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HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

16 January 2019

Dear Councillor

You are summoned to attend the meeting of the;

PLANNING AND LICENSING COMMITTEE

on **THURSDAY 24 JANUARY 2019 at 7.30 pm.**

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully



Head of Paid Service

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Mrs P A Channer, CC

VICE-CHAIRMAN

Councillor A K M St. Joseph

COUNCILLORS

B S Beale MBE
R G Boyce MBE
M F L Durham, CC
A S Fluker
M R Pearlman
R Pratt, CC
S J Savage
Mrs M E Thompson

Please note: Limited hard copies of this agenda and its related papers will be available at the meeting. Electronic copies are available via the Council's website.

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AGENDA
PLANNING AND LICENSING COMMITTEE
THURSDAY 24 JANUARY 2019

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 46)

To confirm the Minutes of the meeting of the Committee held on 15 November 2018 (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Public Participation**

To receive the views of members of the public on items of business to be considered by the Committee (please see below):

1. A period of ten minutes will be set aside.
2. An individual may speak for no more than two minutes and will not be allowed to distribute or display papers, plans, photographs or other materials.
3. Anyone wishing to speak must notify the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

6. **Half Yearly Review of Performance** (Pages 47 - 72)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

7. **Department for Environment, Food and Rural Affairs (DEFRA) Net Gain Consultation Proposals** (Pages 73 - 88)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

8. **Update on Appeal Decisions (July - September 2018)** (Pages 89 - 92)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

9. **Approval to Consult on the Draft Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries** (Pages 93 - 158)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

10. **Recreational Avoidance Mitigation Strategy Supplementary Planning Document** (Pages 159 - 368)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

11. **Planning Policy Update** (Pages 369 - 378)

To receive the report of the Director of Strategy, Performance and Governance, (copy enclosed).

12. **Any other items of business that the Chairman of the Committee decides are urgent**

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

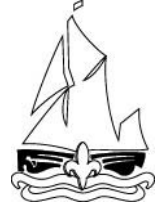
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.



**MINUTES of
PLANNING AND LICENSING COMMITTEE
15 NOVEMBER 2018**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor A K M St. Joseph
Councillors	B S Beale MBE, R G Boyce MBE, M F L Durham, CC, A S Fluker, M R Pearlman, S J Savage and Mrs M E Thompson

601. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

602. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor R Pratt.

603. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes from the meeting of the Committee held on 6 September 2018 be approved and confirmed.

604. DISCLOSURE OF INTEREST

Councillor A K M St Joseph declared a non-pecuniary interest in Agenda Item 4, Approval of the Maldon District Heritage at Risk Register 2018 as he knows some of the owners on the register.

Councillor Mrs P A Channer, CC, declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation.

Councillor M F L Durham, CC, declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation.

605. PUBLIC PARTICIPATION

No requests had been received.

606. APPROVAL OF THE MALDON DISTRICT HERITAGE AT RISK REGISTER 2018

The Committee received the report of the Director of Strategy, Performance and Governance seeking Members' approval for the publication of the Maldon District Heritage at Risk Register 2018.

The Conservation Officer presented Members with further information (the Officer presentation is attached at **APPENDIX 1** to these minutes) on the buildings listed on the register, highlighting the significant progress that had been made. Members were advised that out of the twenty-one buildings on the register there was one addition to the register and one building was ready to be removed.

In response to Members questions the following information was provided by Officers:

- **Timber Trestle Viaduct at Wickham Place, Wickham Bishops** – decay appears to be from the timbers put in during the 1990's. It was noted that attempts to contact the owners had been unsuccessful and it was requested that the Director of Strategy, Performance and Governance attempt contact.
- **Homestead, Maldon Road, Langford** – following numerous disputes around ownership of the property, the Conservation Officer confirmed that all the claimants have been written to.

The Chairman complimented the Conservation Officer on the success of his work and, on behalf of the Committee, thanked him for a comprehensive presentation.

RESOLVED that the Maldon District Heritage at Risk Register 2018 was approved published.

607. 2019 / 20 REVENUE BUDGET AND FEES AND CHARGES

The Committee received the report of the Director of Resources which sought approval of the 2019 / 20 budget and updated medium term financial strategy by the Council in February 2019.

The report provided proposals that were relevant to the Committee in respect of the revenue growth and fees and charges policy. Member's attention was drawn to Appendices 1, 2, and 3 of the report. It was confirmed that the discount on wharf charges was being reviewed, with a consideration to remove the 50% discount applied to quarterly contracts and replaced with a 5% discount on annual contracts only.

The Committee raised the following questions on the report:

- Where moorings are not aligned to local sailing clubs, how would the collection of fees continue?
- Thames Barges moored in the Hythe Quay are considered a tourist attraction, has the wider impact caused by the change in fees been considered?
- Would the Charitable Trust discount be processed in a similar manner to Promenade Park, and who would be agreeing this?

- It was understood that the subletting of mooring generated a profit to third parties at 4-500% increase. Would it be possible to include in the lease a clause to prevent subletting/secondary leasing?

Councillor A S Fluker proposed that the report be approved with the aforementioned points to be addressed at the Finance and Corporate Services Committee. This was duly seconded and agreed.

RESOLVED

- (i) that the 2019 / 20 Revenue Budget and Fees and Charges as set out in the report be noted.
- (ii) that the Finance and Corporate Services Committee be recommended to address concerns raised by the Planning and Licencing Committee as detailed above.

608. DRAFT MALDON DISTRICT GREEN INFRASTRUCTURE STRATEGY SUPPLEMENTARY PLANNING DOCUMENT: STAKEHOLDER AND PUBLIC CONSULTATION

The Committee received the report of Director of Strategy, Performance and Governance which requested approval for the draft Maldon District Green Infrastructure Strategy Planning Document (SPD) and the accompanying Green Infrastructure Projects document to go out for public consultation (Appendix 1 and Appendix 2 of the report).

It was confirmed for Members that due to changes in opening hours over the festive season that public consultation would run for a minimum of seven weeks.

A member requested that the SPD be updated to correct some minor typographical errors and formatting, and that some colours used on the maps was changed to make them easier to differentiate.

RESOLVED that subject to amendments the draft Maldon Green Infrastructure Strategy Supplementary Planning Document (SPD) and the Green Infrastructure Projects document be approved for stakeholder and public consultation.

609. BROWNFIELD REGISTER 2018

The Committee considered the report of the Director of Strategy, Performance and Governance in relation to the Brownfield Land Register and seeking Members' endorsement of the publication of the Register.

It was noted that Brownfield Land Register: Part 1 was previously presented to the Committee.

In response to Members questions it was confirmed that agricultural buildings in use are excluded from the report.

RECOMMENDED that the Brownfield Land Register (attached as **APPENDIX 2** to these minutes) be approved for publication on the Council's Website.

610. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

611. SECTION 106 AGREEMENTS – SIX MONTHLY UPDATE

The Committee noted the report of the Director of Strategy, Performance and Governance which provided an update on Section 106 (S106) Agreements. It was noted that this report followed the discussions which took place at the Overview and Scrutiny Committee on 3 October 2018. The report considered by the Overview and Scrutiny Committee along with further details on the delivery of the Council's S106 projects were attached as Appendices to the report.

It was noted that Officers were working with other partner organisations to put in place a system to enable the co-operation and collection, monitoring and delivery of key infrastructure projects. Prior to the release of funds to external partners a S106 funding form had to be completed and this was attached as Appendix 3 to the report.

Members noted the report and it was agreed that Officers would respond by email to queries raised by the Committee.

RESOLVED

- (i) that the content of the Section 106 Agreements report be noted.
- (ii) that Officers send an email response to questions raised by the Committee.

612. TENDER EXERCISE FOR LICENSING SERVICES FROM 1 APRIL 2019

The Committee considered the report of the Director of Strategy, Performance and Governance on the Tender Exercise for Licensing Services from 1 April 2019 presenting feedback from the tender exercise, and requesting approval for award of the contract.

Members were advised that the current licensing service agreement with Chelmsford City Council expired at the end of March 2019. Appendices 1 and 2 to the report provided details of the licences issues and income generated as part of the current service agreement.

The Committee was informed of the successful completion of the tender exercise and it was confirmed that conditions of the new contract would be in keeping with the previous contract awarded. Following a short discussion Members approved the Officers recommendation to award the contract for Licensing Services from 1 April 2019.

RESOLVED that the contract for Licensing Services from 1 April 2019 be awarded to Chelmsford City Council.

There being no further items of business the Chairman closed the meeting at 8.41 pm.

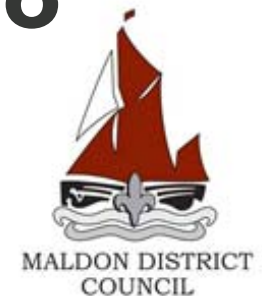
MRS P A CHANNER, CC
CHAIRMAN

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Maldon Heritage at Risk 2018

