

CABINET

17 JUNE 2022

JOINT REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PORTFOLIO HOLDER FOR PLANNING (INCLUDING REFERENCE FROM PLANNING POLICY AND LOCAL PLAN COMMITTEE)

A.7 JAYWICK SANDS PLACE PLAN AND DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENTS

(Report prepared by Anthony Brindley)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To report on progress towards developing a framework for regeneration in Jaywick Sands and to enable Cabinet to consider the recommendations submitted by the Planning Policy and Local Plan Committee in respect of proposals for statutory public consultation on a Jaywick Sands Place Plan and a draft Jaywick Sands Design Guide .
EXECUTIVE SUMMARY
<p>Significant progress has been made in work towards developing a strategy and policy framework for regeneration and planning in Jaywick Sands with a view to commencing a programme of public engagement that will help to shape the approach going forward.</p> <p>The regeneration of Jaywick Sands is a corporate priority for the Council (further detail set out in the background section of the report). The current actions comprise of two key work streams related to the planning process:</p> <ul style="list-style-type: none">- The Jaywick Sands Place Plan Supplementary Planning Document (SPD) (referred to hence as the “Place Plan”); and- The Jaywick Sands Design Guide Supplementary Planning Document (SPD) (referred to hence as the “Design SPD”). <p>The purpose of the Place Plan will be to provide a long term strategy for the regeneration of Jaywick Sands with the recommended objectives being to:</p> <ul style="list-style-type: none">• 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

As part of producing this strategy, it is essential to engage in consultation with the local community and stakeholders at an early stage. The proposed consultation strategy will be a mixture of in-person engagement including drop-in sessions as well as digital engagement including an online presentation and survey with short explainer videos.

The content of the consultation strategy has been informed by the Jaywick Sands Place Plan Interim report (Appendix 2 to Committee Report A.1). This provides an analysis of the current problems and base line conditions as well as potential solutions although, at this stage, it does not prescribe a preferred approach.

The Design SPD (Appendix 2 to Committee Report A.2) will provide key guidance to the community, property owners and developers, helping to speed up the planning process and facilitate the re-development of poor quality housing with better quality flood resilient homes. This Design SPD is a tool for:

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

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.

On 31st May 2022, the Planning Policy and Local Plan Committee gave consideration to two comprehensive reports (and appendices) of the Acting Director of Planning in respect of Place Plan and a Design Guide to assist in the regeneration of Jaywick Sands.

Having considered and discussed the contents of the Reports and their contents, the Committee decided to recommend to Cabinet that a consultation with the public and other interested parties take place to inform the production of a Place Plan and a Design Guide for Jaywick Sands. This is with the intention that both documents will become Supplementary Planning Documents in support of policies in the Council's new adopted Local Plan.

Members of the Committee made the following comments and observations for the Cabinet's consideration:

- Need to ensure the Place Plan considers the need for, and the opportunity to deliver infrastructure such as health provision; and

- Need to ensure younger people are engaged in the consultation process, including through engagement via the local primary school.

The Portfolio Holder for Planning and the Portfolio Holder for Housing welcome the recommendation and comments from the Planning Policy and Local Plan Committee.

The Portfolio Holder for Housing emphasises the importance of the Place Plan in providing a long-term strategy for the future regeneration of Jaywick Sands and, in particular, a strategy that needs to be developed through positive engagement with the community.

The Portfolio Holder for Planning welcomes the Design Guide as a practical tool that property owners, architects, developers and planners can refer to in the consideration of plans to redevelop sub-standard properties and underutilised land in an appropriate and flood resilient manner.

RECOMMENDATIONS

That the Cabinet, having considered the recommendations submitted by the Planning Policy and Local Plan Committee and the subsequent comments and observations, agrees to:

- 1. the recommended objectives for the regeneration of Jaywick Sands as set out in this report;**
- 2. the Jaywick Sands Place Plan Consultation Strategy as set out in Appendix 1 to , with any additional comments and suggestions;**
- 3. approve the draft Jaywick Sands Design Guide Supplementary Planning Document (SPD) for publication and consultation with the public and other interested parties; and**
- 4. request that the responses received in response to the consultation exercises for both the Jaywick Sands Place Plan and Design Guide are reported to and considered by the Planning Policy and Local Plan Committee**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

As part of the 'Building Sustainable Communities for the Future' theme of the Council's Corporate Plan 2020-24 adopted by Full Council in January 2020, a priority of the Council is supporting the community in Jaywick Sands, in particular, with more and better housing.

