywick Sands; this combined with the Council's declared climate change emergency means that appropriate standards in building design, insulation and renewable energy generation should be incorporated in any new development. The criteria also seeks to ensure that surface water drainage is managed to avoid worsening existing issues. Finally, proposals should mitigate any harm to the local wildlife within the vicinity.

Appendix: worked examples of applications of design guidance

The appendix shows how the application of the design principles outlined in the document should be applied in practice. This section describes in detail the design principles which should be applied in the following development scenarios:

1. Typical Brooklands/Grasslands plot - single plot replacement dwelling or combining plots to create larger single family homes;
2. Village seafront/Broadway plots – single plot replacement;
3. Tandem plot replacement dwellings;
4. Comprehensive redevelopment of multiple plots - up to 3 storeys

Consultation

The Design SPD will be subject to a six weeks of statutory public consultation. The document will also form part of the consultation exercise for the Jaywick Sands Place Plan.

APPENDICES

Appendix 1 – Jaywick Sands Design Guide Supplementary Planning Document Consultation Draft April 2022 (**Please contact Anthony Brindley if you would like a copy of this Appendix. You can email him at the following address: abrindley@tendringdc.gov.uk or telephone him on (01255) 686189.**)

BACKGROUND DOCUMENTS

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

(Please contact Anthony Brindley if you would like a copy of these background documents. You can email him at the following address: abrindley@tendringdc.gov.uk or telephone him on (01255) 686189.)