OUR VISION: *To make Maldon District a better place to live, work and enjoy*

















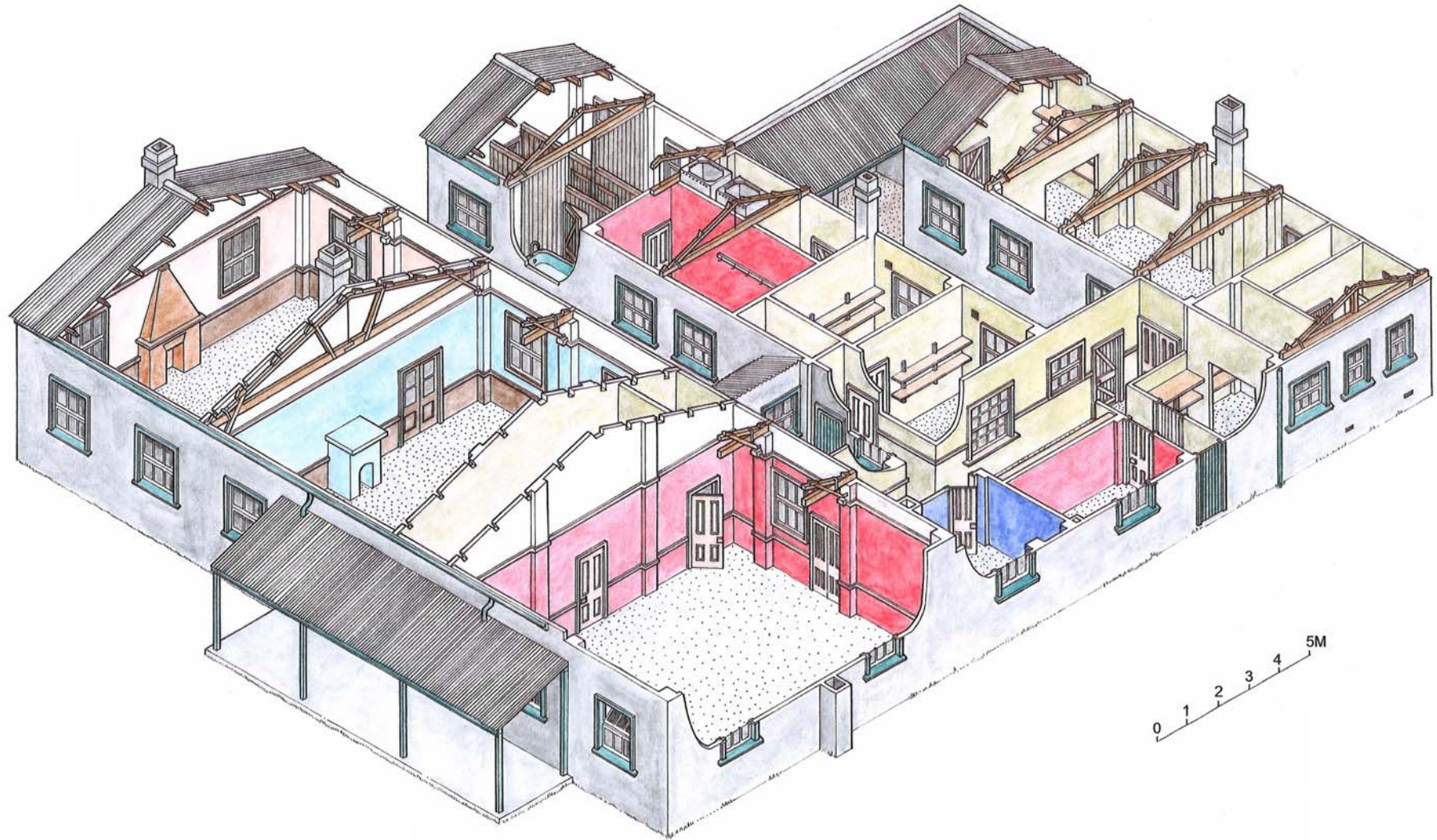












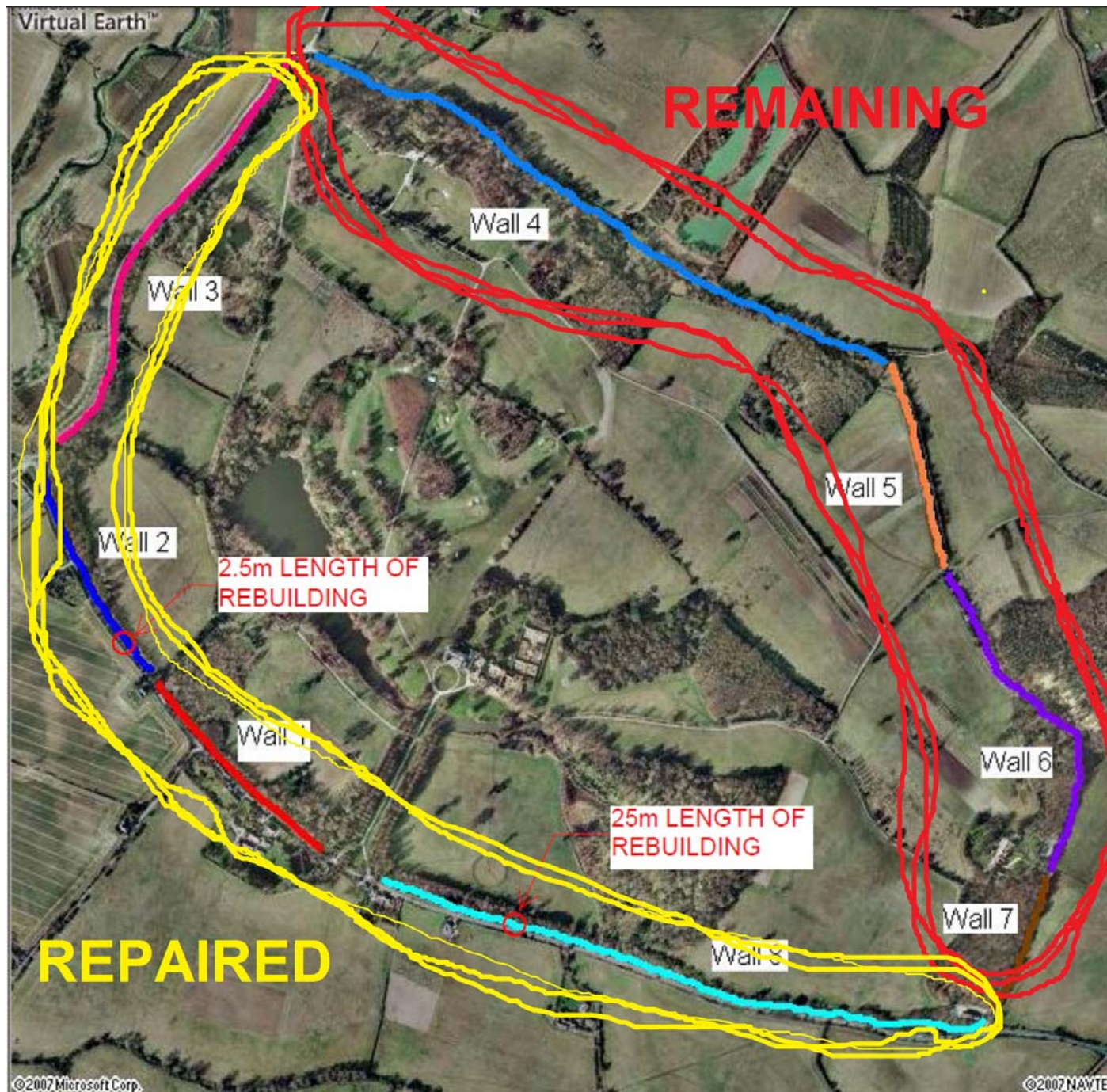


























SUGGESTED FRONT ELEVATION

Not to scale

By Tim Howson, Conservation Officer, November 2016













Building Conservation Winner
2 Elm View, Ulting



Building Conservation Highly Commended
Maldon Wycke



Design Winner
Mill House, Purleigh



Design Highly Commended
The Moorings, Maldon



Sustainability Winner
St Nicholas Village Hall, Tolleshunt Major



Landscape Design Highly Commended
All Saints, Maldon

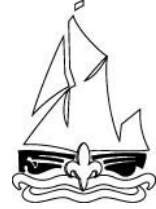
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APPENDIX 1: DRAFT Maldon District Brownfield Land Register 2018: Part 1

Planning Application Reference Number	Site Address	Brownfield land (Ha)	Description	Comments
FUL/MAL/11/01097	Sadds Wharf, Station Rd, Maldon	2.07	Mixed use development : 93 dwellings , offices Classes A3/A4/A5 & D1	Planning permission started through delivery of the access road.
OUT/AML/15/01261	The Old Engine Shed Station Road, Maldon	0.27	10 B1 office units and 20 No 2 bedroom apartments	Decision notice issued: 16 February 2017.
FUL/MAL/16/00431	171 - 173 Station Road Burnham-On-Crouch	0.06	Development comprising a total of 7 residential units (3no. one bed units, 4no. two bed units) 1 retail unit, and associated vehicle access/parking and shared amenity space	Decision notice issued: 17 June 2016
FUL/MAL/17/00620	62 New Road, Tollesbury	0.39	Development of 10, 2 and 3 bedroom houses	Decision notice issued: 31 October 2017.
FUL/MAL/17/01161	Workshop Former Hunters Garage The Square Heybridge	0.1	Erection of 9 No. dwellings and two commercial units (Class A2)	Decision notice issued: 18 January 2018.

Local Development Plan (LDP) Allocation Reference	Site Address	Brownfield land (Ha)	Description	Comments
S2h Heybridge Swifts	Scraley Road, Maldon	0.30ha	Part of LDP housing allocation S2h Heybridge Swifts.	-

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REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2019**

HALF YEARLY REVIEW OF PERFORMANCE

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to supply Members with details of performance against targets set for 2018 / 19 and to ensure that progress is being achieved towards the corporate goals and the objectives detailed in the Corporate Plan 2015 - 19 adopted by the Council in February 2015 (Minute No. 828 refers) with the most recent annual update approved by the Council in February 2018.
- 1.2 Members should challenge performance or allocation of resources where the Committee feels that the Council's corporate goals have not or may not be achieved.
- 1.3 Where performance or progress is behind schedule or at risk, the reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.
- 1.4 Quarterly reviews of performance are undertaken by the Corporate Leadership Team and the Overview and Scrutiny Committee.
- 1.5 All of the performance information contained within this report is recorded on the Council's Performance and Risk Management system (TEN) to which all Members have access.

2. RECOMMENDATIONS

- (i) that Members review the information as set out in this report and **APPENDIX 1** and their views and comments are sought;
- (ii) that Members' approval is sought to replacing the current performance measures relating to acknowledging applications as proposed to bring in line with Government guidance.

3. SUMMARY OF KEY ISSUES

- 3.1 As reported to and agreed by the Council in February 2018:

- (i) For 2018 / 19 Corporate Leadership Team (CLT), in liaison with the service managers, identified and proposed the Key Corporate Activities (KCAs) that

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will contribute to the achievement of the corporate goals and objectives. These KCAs are the “flagship” activities under each goal that the Council is committed to progressing or achieving in the year ahead and will provide a focus for the Council in delivering its priorities.

- (ii) For 2018 / 19, activities that are either central to our corporate goals, but delivery of which is more dependent on partnership working or have particular organisational significance for this coming year, are being differentiated from the KCAs. These will be designated as “service priorities”.

3.2 The format of the half yearly performance reports to this Committee is on an “exception” basis i.e. only those activities and indicators that are behind schedule, at risk or where targets have not been achieved are included. This will ensure the focus is on those areas requiring attention and assisting Members to challenge performance or allocation of resources where the Council’s corporate goals may not be achieved.

3.3 **APPENDIX 1** to this report details for each of the corporate goals:

- The KCAs and Service Priorities which are assessed as being “behind schedule” or “at risk of not being achieved”;
- Indicators which will not, or are at risk of, not achieving the end of year target.

3.3.1 The activities / indicators aligned with this Committee have been marked ➡ to provide easy identification by Members.

3.4 **Performance indicators re acknowledging applications** – in 2016 / 17 performance indicators were introduced regarding the time taken to acknowledge planning applications; this was at a time when there were issues within Planning and concerns raised by Members.

3.4.1 Since then there has been a significant improvement in performance as follows:

	2016 / 17	Target 2018 / 19	2018 / 19 (year to date)
% of major planning applications acknowledged within ten working days	89.47%	95%	96.3%
% of minor planning applications acknowledged within five working days	54.57%	95%	79.66%
% of other planning applications acknowledged within five working days	55.75%	95%	86.33%

3.4.2 However, performance for minor and other applications is still below the Maldon District Council (MDC) target set of 95%. Government guidance (Development Management – Good Practice Guide) in relation to validation suggests targets of:

- 85% of applications validated within six working days and
- 95% of applications validated within ten working days of receipt of the application.

- 3.4.3 It is therefore being proposed that these indicators and targets are amended to align with the Government guidance.

3.5 Complaints Received

- 3.5.1 Eight complaints and eight compliments about services that report to this Committee were received by the Council between 1 April and 30 September 2018.

Service Area	Total no. of compliments for service	Total no. of complaints for service
Environmental Services	2	0
Housing	2	4
Planning	4	4

- 3.5.2 Complaints received are investigated and action taken to improve service delivery where learnings are identified.

4. CONCLUSION

- 4.1 Good progress has been made on a number of activities which will contribute to the Council's corporate goals and objectives. However, there are activities at risk or behind schedule and performance indicators which may not achieve the end of year target. The reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.