At its meeting in February 2022, Cabinet adopted it highlight priority actions for 2022/23, which included under B2 the following actions:

“Working with the community of Jaywick Sands and other stakeholders to develop a long-term strategic plan for the area which will provide both a basis for making future planning decisions and a strategy for seeking and securing external private and public funding towards ongoing rejuvenation of the area and tackling deprivation. Key matters to address will include improving

housing conditions, provide access to training and employment opportunities, improving community facilities and infrastructure and, perhaps most challenging of all, providing a long[1]term sustainable future of the community in the face of climate change and the increased likelihood and risk to life and property associated with of coastal flooding.”

Cabinet agreed the Quarter 1 milestone for the Jaywick Sands Place Plan:

- Coastal Community Team reformed as a multi-agency stakeholder group to feed into the work on the Place Plan and to include representation from the community; and
- Preparation of Draft Place Plan and Design Guide material ready for public consultation.

The intended outcome of the Cabinet priority is for the introduction of a Design Guide for the redevelopment of existing substandard properties to higher quality flood-resilient properties and its adoption as a Supplementary Planning Document for use in the determination of planning applications. Preparation of a comprehensive ‘Place Plan’ to guide the long-term regeneration of the area including a strategy for improving the quality of housing, addressing flood risk and tackling social and economic issues and a strategy for securing external funding from government, the private sector and other sources.

RESOURCES AND RISK

Resources: Tendring District Council Officers are managing this project with HAT Projects Ltd undertaking the production of the relevant documents and the consultation exercise utilising the budgets related to Jaywick Sands and the Local Plan.

Risks: The adoption of the Design Guide 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.

The intention is to work with the community and other interested parties to develop the Place Plan and Design Guide SPD. If there are objections to the ideas and suggestions emerging from this work, these will need to be considered and addressed as part of the statutory planning process and could require further work and reconsideration of the approach.

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". Paragraph 6.10.5 also explains that that the Council will produce a Design SPD to guide replacement dwellings and small infill development.

The Place Plan SPD and the Design SPD are being prepared under the provisions 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 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 the final draft of the SPD.
4. Adoption of the SPD.

The production of Supplementary Planning Documents (SPDs) are executive functions in accordance with The Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended). At Tendring District Council, the Planning Policy and Local Plan Committee may recommend SPDs and other such strategies, policies and guidance, where functions are the responsibility of the Cabinet, for public consultation and final adoption.

The Planning Policy and Local Plan Committee recommends that Cabinet proceeds to Stage 1 in terms of public consultation to inform the production of the Place Plan and Stage 2 for the Design SPD for which a draft has already been produced. There is not a legal requirement for SPD's 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 SPD's to be subject to 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 an Appropriate Assessment (under the Habitats Regulations) given its location to internationally important habitat sites.

A screening assessment has been undertaken for the Design Guide and this 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 Design 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 moving to the next stage of work.

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 Place Plan will be subject to an EqIA at the appropriate stage. 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 strategy attached.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The regeneration of Jaywick Sands is a corporate priority; the Council recognise that due to the complex problems of flood risk, inadequate housing and mixed ownership, there is not a quick fix solution. Furthermore, any proposals must have the support of residents and the wider community.

However, this is not a justification for inaction. The Council is committed to regenerating Jaywick Sands providing or facilitating high quality accommodation for all its residents. Significant progress has been made in recent years with a number of initiatives:

Infrastructure: in 2015, Essex County Council announced an investment of 5 million pounds to improve poor drainage and road conditions in significant parts of Jaywick Sands, and bring genuine benefit to its residents. In 2017 the project was completed, and residents now benefit from improved street drainage which is helping to alleviate localised drainage problems and flooding, as well as roadways that look better and are safer and easier to pass along.

New Homes: ten high-quality flood resilient homes have recently been completed on council owned land in Lotus Way, with a promise to build more. The development of these properties will act as a catalyst for regeneration.

Cycling Project: this scheme aims to improve links between Jaywick Sands and Clacton, by launching a community bike scheme where residents can loan bicycles to use to travel to work or college in a healthy, green and cheap way. The project received £2.3m from the Getting Building Fund (GBF) and is also supported with £100,000 from the Sport England Local Delivery Pilot.