5. IMPACT ON CORPORATE GOALS

- 5.1 The Council stated its corporate goals and objectives in the Corporate Plan for 2015-19.
- 5.2 In turn, the services agreed actions (Key Corporate Activities and Service Priorities) that they would take forward in 2018 / 19 to contribute to the achievement of these objectives. Performance indicators and measures were established to monitor the impact of these actions and to provide evidence of achievements.
- 5.3 To ensure that MDC progresses towards or achieves the goals stated in the Corporate Plan, it is important that performance is monitored and managed against targets and milestones.
- 5.4 It is also important as the Council is accountable to the community that it is able to demonstrate it is monitoring and managing performance effectively.

6. IMPLICATIONS

- (i) **Impact on Customers** – Performance Management is about agreeing and achieving objectives and priorities, monitoring our performance against agreed

targets and timescales, identifying opportunities for improvement, making necessary changes and ultimately delivering quality public services.

- (ii) **Impact on Equalities** – For the Council “Equalities” means understanding our staff and customers and making sure that our policies and services are designed to meet their needs and implemented appropriately.

MDC is committed to providing equal opportunity of access to services, and level of service provided, and to work towards developing communities that are free from discrimination.

- (iii) **Impact on Risk** – If performance is not managed effectively by the Council at both Committee and management level, there is a risk that the Council will not achieve its stated priorities and outcomes.
- (iv) **Impact on Resources (financial and human)** – If action is needed to bring key activities or indicators back on track to meet the targets set, a reallocation of resources may be required to ensure that objectives and priorities are achieved.
- (v) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to:

Paul Dodson, Director of Strategy, Performance and Governance, (Tel: 01621 875756) or
Julia Bawden, Performance and Risk Officer, (Tel: 01621 876223).

Half yearly Review of Performance 2018-19



PLANNING AND LICENSING COMMITTEE

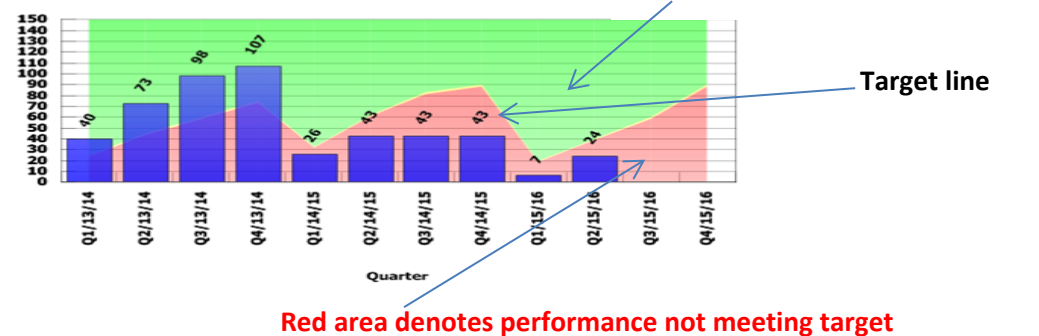
HALF YEARLY REVIEW OF PERFORMANCE 2018 - 19

The performance reports are produced on an “exception” basis; full details will only be included for those activities and indicators which are behind schedule, at risk or not on target

Status Definitions for Key Corporate Activities

At Risk	There are issues which could impact the completion/ achievement of the Key Corporate Activity in the future
Behind Schedule	Target date for completion of the Key Corporate Activity , or milestones upon which activity depends, have not been met
On Track	Work progressing satisfactorily, milestones upon which the activity depends are being met and overall target for completion should be achieved
Completed	Key Corporate Activity completed – no further work required

Example Performance Indicator Graph



Half yearly Review of Performance 2018-19

Corporate Goal - Strengthening communities to be safe, active and healthy

Key Corporate Activities contributing to this goal - 1			
At Risk	Behind Schedule	On Track	Completed
		1	

Service Priorities contributing to this goal – 2			
At Risk	Behind Schedule	On Track	Completed
		2	

Half yearly Review of Performance 2018-19

Corporate Goal - Protecting and shaping the District

Key Corporate Activities contributing to this goal – 7			
At Risk	Behind Schedule	On Track	Completed
2	3	2	

Service Priorities contributing to this goal - 1				
Not started	At Risk	Behind Schedule	On Track	Completed
1				

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
<p>➔ Delivery of the strategic sites as set out in the adopted Local Development Plan for the Maldon District</p>	<p>Strategic Sites have varying timescales as set out in the adopted LDP</p>	<p>Behind schedule</p>	<p>The benchmark timetable for the delivery of the Local Development Plan (LDP) Strategic Sites is the Housing Trajectory set out in Figure 4 (page 24) of the approved LDP.</p> <p>Overall the delivery rate is behind schedule, although some sites are being delivered to the housing trajectory. Therefore the focus has been to work with developers to unlock barriers to commencement and ensure that permissions, in accordance with policy, are in place as early as possible so that delays are minimised.</p> <p>The following sets out the status of each site:</p> <p>Site 2a - South of Limebrook Way The first reserved matters application has been approved for 200 dwellings on the Taylor Wimpey Site. In addition, approval has been given for the site infrastructure works. Work has now started on site. The first reserved matters</p>

Half yearly Review of Performance 2018-19

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
			<p>application for the Crest Nicholson site is expected in early 2019. First completions are anticipated in 2019, which is a year later than the LDP housing trajectory.</p> <p>Site S2b - North of Wycke Hill The Section 106 (S106) is nearing completion. As a land promoter led scheme the site will be marketed to a house builder prior to the submission of reserved matters. This site is behind schedule as the LDP anticipated first completions in 2019 / 20.</p> <p>Site S2c - South of Wycke Hill Linden Homes are on site and first units are now occupied. This site is on schedule to be completed within the 5 year Housing Land Supply period.</p> <p>Site S2d - North Heybridge Countryside has submitted amendments to the existing planning application, and full consultation on those amendments is underway. The application now includes an enhanced onsite Sustainable Drainage Systems (SUDS) and drainage scheme, which incorporates existing watercourses from the north of the site, which were previously captured (if required) and stored in the flood alleviation scheme. This scheme should have the capacity and management systems in place to not increase the likelihood of flooding off site, but also not prejudice and be integrated with further off-site mitigation and alleviation measures. Work continues with partners to review options for further flood mitigation works in the wider area. This site is behind schedule as the LDP anticipated first completions in 2018 / 19.</p>

Half yearly Review of Performance 2018-19

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs "At Risk" or "Behind Schedule"
			<p>Site S2e - Holloway Road Bellway are on site and first completions are due in 2018 / 19. This site is on schedule to be completed within the five year Housing Land Supply period.</p> <p>Site Sf - West of Broad Street Green Road Persimmon on site and first completions during 2018 / 19, which is one year behind the schedule in the LDP. However the development is to be completed within the five year Housing Land Supply period.</p> <p>Site S2g Park Drive Development is now complete.</p> <p>Site S2h Heybridge Swifts This site is stalled. Its trajectory is outside of the five-Year housing supply monitoring period so not critical at this point.</p> <p>Site S2i West of Burnham on Crouch Planning permission has been granted for a S73 application for Barratt Homes / David Wilson Homes for 174 units on the site. Work has started on site. This site is behind schedule as the LDP anticipated a start in 2017 / 18 but it is anticipated to be completed within the 5 year Housing Land Supply period.</p> <p>Site S2j North of Burnham on Crouch West Persimmon on site and aim to complete first units in 2018 / 19, which is one year later than anticipated. However the development is to be completed within the 5 year Housing Land Supply period.</p>

Half yearly Review of Performance 2018-19

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
			Site S2k North of Burnham on Crouch East Taylor Wimpey has registered an option on this site.
→ Co-ordinate delivery, management and maintenance of strategic infrastructure	As set out in the Infrastructure Delivery Plan (2014 to 2029)	Behind schedule	<p>The benchmark timetable for the delivery of the strategic infrastructure is set out in the Infrastructure Delivery Plan, which was updated as part of the Post Examination Modifications to the LDP, published in March 2017.</p> <p>Officers have put in place a mechanism for the programming, coordination and monitoring of infrastructure. This approach is being promoted with Essex County Council and NHS England. A report to the Overview and Scrutiny Committee on 3 October 2018 outlined the approach.</p> <p>South Maldon Garden Suburb S106 contributions have been made towards infrastructure from S2c in accordance with the S106 agreement. The S106 agreement for the Site South of Wycke Hill (1,000 units) has been signed. The delivery of much of the infrastructure is pegged to the delivery of homes (which is 1 year behind schedule) and the timing of payments e.g. towards the South Maldon Relief Road and the new school. Officers are working closely with Essex County Council (ECC) to ensure that when monies are received development of the infrastructure can take place without delay.</p> <p>North Heybridge Garden Suburb Countryside have submitted amendments to the existing planning application which includes provision of infrastructure as set out in the LDP, including a relief road, a primary school, two early years facilities, contributions towards the expansion</p>

Half yearly Review of Performance 2018-19

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
			<p>of Plume School and children and youth facilities. The Council is working with the developers and partners to facilitate the delivery of the scheme and relevant supporting infrastructure, which includes an enhanced onsite SUDS and drainage scheme, which incorporates existing watercourses from the north of the site, which were previously captured (if required) and stored in the flood alleviation scheme.</p> <p>Developers' contributions have been received for infrastructure from Site S2f Broad Street Green Road for health facilities, children's and youth facilities and allotments and from Site S2j North of Burnham on Crouch for health care and youth facilities. Work has started on site S2e in Holloway Road which is also subject to a S106 agreement.</p> <p>Elsewhere, infrastructure has been secured in accordance with the Infrastructure Delivery Plan and LDP through S106 agreements, or heads of terms.</p> <p>The timing of delivery of infrastructure is dependent on the delivery of the related sites, due to the trigger mechanisms in the S106 Agreements.</p>

Half yearly Review of Performance 2018-19

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs "At Risk" or "Behind Schedule"
➔ Influence and co-ordinate partners to prioritise and deliver flood relief projects for identified surface and coastal flooding risk areas in District	March 2019	North Heybridge Flood Alleviation Scheme At risk	<p>North Heybridge Flood Alleviation Scheme (FAS) The developers have now submitted a new planning application without FAS to be considered in the near future. Maldon District Council (MDC) is currently working with Environment Agency (EA) Projects Board to establish alternative options for flood alleviation in North Heybridge. This is an EA led project. The Working Group (consisting of the EA with relevant stakeholders) is working towards a preferred option. Once this process is complete the delivery of this will rely on partnership contributions which will form part of the ongoing discussions. In light of the above, the status of this scheme is considered to be "At risk".</p>
		CDA 2 Scheme Brickhouse Farm Behind schedule	
		CDA1 West Maldon Not being taken forward	
		CDA3 and Masterplan Area On track	
			<p>Brickhouse Farm Scheme A new proposal is being discussed for the delivery of an alternative scheme in a different location in the open space. The scheme will enable retention of the allotments where they currently are. Further detailed monitoring has taken place and a Technical Memo of the outline design has been received. A report went to full Council in December 2018. Status is shown as behind schedule, but the aim is to commence project within this financial year.</p> <p>West Maldon (CDA1) ECC have now formally noted that due to inadequate cost/benefit the scheme is unlikely to attract government funding and will not go ahead. The Council will continue to seek funding opportunities as they arrive.</p>

Half yearly Review of Performance 2018-19

Service Priorities	Target Date	Status as at end of Q2	Comments for Service Priorities “At Risk” or “Behind Schedule”
Establish management plans with community groups re management /maintenance of open spaces at Prom Park	March 2019	Not started	<p>This Service Priority is also covered within the Central Area Master Plan.</p> <p>The Promenade Park Management Plan is awaiting the outcome of a development opportunity.</p>