Employment and the provision of local facilities: based on the background research for the Jaywick Sands Place Plan, a significant gap in employment opportunities and local facilities for residents was identified. From this, the idea of the Jaywick Sands Market Site evolved, resulting in a £2.12 million project to create a 9,500 square-foot covered market, commercial space and new public realm improvements. Plans for the market, 13 affordable business units, community garden and hard landscaping on the seafront at Jaywick Sands received £1.972m from the South East Local Enterprise Partnership (SELEP) from the GBF in November 2020 with construction on the market due to begin shortly.

Whilst significant progress has been made, the further progression of the Place Plan will draw all the physical elements together producing a way forward to regenerate Jaywick Sands, particularly in relation to new and replacement housing. In order to do this, it is very important to consult the local community. A community consultation is proposed to take place in September and October, to see what residents and local businesses think of the initial ideas put forward in the Jaywick Sands Place Plan Interim Report. The results of this will inform the Council to develop a preferred option, which may be a combination of proposals, into a more detailed plan, which will then be considered further.

The Place Plan was originally commissioned before the pandemic, which effectively put the Place Plan on hold until last year when a revised brief/ project plan was agreed with consultants. 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 on 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. HAT Projects (with Igloo Regeneration) has been commissioned to undertake this work.

A complimentary piece of work to the Place Plan has been undertaken to guide the development of new and replacement dwellings within the existing residential areas of Brooklands, Grasslands and the Village; this being the Design SPD. This Design 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.

Consultation

The initial consultation stage for the Place Plan will inform the development of a preferred option for the regeneration of Jaywick Sands. In summary:

Aims and outcomes:

The aims of the consultation are to achieve the following:

- Centring 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 with the community and celebrating successes already achieved.

Key messages

- Real progress is already being made on the ground with projects that have already been implemented or are currently in delivery, led both by TDC and others – celebrating success.
- This is the next step in developing broader plans for improving Jaywick Sands for the benefit of the whole community. There will be many more steps in the process.
- Flood risk is real and increasing all the time and this will affect the most vulnerable residents the most. The risk to the community is increased by the poor quality of many of the homes in Jaywick Sands, so improving housing and flood safety need to go hand in hand.
- Relocation of the community and Compulsory Purchase Order/comprehensive redevelopment are not being considered at the present, as we believe these are not what the community wants to see.
- Doing nothing is not an option – while change will take a long time and have many challenges, the issues that Jaywick Sands faces are serious and must be tackled.

Consultation channels:

In person engagement:

- Attend meetings of Jaywick Community Forum, Jaywick Sands Coastal Community Forum, Jaywick Sands Revival CIC.
- Attend Jaywick Networking Group meeting (to be held at Community Resource Centre) – this brings together groups and service providers.
- Drop-in morning/day at Inclusion Ventures.
- Drop-in morning/day at Martello Tower.
- Event with Frobisher Academy Primary School – for children, parents and teachers (e.g. special assembly, after school drop in).
- Offer to attend other events organised by local groups.

Digital engagement

- Online presentation and survey with short explainer videos.
- Webinar(s).

The consultation will be publicised in the following ways:

- Printed flyer distributed to all addresses in Jaywick Sands.
- Digital and social media communications and advertising.

- Posters distributed to local shops and venues.
- Advertise at Green Elms Surgery (rolling digital display screens).
- Brief Essex Police.
- Brief TDC Ambassadors.
- Jaywick Networking Group.
- Engage with faith groups.

The Design Guide will be subject to the statutory consultation process in accordance with Tendring Council's Statement of Community Involvement and the Town and Country Planning Regulations. As such, this will be a simple, online-only consultation that meets the formal requirements of the regulations.

APPENDICES

Report A.1 of the Acting Director of Planning considered by the Planning Policy and Local Plan Committee on 31st May 2022

Appendices to that report namely:

Appendix 1: Jaywick Sands Place Plan Consultation Strategy

Appendix 2: Jaywick Sands Place Plan Interim Report April 2022

Report A.2 of the Acting Director of Planning considered by the Planning Policy and Local Plan Committee on 31st May 2022

Appendices to that report namely:

Appendix 1 – Jaywick Sands Design Guide Supplementary Planning Document Consultation Draft April 2022

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