Half yearly Review of Performance 2018-19

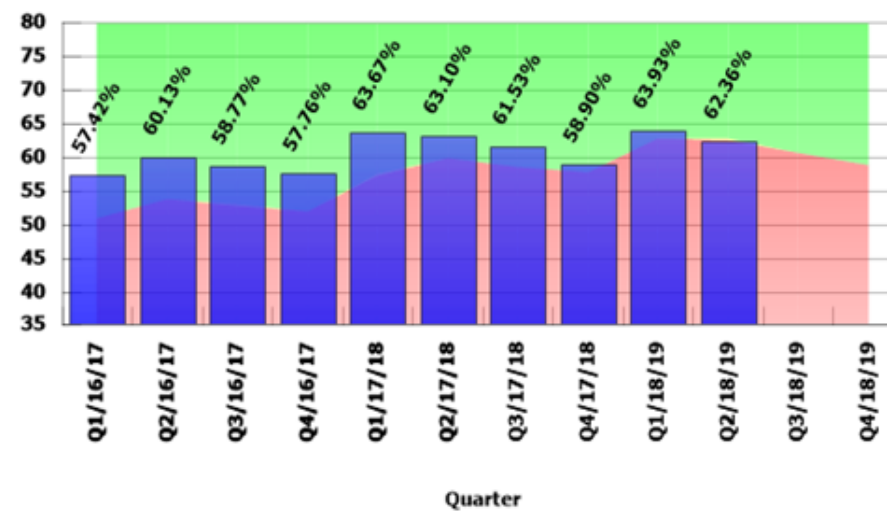
Indicators - For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target achieved
Total household waste arising per household Low performance is good	824 kgs. per household	750 kgs. per household	Monitored on an annual basis				Not applicable
Residual household waste per household Low performance is good	339 kgs. per household	340 kgs. per household	Monitored on an annual basis				Not applicable
Percentage of household waste sent for reuse, recycling and composting (including separate green waste) High performance is good	58.93%	59%	62.86%	63.93%	60.55% (provisional)	62.36% (provisional)	At risk

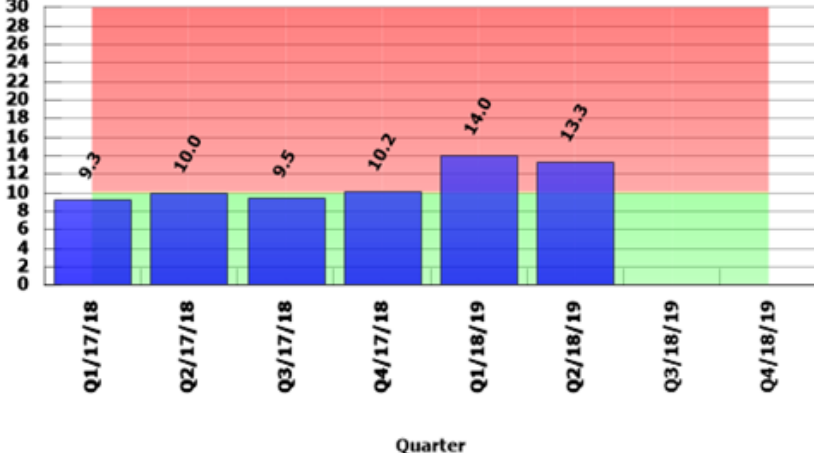
Half yearly Review of Performance 2018-19

Comment on current performance

This figure is lower than last year due to the very dry summer and a 400 tonne drop in garden waste.



Half yearly Review of Performance 2018-19

Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target achieved																		
Average number of justified missed collections per collection day Low performance is good	10.22	<10 per collection day	10.75	14	12.6	13.3	At risk																		
<u>Comment on current performance</u> The figure is high due to a higher than normal rate of vehicle breakdowns particularly during the first quarter. This has now been addressed by the contractor with additional resources brought in to support the contract.			 <table><caption>Average number of justified missed collections per collection day by quarter</caption><thead><tr><th>Quarter</th><th>Value</th></tr></thead><tbody><tr><td>Q1/17/18</td><td>9.3</td></tr><tr><td>Q2/17/18</td><td>10.0</td></tr><tr><td>Q3/17/18</td><td>9.5</td></tr><tr><td>Q4/17/18</td><td>10.2</td></tr><tr><td>Q1/18/19</td><td>14.0</td></tr><tr><td>Q2/18/19</td><td>13.3</td></tr><tr><td>Q3/18/19</td><td></td></tr><tr><td>Q4/18/19</td><td></td></tr></tbody></table>					Quarter	Value	Q1/17/18	9.3	Q2/17/18	10.0	Q3/17/18	9.5	Q4/17/18	10.2	Q1/18/19	14.0	Q2/18/19	13.3	Q3/18/19		Q4/18/19	
Quarter	Value																								
Q1/17/18	9.3																								
Q2/17/18	10.0																								
Q3/17/18	9.5																								
Q4/17/18	10.2																								
Q1/18/19	14.0																								
Q2/18/19	13.3																								
Q3/18/19																									
Q4/18/19																									
Total number of homes delivered High performance is good	166	310	Monitored on an annual basis				Not applicable																		

Half yearly Review of Performance 2018-19

Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target achieved
Total number of affordable homes delivered (through legal agreements and other means) <i>High performance is good</i>	25	130	Monitored on an annual basis				Not applicable
Total number of long term (i.e. longer than 6 months) empty homes in the District <i>Low performance is good</i>	194 as at 31/3/18 (of which 29 have been empty in excess of 5 years)	Not applicable	Monitored on an annual basis				Not applicable
Number of long term empty homes as a % of total stock *Source: MHCLG – Maldon: Total stock figure as at 1/4/2017 (28,070); Long Term Vacant properties as at 02/10/17 (213) England: Total stock figure as at 1/4/2017 (23,950,000); Long Term Vacant properties as at 02/10/17 (205,293) <i>Low performance is good</i>	0.76% *	< national average 2017 0.86%	Monitored on an annual basis				Not applicable

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Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY

Key Corporate Activities contributing to this goal - 12				
Not started	At Risk	Behind Schedule	On Track	Completed
5		1	6	

Service Priorities contributing to this goal - 2			
At Risk	Behind Schedule	On Track	Completed
	1	1	

Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs "At Risk" or "Behind Schedule"
➔ Work with local businesses and agencies to prepare for/implement projects for the following Central Area Masterplan sites: <ul style="list-style-type: none"> a) Lower High Street b) Butt Lane Car Park c) Hythe Quay Improvements d) Maldon Riverside Path e) The Causeway Corridor f) North Quay Regeneration g) Former Wyndeham Heron premises h) Destination Hub – Promenade Park/Hythe Quay i) Promenade Park Management Plan 	March 2019	a) Behind schedule	Lower High Street At a meeting of the Masterplan Delivery Group on 2 October 2018 it was agreed to prepare an Engagement Strategy by 26 October 2018. This will take into account the widening scope of Project 2 in the light of the probable AQMA (Air Quality Management Area) being declared on Market Hill that may have implications for traffic flows to and from the town and the consequent impact on CAMP Project 1 Upper High Street Improvements and access to the Lower High Street. CAMP Project 3 Butt Lane Car Park (CP) also comes into play with the potential re-location of the town market to the Lower High Street environs. Engagement will commence on 29 October - mid January 2019 based on the agreed timeline in the Engagement Strategy taking into account the widened scope of Project 2.
		b) On track	
		c) Not started	
		d) Not started	
		e) Not started	
		f) On track	
		g) Not started	
		h) On track	
		i) Not started	

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Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
			<p>A Gateway Review is scheduled for late January 2019.</p> <p>A Masterplan presentation was undertaken to Maldon Business Hub on 5th December 2018 to assist with implementing the Engagement Strategy to engage with local businesses.</p> <p>Hythe Quay Businesses and operators on Hythe Quay will be involved as part of the Engagement Strategy for CAMP Project 2 Lower High Street and the link between Hythe Quay/Promenade Park with the Lower High Street.</p> <p>Maldon Riverside Path Engagement with Carr's Flour Mill and Maldon Crystal Salt Company have realised support for CAMP Project 5 for interpretation boards along the route and potential enhanced access to the riverside route when this project commences.</p> <p>Causeway Corridor Condition 24 to FUL/MAL/18/00407 (new 60-bed hotel on Aquila site) has secured delivery of the Strategic Landscaping and Public Realm Strategy for the Causeway Corridor prior to occupation of the hotel to facilitate enhancements, beyond the hotel site, which will ensure that the development is integrated within and coordinated with the enhanced environment envisaged for the Causeway</p>

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Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs “At Risk” or “Behind Schedule”
			<p>area. This would have benefits for both the character and appearance of the development proposed and maximise the attraction of the hotel to visitors to the District, in accordance with Policies D1 and E5 of the adopted Maldon District Replacement Local Plan and the NPPF.</p> <p>Heybridge Creek Improvements This has now been incorporated into the North Quay Regeneration project with Heybridge Creek Connections. The North Quay Regeneration Area has been widened and re-defined.</p> <p>Former Wyndeham Heron premises Delivery of this project is depended upon the future use of the site and the findings of the Causeway Strategic Flood Review, which should be completed by Summer 2019. The premises are currently in use for a local business.</p> <p>Promenade Park The Promenade Park Management Plan is awaiting the outcome of a development opportunity. Meeting scheduled for late October to inform progress.</p> <p>A Masterplan presentation was undertaken to the Car Park Charges Stakeholder Group on 27th November 2018 setting out the Car Parking Strategy within the Masterplan to formalise the Prom Park CP and facilitate ‘Park & Stride’ as Prom Park Car Park</p>

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Key Corporate Activities (KCAs)	Target Date	Status as at end of Q2	Comments for KCAs "At Risk" or "Behind Schedule"
			only 10 min walk to Town Centre and extend route of existing Park and Ride facility.

Service Priorities	Target Date	Status as at end of Q2	Comments for Service Priorities "At Risk" or "Behind Schedule"
<p>➔ Develop inward investment offer for new businesses looking to start/grow a business in the District</p>	September 2018	Behind schedule	<p>Work to identify a clear offer to businesses including land availability, business support, connectivity and work with Invest Essex to produce a suitable attractive inward investment prospectus for Maldon District and update website accordingly - currently on hold until after completion of North Essex Energy Group (NEEG) Coast brochure - see below.</p> <p>Working with the North Essex Energy Group to produce an Essex Energy Coast Brochure. This brochure was to be launched at an Essex and Suffolk supply chain event held on 1 November 2018 and the NEEG annual conference held on 28 November, but as it was not ready, a shorter flyer was produced. The final NEEG brochure is in the process of finalisation and will be released shortly. Development of the Maldon specific brochure will follow.</p> <p>Update of Economic Prosperity Strategy (EPS) currently on hold pending the outcome of work on the new Corporate Plan which will have impact on focus of the EPS.</p>

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Corporate Goal - Delivering good quality, cost effective and valued services

Key Corporate Activities contributing to this goal - 6			
At Risk	Behind Schedule	On Track	Completed
		5	1

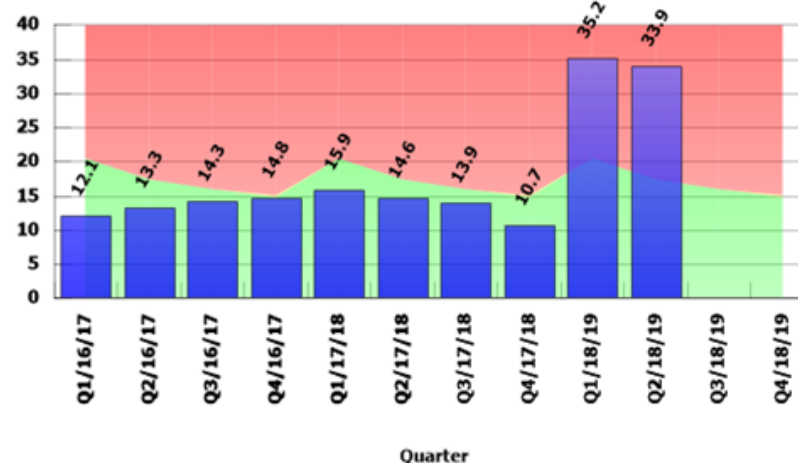
Service Priorities contributing to this goal - 3			
At Risk	Behind Schedule	On Track	Completed
		3	

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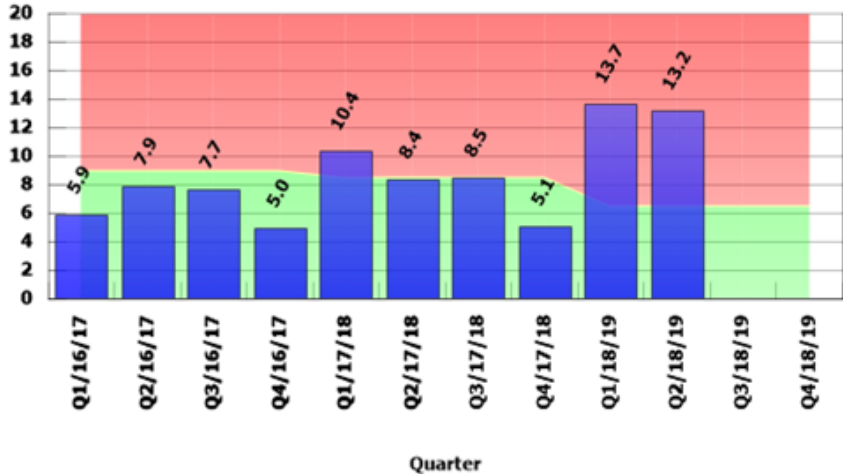
Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target
Time taken to process Housing Benefit/Council Tax Support new claims Low performance is good Comment on current performance We are continuing to embed additional measures as previously outlined in addition to ensuring that specific resource is focussed on prioritising new claims. We continue to monitor the situation regularly and as a result performance for September alone was just under 31 days. This represents an improvement of ten days compared to June when the performance was 42 days.	10.72 days	15 days	13.1 days	35.2 days	32.94 days	33.9 days	At risk
Time taken to process Housing Benefit/Council Tax Support change of circumstances Low performance is good	5.09 days	6.5 days	6 days	13.7 days	12.69 days	13.2 days	At risk



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Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target
<p>Comment on current performance</p> <p>We are continuing to embed additional measures as previously outlined and continue to monitor the situation regularly. As a result performance for September alone was 10.5 days.</p> <p>This represents an improvement of 8 days compared to the outcome for June when the performance was 18.75 days.</p>				 <p>Quarter</p>			
<p>➔ % of minor planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	75%	95%	67.67%	79.57%	79.76%	79.66%	No
<p>➔ % of other planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	70.76 %	95%	63.4%	87.18%	85.42%	86.33%	No

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Indicator	17/18 Actual	18/19 Target	Q2 17/18	Q1 18/19	Q2 18/19	Cumulative For the Year 18/19	On track to achieve annual target
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Comment on current performance

These indicators were introduced in 2016/17 at a time when there were issues within Planning and concerns raised by Members with the time taken to validate/acknowledge applications. Since then there has been a significant improvement in performance as follows:

	2016/17	2018/19 (year to date)
% of major planning applications acknowledged within 10 working days	89.47%	96.3%
% of minor planning applications acknowledged within 5 working days	54.57%	79.66%
% of other planning applications acknowledged within 5 working days	55.75%	86.33%

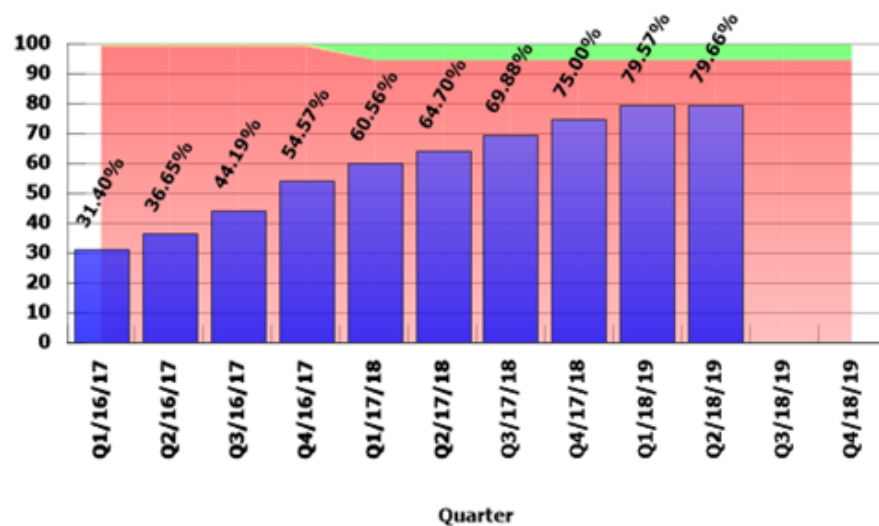
However, performance for minor and other applications is still below the target set of 95%. Government guidance (Development Management – Good Practice Guide) in relation to validation suggests targets of:

- 85% of applications validated within 6 working days and
- 95% of applications validated within 10 working days of receipt of the application.

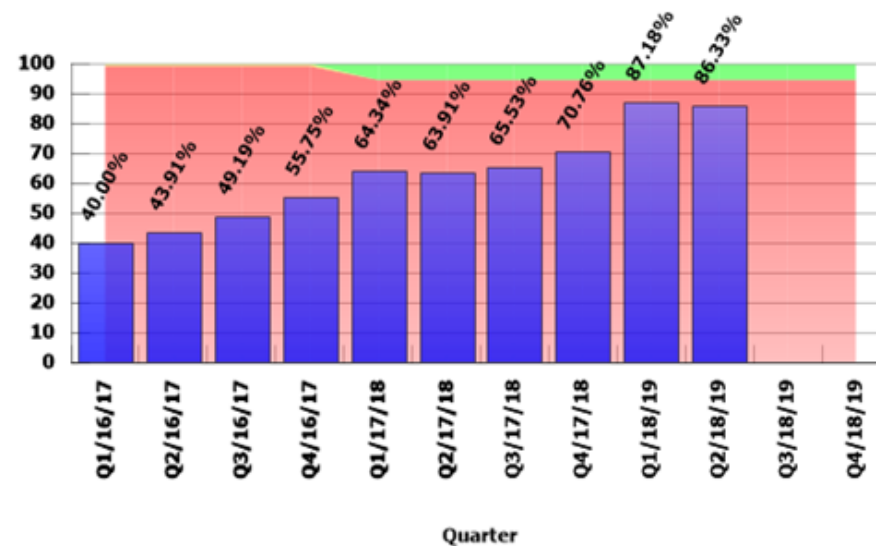
It is therefore being proposed that these indicators and targets are amended to align with the Government guidance.

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% of minor planning applications acknowledged within 5 working days



% of major planning applications acknowledged within 10 working days





REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2019**

DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS (DEFRA) NET GAIN CONSULTATION PROPOSALS

1. PURPOSE OF THE REPORT

- 1.1 The Department for Environment, Food and Rural Affairs (DEFRA) is consulting on proposals to mandate biodiversity net gain for development requiring planning permission. This report sets out a draft response (at **APPENDIX 1**) to the consultation, which closes on 10 February 2019.

2. RECOMMENDATIONS

- (i) That Committee's views are sought on the DEFRA Net Gain consultation proposals;
- (ii) That the draft response (**APPENDIX 1**) is revised to take into account views of the Committee and approved by Officers in Consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the Consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 The National Planning Policy Framework (NPPF) requires that '*planning policies and decisions should contribute to and enhance the natural and local environment by...minimising impacts on and providing net gains for biodiversity*' (paragraph 170d). The DEFRA Net Gain proposals provide a mechanism to achieve this. As voluntary / pilot schemes have not been effective, DEFRA propose to make the concept of biodiversity net gain mandatory through legislation.
- 3.2 The basic premise is that the biodiversity value of a site is assessed before the development scheme is designed, and the biodiversity value of the designed scheme is similarly assessed, and the difference between the two is either a net gain, neutral impact or a net loss of biodiversity. This is expressed in terms of 'biodiversity units'. Where a net loss is identified, the scheme should be redesigned to overcome the deficiency. In the scheme, net gain on site has the highest priority. Where this is not possible, additional 'biodiversity units' should be created in the locality to compensate for the loss. If this is not achievable, the consultation proposes that a tariff be charged to enable biodiversity units to be provided elsewhere. The diagram overleaf illustrates how the proposals could work.

How our proposals for biodiversity net gain work in practice

The scenarios show the broad mechanisms through which a residential development could achieve biodiversity net gain under the policy proposals.

The same principles could apply for wider development and construction.

SCENARIO A

The developer is able to avoid harm, mitigate and enhance on site.



SCENARIO B

The developer is unable to avoid, mitigate and compensate all impacts on site, but is able to secure local compensatory habitat creation.



SCENARIO C

The developer is unable to avoid, mitigate and compensate on site, and unable to find local compensatory habitat to invest in. The tariff is therefore used to fund cost-effective habitat creation projects according to local and national conservation and natural capital priorities.



- 3.3 DEFRA propose that the 'DEFRA metric,' a software programme that is currently being updated by Natural England, be used to calculate the biodiversity units for this process. Using a national metric will provide consistency across the country, setting

out clear and certain obligations, reducing the time spent in disputes over methodology. One national metric would also be easier to update and upgrade, thus improving the evidence base over time.

- 3.4 The proposals recognise that the biodiversity net gain will not necessarily result in like-for-like habitat replacement; it could be another type of habitat on site, nearby, or elsewhere in the country.
- 3.5 Providing biodiversity net gain on site should be encouraged, and the use of one national metric is a logical approach to provide transparency and consistency between developments. However, there are potential pitfalls with the off-site provision of compensatory habitats and the tariff elements of the proposals.
- 3.6 Where net gain for biodiversity cannot be delivered on site, it is possible to create or enhance other sites to achieve biodiversity net gain. The uncertainty of this approach is recognised in the consultation, as habitat creation or enhancement is not easy and the outcomes are uncertain. In addition, an adequate supply of high quality local compensatory habitat sites would be needed. Developers could source the required biodiversity units from another site the developer owns, directly from a landowner, via a land broker or a habitat bank. Habitat banks provide a market-based solution, whereby developer contributions can be combined towards larger scale green infrastructure, providing a simple process for developers and a commercial opportunity for land owners and brokers in conservation activity. It is suggested that mandating net gain will stimulate the establishment and growth of local habitat creation markets, which will trade biodiversity units.
- 3.7 Where on site net biodiversity gain or compensatory habitats are not deliverable, the consultation proposes that developers could pay a tariff. The tariff rate would be set above the cost of onsite provision or local biodiversity units to disincentivise developers from automatically going down the tariff route. This consultation asks whether this tariff should be collected locally (at the point of planning permission being granted) or nationally, and whether it should be spent locally, nationally or a mixture of both.
- 3.8 Legally, planning obligations have to relate directly to the development proposed and be necessary to make the development acceptable in planning terms, as well as being fairly and reasonably related in scale and kind to the development. It is arguable whether biodiversity tariffs collected from development in one location and spent to create habitat elsewhere would meet the legal tests for planning obligations (Reg. 122(2) Community Infrastructure Levy (CIL) Regulations).
- 3.9 There is concern regarding the level the tariff is set at. It needs to be high enough to deliver the necessary number and quality of biodiversity units, but not so high as to make development unviable. The proposals recognise this issue. Theoretically, if the scheme operates as expected, few developers would end up paying the tariff. However, mandatory net biodiversity gain would add to the list of planning obligations on development and may result in some sites not coming forward because of viability. Part of the consultation asks what types of development should be within the remit of the mandatory scheme.

4. CONCLUSION

- 4.1 DEFRA is proposing to introduce legislation to mandate net biodiversity gain in new developments. The Net Gain consultation seeks local authority and development industry input into setting out the parameters for a future scheme. Officers have drafted a response to the consultation (**APPENDIX 1**) for Members' consideration.

5. IMPACT ON CORPORATE GOALS

- 5.1 Mandatory net biodiversity gain could contribute towards the corporate goal of protecting and shaping the district. However, if the requirement was set too high, it could adversely impact goal of creating opportunities for economic growth and prosperity.

6. IMPLICATIONS

- (i) **Impact on Customers** – The achievement of net biodiversity gain will create better, greener places to live, improving the quality of life for residents. Introduction of mandatory biodiversity net gain will impact on developers either through changing how they design development, or through payment of a tariff where net gain cannot be achieved.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – If the tariff is to be collected and spent locally this will place additional administrative and financial reporting burdens on the Council. Habitats data and mapping at the national and local scale will need to be significantly improved to create a robust baseline for assessing biodiversity gain over time. Ecologists will be required to monitor the on and off site biodiversity provision to ensure that it is delivered and maintained in the long term. These additional requirements will need resourcing.
- (v) **Impact on Resources (human)** – The application of the DEFRA metric will require staff training on the metric. The application of the net biodiversity net gain requirement will increase the processes involved in determining planning applications and development monitoring.
- (vi) **Impact on the Environment** – The achievement of net biodiversity gain on development will have a positive impact on the environment. Whether the net gain is delivered locally or not will depend on the final scheme.

Background Papers:

DEFRA Net Gain Consultation Proposals December 2018 available at <https://consult.defra.gov.uk/land-use/net-gain/> (located at the foot of the web page).

Enquiries to: Leonie Alpin, Planning Policy Officer, (Tel: 01621 876278).

Maldon District Council draft response to the Department for Environment, Food and Rural Affairs (DEFRA) Net Gain Consultation Proposals

Please note, it is not proposed that the Council make a response to all the consultation questions.

Consultation Question	Draft Maldon District Council Response
1. Should biodiversity net gain be mandated for all housing, commercial and other development within the scope of the Town and County Planning Act?	Biodiversity net gain is already a provision in the National Planning Policy Framework (NPPF) (para. 170(d)). It is not necessary to mandate this through legislation.
2. What other actions could government take to support the delivery of biodiversity net gain?	<p>Clear practical guidance on net biodiversity gain and using the DEFRA metric could be just as effective.</p> <p>Clear definitions of what a biodiversity unit is, how it differs for different habitat types and how different habitat types are valued, are essential.</p> <p>Additional resources to Councils to aid delivery and financial incentives to landowners to deliver improvements outside of the planning system.</p>
<p>3. Should there be any specific exemptions to any mandatory biodiversity net gain requirement (planning policies on net gain would still apply) for the following types of development? And why?</p> <p>a) House extensions b) Small sites c) All brownfield sites d) d. Some brownfield sites (e.g. those listed on brownfield, or other, land registers)</p>	<p>a) House extensions should be exempt as their impact on biodiversity will be de minimis.</p> <p>b) Small sites, no, these should not be exempt. In Maldon District the majority of development sites are small (under 10 dwellings) and often in rural / semi-rural locations with potentially high biodiversity value. Therefore if small sites were exempt the loss of biodiversity caused by development would not be mitigated or compensated for.</p> <p>However, there is a concern that a new net gain requirement will affect the viability of small sites.</p> <p>What constitutes a small site needs to be defined.</p> <p>c) All brownfield sites – no, these should not be exempt. Brownfield sites can have considerable biodiversity value which should not be ignored – ‘open mosaic habitats on previously developed land’ is a habitat of principal importance (listed under s41 Natural Environment & Rural Communities Act 2006.).</p> <p>Brownfield sites are often in areas which could benefit the most from provision of green spaces. However, if the requirement / tariff is set too high</p>

Consultation Question	Draft Maldon District Council Response
	<p>brownfield sites, which are often marginally viable, will not be re-developed.</p> <p>d) Some brownfield sites – no these should not be exempt. Brownfield sites can have considerable biodiversity value which should not be ignored - ‘open mosaic habitats on previously developed land’ is a habitat of principal importance (listed under s41 Natural Environment & Rural Communities Act 2006.).</p> <p>Brownfield sites are often in areas which could benefit the most from provision of green spaces. However, if the requirement/tariff is set too high brownfield sites, which are often marginally viable, will not be re-developed.</p> <p>In Maldon District the sites on the brownfield register already have planning permission, so would not fall within the remit of this proposal.</p>
<p>4. Are there any other sites that should be granted exemptions, and why? For example, commercial and industrial sites.</p>	<p>No. Commercial and industrial sites can be land hungry and often have significant potential for biodiversity gain, for example through tree planting in car parks, or boundary landscaping schemes. The scales of industrial or commercial schemes also offer the potential to provide significant areas of green roofs. This would be particularly important in areas where new commercial developments are being built on greenfield sites or brownfield sites to enhance connectivity.</p>
<p>5. As an alternative to an exemption, should any sites instead be subject to a simplified biodiversity assessment process?</p>	<p>Further details would be required on a simplified assessment process – any alternative must ensure that relevant biodiversity information is gathered and appropriate mitigation sought where necessary.</p> <p>The simplified process should not automatically lead to off-site provision, as is implied on page 25-26 of the consultation document. This could lead to local biodiversity loss without appropriate mitigation or compensatory schemes being implemented.</p>
<p>6. Do you agree that the DEFRA metric should allow for adjustments to reflect important local features such as local sites?</p> <p>Should the DEFRA metric consider local designations in a different way?</p>	<p>Yes, the DEFRA metric should reflect locally important features such as locally designated sites, ancient woodlands and veteran trees to ensure that locally important wildlife sites are recognised in the metric, as they are in Local Plan policies.</p>

Consultation Question	Draft Maldon District Council Response
7. Should local authorities be required to adopt a robust district level licensing approach for great crested newts, where relevant, by 2020?	No. The current approach: some local authorities have established district level partnerships which work well, whilst others have chosen to use alternative methods which have also proven effective. In Essex, authorities are awaiting the outcome of Natural England's survey work prior to considering which type of approach would work best (see Planning and Licensing Committee report 19 July 2018, Minute No. 292 refers).
8. For what species is it plausible to use district level or strategic approaches to improve conservation outcomes and streamline planning processes? Please provide evidence.	No comment.
9. Are there wider elements of environmental net gain that could be better incentivised? If so, please specify which, and any benefits that such incentives could provide.	<ul style="list-style-type: none"> • The energy efficiency of buildings can be incentivised through building regulations. • The quality of building materials can be improved through British Standards. <p>These would provide national standards that would apply to all new build and would be implemented consistently across the construction sector.</p> <ul style="list-style-type: none"> • Greater central government funding for small scale renewables. <p>This would enable residents and communities to contribute towards increasing environmental net gain locally and reducing carbon emissions.</p>
10. Is the DEFRA biodiversity metric an appropriate practical tool for measuring changes to biodiversity as a result of development?	It seems sensible to have a nationally designed metric that would enable calculations to be clear and transparent, to reduce disagreements at the local level about methodology and outcomes.
11. What improvements, if any, could we most usefully make to the DEFRA metric?	No comment.
12. Would a mandatory 10% increase in biodiversity units be the right level of gain to be required?	The 10% increase in biodiversity gain needs to be evidenced by DEFRA. The cost of +10% could vary significantly across the country, affecting viability considerably in different places. An alternative would be to use a similar approach to that used for water standards where you apply it if there is evidence to support it, and it is applied through the Local Plan. The cost would be tested as part of Whole Plan Viability to ensure there are no adverse impacts on development at a plan level.

Consultation Question	Draft Maldon District Council Response
13. In clearly defined circumstances, should developers be allowed to pay through the tariff mechanism without fully exhausting on-site and local compensation opportunities?	<p>No. The presumption that on-site provision takes priority is paramount. The net gain requirement could use the same approach as in the NPPF para. 62 for affordable housing: this is a well-established approach and in most cases on site is the preferred and accepted route.</p> <p>Further information would be required on the type of defined circumstances and where the contributions would be spent: All planning obligations must meet the three tests for planning obligations in the Community Infrastructure Levy Regulations 2010. The use of any financial contributions would need to be in the local area of the biodiversity loss in order to meet the three tests for planning obligations set out in Regulation 12292) of the Community Infrastructure Levy (CIL) Regulations 2010:</p> <ol style="list-style-type: none"> 1. Obligations are necessary to make the development acceptable in planning terms; 2. Obligations are directly related to the development; 3. Obligations are fairly and reasonably related in scale and kind to the development.
14. Would this be an appropriate approach to directing the location of new habitat?	<p>The scheme should prioritise on site habitat provision, followed by local provision. The net gain requirement could use the same approach as in the NPPF para. 62 for affordable housing: this is a well-established approach and in most cases on site is the preferred and accepted route.</p>
15. How could biodiversity assessments be made more robust without adding to burdens for developers or planning authorities?	<p>Requiring persons completing assessments to be a competent individual, qualified in a relevant discipline will add an element of quality control to assessments.</p> <p>Requiring biodiversity assessments to be written in Plain English, to ensure that they are easy to understand would assist developers, planning authorities and the public to understand the assessment and its implications.</p>
16. Should a baseline map of broad habitats be developed?	<p>Yes, this would be extremely helpful. Local authorities do not necessarily have access to the level of detail required on a district wide scale to assess loss/gain of biodiversity.</p> <p>However, it does not need to be a new standalone map. All Local Planning Authorities (LPAs), developers, landowners and communities have access to Magicmap which contains many relevant layers.</p>

Consultation Question	Draft Maldon District Council Response
	Adding to this would ensure the baseline line is consistent with existing data and available in an easy to understand format.
<p>17. Should this be applied, as a minimum baseline, to:</p> <p>a) net gain calculations for all development?</p> <p>b) net gain calculations in cases of suspected intentional habitat degradation?</p>	<p>Yes to both. Setting a 'fixed temporal baseline' (see page 33 consultation document) that is applied to all net gain calculations will make the process more open and transparent.</p>
<p>18. What other measures might reduce the risk of incentivising intentional habitat degradation?</p>	<p>It would be difficult to prove that habitat loss had been intentional or as a result of legitimate land use decisions. Therefore in both cases, the baseline map of broad habitats could be used for the baseline data for the assessment in cases where habitat loss had occurred just prior to development. But local authorities must be confident that the baseline map is robust and up to date. The baseline map would need to be reviewed periodically to ensure that it is kept up to date.</p>
<p>19. How can the risks of penalising landowners making legitimate land use change decisions before deciding to sell their land for development be mitigated?</p>	<p>It would be difficult to prove that habitat loss had been intentional or as a result of legitimate land use decisions. Therefore in both cases, the baseline map of broad habitats could be used for the baseline data for the assessment in cases where habitat loss had occurred just prior to development.</p>
<p>20. The provision of compensatory habitats will need to be guided by habitat opportunity maps. At what scale should these maps be developed?</p> <p>a) Locally (e.g. local authority or National Character Area)</p> <p>b) b. Nationally (i.e. England) as a national framework to be refined, updated and amended locally</p>	<p>a) Locally at a local authority and county/regional level. This will ensure that compensatory habitats are provided locally to the development, consistent with the CIL Regulations. The risk of having habitat opportunity maps drawn up at a national scale is that at the local level the maps would be too generic to be of any help.</p>
<p>21. What other measures should be considered to identify biodiversity and natural capital priorities?</p>	<p>Some areas have county level Biodiversity Action Plans (BAP), such as the Essex BAP, and/or county/local Green Infrastructure Strategies which identify nationally or locally significant habitat and species, with associated action plans. These evidence base documents will also identify projects where compensatory provision and/or tariff can be delivered.</p> <p>Some areas have Biological Records Offices / Centres, such as the Kent and Medway Biological Records Centre that collates habitat and species</p>

Consultation Question	Draft Maldon District Council Response
	records at a county level, providing an easily accessible resource for developers and local authorities.
22. Would mandating net gain through the planning system be enough to stimulate the growth of a market for biodiversity units?	If the scheme followed the established principal of delivering planning obligations on site, the proposed tariff scheme is unlikely to generate sufficient cash to stimulate the growth of a market for biodiversity units.
23. What further measures would help to ensure that the market provides: a) Sufficient biodiversity units for development? b) b. Cost-effective biodiversity units?	<p>Clear guidance is needed on what a biodiversity unit is, its dimensions for different habitat types and whether different habitats have different values.</p> <p>Clear costings based on actual examples are required.</p> <p>There needs to be a national registry and mapping system to ensure that biodiversity units are not used for more than one development.</p> <p>Clear guidance on what can / cannot count toward the net gain requirement.</p>
24. Should there be a minimum duration for the maintenance of created or enhanced habitats?	Yes. As this will apply to housing and other forms of development, which are permanent land uses, the maintenance of created or enhanced habitats should also be permanent. Provision should be maintained in perpetuity. This approach is consistent with that taken to the maintenance of other forms of green infrastructure, and Natural England's guidance on such matters.
25. If so, what should the minimum duration be? a) Less than 25 years b) 25 to 30 years c) Longer than 25-30 years d) Permanent	d) As this will apply to housing and other forms of development, which is are permanent land uses, the maintenance of created or enhanced habitats should also be permanent. Provision should be maintained in perpetuity. This approach is consistent with that taken to the maintenance of other forms of green infrastructure, and Natural England's guidance on such matters.
26. Would conservation covenants be useful for securing long term benefits from biodiversity net gain or reducing process and legal costs?	<p>For on-site provision, many authorities, including Maldon District Council, have established through the Section 106 process procedures to ensure maintenance and monitoring of greenspace and landscaping in perpetuity, which can be applied to habitat creation and maintenance.</p> <p>Conservation covenants may be appropriate for off-site provision.</p>
27. What safeguards might be needed in the implementation of conservation covenants?	No comment.

Consultation Question	Draft Maldon District Council Response
<p>28. Does this proposed range for tariff costs fit with the principles set out in this section?</p>	<p>Without knowing how much each biodiversity unit costs to create and maintain, and whether different habitat types have different unit values and creation costs it is impossible to comment on whether the tariff level would be appropriate to provide the expected biodiversity gain. It is not clear how the DEFRA proposed tariff range of £9,000 - £15,000 is calculated. Tariff costs should be set locally to reflect local costs and local evidence – these will vary across the country.</p> <p>However, it would appear that the proposed tariff range could be significantly larger than CIL. The level of tariff must be subject to robust viability testing.</p> <p>The NPPF requires that all costs associated with development are identified in a Local Plan and tested through Whole Plan Viability. Any tariff should follow the same process and be introduced through Local Plans and review. The National Planning Policy Guidance (NPPG) on planning obligations states that ‘Policies for seeking planning obligations should be set out in a Local Plan, neighbourhood plan and where applicable in the London Plan to enable fair and open testing of the policy at examination,’ (Paragraph: 003 Reference ID: 23b-003-20150326) and ‘planning obligations must be fully justified and evidenced’ (Paragraph: 004 Reference ID: 23b-004-20150326).</p>
<p>29. Would this proposed range for tariff costs provide opportunities for cost-effective habitat banks and compensation providers to compete?</p>	<p>Without knowing how much each biodiversity unit costs to create and maintain, and whether different habitat types have different unit values and creation costs it is impossible to comment on whether the tariff level would be appropriate to provide the expected biodiversity gain. It is not clear how the DEFRA proposed tariff range of £9,000-£15,000 is calculated. Tariff costs should be set locally to reflect local costs and local evidence – these will vary across the country.</p> <p>If land purchase is required for habitat creation, how will the tariff rate account for differing land values across the country?</p>

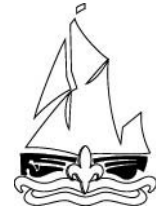
Consultation Question	Draft Maldon District Council Response
<p>30. Do you agree with the proposed principles for setting the tariff rate, as set out in this section? Please suggest any other factors that should be taken in to account.</p>	<p>The priority should always be on-site provision, followed by local off site compensation, and only if the opportunities for these have been exhausted should a tariff payment be permitted.</p> <p>It would appear that the proposed tariff range could be significantly larger than CIL. The level of tariff must be subject to robust viability testing.</p>
<p>31. How should the tariff revenue be collected?</p> <ul style="list-style-type: none"> a) Locally (e.g. through a local authority) b) Nationally (e.g. through Natural England or another national body) c) Other, please specify 	<p>a) The tariff could be collected locally by the LPA granting planning permission. However there is a risk that if collected by each LPA for their area, the administration costs will be out of proportion to the amount collected. An alternative option would be collection by an accountable body across a number of local authorities. This would enable economies of scale to be achieved in the administrative function, but still ensure that biodiversity gain was kept relatively locally.</p>
<p>32. How should the tariff revenue be spent?</p> <ul style="list-style-type: none"> a) Locally (e.g. through a local authority) b) Nationally (e.g. through Natural England or another national body) c) Through a blended model, allowing spending at both levels d) Other, please specify 	<p>The revenue must be ring fenced for biodiversity gain and spent locally.</p> <p>The creation of new habitat would need to be in the local area of the biodiversity loss in order to meet the three tests for planning obligations set out in Regulation 12292) of the CIL Regulations 2010:</p> <ol style="list-style-type: none"> 1. Obligations are necessary to make the development acceptable in planning terms; 2. Obligations are directly related to the development; 3. Obligations are fairly and reasonably related in scale and kind to the development. <p>Remote habitat creation would not pass the three tests – it would not solve the reduction of biodiversity / habitats on site; it would not be directly related to the development, and; the creation of habitat elsewhere may not be of the same kind of habitat lost to the development. Habitat creation in Northumberland, for example, would not compensate for the type of biodiversity loss in Essex.</p> <p>If the tariff is paid ‘upon receipt of planning permission’ (page 26 of the consultation document), can the developer reclaim the money if the development does not go ahead?</p> <p>If the required biodiversity units are not delivered within a set period of time, can the developer reclaim the money?</p>

Consultation Question	Draft Maldon District Council Response
33. If tariff revenue is collected and spent nationally, should spending prioritise areas which have contributed the most through biodiversity net gain tariff payments?	No. This will not be a fair and equitable system. It is likely that most development will take place in certain parts of the country, therefore those will be the areas that would be prioritised for most tariff payments. Those areas should get the funding generated by those developments only - Money raised locally should be spent locally. Otherwise areas with lower levels of development will be penalised with the areas needing resourcing just as much as those areas experiencing high levels of growth. Creating habitat in one area of the country will not compensate for habitat loss in another.
34. What further measures will help to prevent burdens on local authorities increasing?	<p>The tariff level should include an amount for administration costs, such as that provided for in the CIL regulations (Reg. 61).</p> <p>The Government should provide New Burdens Funding or similar to each LPA to ensure that the costs of introducing the tariff, such as mapping and/or training staff and/or gaining ecological and/or other specialist advice is addressed.</p>
35. How could the proposals be refined to manage any negative impacts on the scale and delivery of other developer contributions (e.g. through Section 106 or Community Infrastructure Levy payments)?	<p>Developer contributions are levied to pay for necessary impact mitigation (e.g. Recreational Avoidance Mitigation Strategy (RAMS)), infrastructure provision and community facilities arising from the development itself, for example affordable housing, schools, highways, open space, etc. The NPPF requires that all costs associated with development are identified in a Local Plan and tested through Whole Plan Viability. Any tariff should follow the same process and be introduced through Local Plans and review. The NPPG on planning obligations states that 'Policies for seeking planning obligations should be set out in a Local Plan, neighbourhood plan and where applicable in the London Plan to enable fair and open testing of the policy at examination,' (Paragraph: 003 Reference ID: 23b-003-20150326) and 'planning obligations must be fully justified and evidenced' (Paragraph: 004 Reference ID: 23b-004-20150326).</p> <p>Biodiversity net gain could be included within CIL – Reg. 59c deals with the application of CIL, Reg. 14 relates to setting the rate for CIL and Reg. 61 covers administration costs.</p>

Consultation Question	Draft Maldon District Council Response
<p>36. Would you, as a planning authority stakeholder, prefer any net gain tariff revenue to be paid through:</p> <ul style="list-style-type: none"> a) local authority administration? b) a nationally managed funding scheme (which could then reinvest in local habitat schemes best aligned with national strategic environmental priorities)? 	<p>a) Local Authority administration. A nationally managed scheme would not necessarily compensate for local biodiversity loss.</p>
<p>37. How could the proposed net gain process be improved for developers?</p>	<p>The scheme should be as simple and transparent as possible. It needs to be fully formed from the outset (i.e. not needing regular amendments), practical and fully tested for viability.</p>
<p>38. What other steps, considerations or processes in environmental planning could be integrated within a net gain approach?</p>	<p>No comment.</p>
<p>39. Would any particular types of development (e.g. commercial, industrial, public sector, local infrastructure) be disproportionately affected by a mandatory biodiversity net gain requirement?</p>	<p>The level of tariff proposed would potentially affect the viability for most types of development. There should be flexibility within the scheme, as there is with planning obligations and CIL to allow for 'exceptional circumstances' to ensure that development remains viable.</p> <p>Tariff costs should be set locally to reflect local costs and local evidence – these will vary across the country. The NPPF requires that all costs associated with development are identified in a Local Plan and tested through Whole Plan Viability. Any tariff should follow the same process and be introduced through Local Plans and review. The NPPG on planning obligations states that 'Policies for seeking planning obligations should be set out in a Local Plan, neighbourhood plan and where applicable in the London Plan to enable fair and open testing of the policy at examination,' (Paragraph: 003 Reference ID: 23b-003-20150326) and 'planning obligations must be fully justified and evidenced' (Paragraph: 004 Reference ID: 23b-004-20150326).</p>

Consultation Question	Draft Maldon District Council Response
40. Do you agree that the proposal for staggered transitional arrangements would help to ensure smooth implementation of biodiversity net gain policy?	<p>Transitional arrangements would be necessary to enable both local authorities and developers to become familiar with the requirements of the scheme and the DEFRA metric.</p> <p>If the net gain scheme is introduced through Local Plans and Local Plan reviews to enable Whole Plan Viability to be adequately assessed, the timing of the introduction should be phased to take into account the different stages Local Plans are at across the country. Such as that used for the implementation of the revised NPPF.</p> <p>The requirement should not be implemented until the baseline data and the metric refresh are completed.</p>
41. Would the existing dispute resolution process provide the best way to overcome any disagreement over whether net gain is achieved?	No. Waiting until the end of the planning application process and appealing to the Planning Inspectorate (PINS) would result in un-necessary costs being accrued by both developers and LPAs.
42. Would an additional arbitration or approval process be necessary? If so, please specify why.	There should be a mechanism to allow for disputes relating to net gain to be resolved either before an application is submitted, for example, after the pre-app stage, or before the LPA determines a planning application. In this second scenario, the decision making 'clock' would need to be stopped to allow the dispute to be resolved by a third party, in order not to penalise LPAs on their planning application decision making targets.
43. Are there any issues or measures, other than those outlined, that we should take into account when considering how to monitor biodiversity net gain?	No comment.
44. Should local authorities be required to provide information about habitat losses and gains?	No. Many local authorities do not hold the level of base line data required for biodiversity monitoring, nor have in-house ecologists who would be able to monitor the quality of biodiversity provision. Once the baseline map is in place then authorities potentially could monitor gains and losses, subject to appropriate monitoring processes being put in place. But additional resources such as New Burdens Funding would be required to establish these systems.
45. What technological or other innovative mechanisms could facilitate the delivery and monitoring of biodiversity net gain?	No comment.

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REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2019**

UPDATE ON APPEAL DECISIONS (JULY – SEPTEMBER 2018)

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform the Committee of planning appeal performance on appeal decisions from July to September 2018.

2. RECOMMENDATION

Members are asked to note the content of the report and provide comment on the performance of the Local Planning Authority at appeal.

3. SUMMARY OF KEY ISSUES

- 3.1 This report is for Members' information only but particular attention is drawn to the Council's current performance of all appeals.
- 3.2 This report provides information by the relevant committee or officer delegated decision, overall performance and performance measured against the Department of Communities and Local Government (DCLG) performance figure for major application appeals.
- 3.3 Appeal results by application decision type: Quarter 2 2018 / 19 are as follows:

Application decision type	Allowed by the Planning Inspectorate (PINS) (i.e. the applicant was successful)	Dismissed by PINS (i.e. the Council was successful)
1. Appeals against Officer Delegated decisions	8	15
2a. Appeals against Central Area Planning Committee decisions as per report recommendation	0	0

Application decision type	Allowed by the Planning Inspectorate (PINS) (i.e. the applicant was successful)	Dismissed by PINS (i.e. the Council was successful)
2b. Appeals against Central Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	0	0
3a. Appeals against South Eastern Area Planning Committee decisions as per report recommendation	1	0
3b. Appeals against South Eastern Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	3	0
4a. Appeals against North Western Area Planning Committee decisions as per report recommendation	0	0
4b. Appeals against North Western Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	0	1
5. Appeals against non-determination i.e. where the Council did not make a decision within the statutory time period and the applicant exercised the right of appeal	0	0
6. Appeals against Full Council decisions as per report recommendation	0	0
7. Appeals against Full Council decisions where decision made contrary to the report recommendation i.e. member overturn	0	0
Numbers Total	12	16
Decisions as a %	43%	57%

3.4 Appeal by type of appeal

1. Appeal type (Planning applications)	
Fast Track appeals (including Householder appeals)	3
Written Representation	23
Hearing	2
Public Inquiry	0
Total appeals	28

2. Appeal type (Appeals against Enforcement Notices)	
Written Representation	1
Hearing	0
Public Inquiry	0
Appeals withdrawn / Turned Away	1
Total enforcement appeals	1

3.5 Costs awarded against the Council in July 2018 to September 2018

Site address	Partial or full award allowed of costs	Delegated / Committee decision in accordance with recommendation / Committee decision overturn
Land South of Charwood, Stoney Hills	Full award of costs	Committee decision overturn
Land South of Charwood, Stoney Hills	Full award of costs	Committee decision overturn

3.6 Costs awarded for the Council in July 2018 to September 2018

3.6.1 None.

3.7 Costs paid out by the Council in July 2018 to September 2018

3.7.1 None.

3.8 Members will also be aware that since 2012 Councils that do not reach specific performance targets on major applications and major appeals may be considered as a 'designated authority' by the Secretary of State. In terms of major planning appeals this is measured over a two year period and the target threshold is currently 10%.

3.9 The Council's performance against the government target is 4.39%. There are still a number of appeals awaiting determination by the Secretary of State. If the Council was unable to successfully defend any of these appeals the Council performance would be around 6.14%.

4. CONCLUSION

4.1 The general performance at appeal was relatively consistent over the previous two years. However, over the last six months this has continued to grow and it is considered that the adoption of the Local Development Plan (LDP) put the Council in a stronger position when defending appeals.

4.2 It is considered necessary to continue to monitor the Council's performance at appeal in relation to major appeals. However, it is envisaged that by the Council should remain in a strong position in the near future.

5. IMPACT ON CORPORATE GOALS

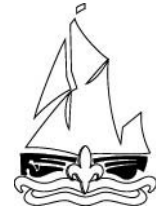
- 5.1 Having an effective and planning service contributes to two Corporate Goals i.e. 'Protecting and shaping the district' and, 'Delivering good quality, cost effective and valued services'.

6. IMPLICATIONS

- (i) **Impacts on Customers** – The Councils' resources are being used effectively within the democratic process.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – In the context of the increasing tendency to challenge Council decisions, it is necessary to maintain flexibility in how the authority responds to planning appeals. The Council is committed to embedding sound operational, financial and legislative internal controls and to ensuring that good corporate governance arrangements are in place to assist the Council with meeting its aims and objectives.
- (iv) **Impact on Resources (financial)** – Decisions with regard to potential awards of costs can incur the Council in extra expenditure and need to be considered carefully. This has been covered in previous reports to Members. The resourcing levels required to manage appeals requires further review.
- (v) **Impact on Resources (human)** – The number of appeals has grown over the last few years and the resourcing appeals puts additional strain on the existing resources. Public Inquiries also require the assistance of barristers which add to the cost of defending appeals.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Matt Leigh, Group Manager - Planning Services, (Tel: 01621 875870).



REPORT of DIRECTOR OF PLANNING AND REGULATORY SERVICES

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2018**

APPROVAL TO CONSULT ON THE DRAFT LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF ALTHORNE, COLD NORTON, NORTH FAMBRIDGE, PURLEIGH AND STOW MARIES

1. PURPOSE OF THE REPORT

- 1.1 This report seeks the Planning and Licensing Committee's approval to consult on the Draft Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries (**APPENDIX 1**).

2. RECOMMENDATION

That the Draft Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries are approved for public consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 The Maldon District contains over a thousand nationally listed buildings, which are protected by law. In addition to this there are many historic buildings which, although they may not meet the criteria for national listing, possess local value because of their architectural and historic interest. The National Planning Policy Framework (NPPF) and Policy D3 of the Maldon Local Development Plan (LDP) refer to such buildings as 'non-designated heritage assets'. These assets are defined in the NPPF Planning Practice Guidance as those 'identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets' (Paragraph: 039 Reference ID: 18a-039-20140306). Planning Practice Guidance encourages Local Planning Authorities to identify 'non-designated heritage assets' against consistent criteria and notes that adding them to a 'local list' is a positive way of improving the 'predictability of the potential for sustainable development' (Paragraph: 041 Reference ID: 18a-041-20140306).
- 3.2 While addition of a building to a local list will not of itself result in additional planning controls, it does mean that the building's conservation as a heritage asset becomes a material consideration when determining the outcome of a planning application. Paragraph 197 of the NPPF states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications

that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 3.3 Policy D3 of the Maldon LDP requires that applications affecting non-designated heritage assets both 1) preserve or enhance the assets' special character, appearance, setting and special features, and 2) be supported by a heritage statement which describes the asset's significance.
- 3.4 In 2011 the Planning and Licensing Committee adopted criteria for identification of buildings worthy of local listing. A provisional list of 26 buildings was formally adopted at that stage (Minute No. 2018/351 refers). It is now proposed to expand the number of local heritage assets on the basis of more comprehensive surveys of each parish. Based on the survey work carried out so far, it is estimated that around 300 buildings in the District are likely to merit recognition through addition to the Lists of Local Heritage Assets.
- 3.5 Individual lists are currently being drafted for each Parish by the Council's Conservation Officer, with assistance from local historians. Due to the considerable amount of work involved, a phased approach is planned for the survey of the whole District. The District's parishes are to be divided into seven groups of between two and six parishes which will be tackled as seven distinct phases. A timetable for the development of the register of local heritage assets is produced as **APPENDIX 2**. The target for completion of the final phase is September 2020.
- 3.6 Once draft lists have been completed for a particular phase, the Conservation Officer will first send copies to the relevant ward members for their informal comment. The draft lists will then be presented to the Planning and Licensing Committee for approval to proceed to public consultation. Draft lists will then be published on the Council's website, and each relevant Parish Council and owner / occupier will be written to. The consultation period will be for six weeks from the date that the letters are sent out. Consultees will be invited to comment on whether or not they agree that the buildings meet the criteria and to supply any relevant additional information. During this period of public consultation there also will be the opportunity for members of the public to submit further nominations. Following the consultation all responses will be collated and the updated draft lists will be presented to the Planning and Licensing Committee for formal adoption. Following adoption, the approved lists will be published on the Council's website, the location of each local heritage asset will be mapped on the Council's Geographic Information System (GIS), and each relevant Parish Council and resident will be informed.
- 3.7 Draft lists for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries are produced as **APPENDIX 1**. Every effort has been made to make the lists interesting, informative and attractively presented documents. At the start of each list is an explanation of what local listing means and a copy of the approved selection criteria. Assets are presented in alphabetical order of the street on which they are located. Each heritage asset is illustrated by at least one good quality photograph. A simple description of the building is provided along with a summary of its significance, the latter explaining why the building is considered to meet the criteria. The local historian Kevin Bruce has given permission to reproduce old photographs of certain buildings which make for interesting comparison with the

modern photographs. Preparation of the list for Althorne was assisted by members of the Althorne Neighbourhood Plan Steering Group. Purleighs local historian, Steven Potter, has provided much historical information for the Purleigh list. The late Beryl Board, who was a local historian for Stow Maries, supplied useful information for that Parish.

- 3.8 This project is bringing to light numerous interesting and locally valuable historic buildings, reflecting the wealth of heritage within the District. Highlights among the heritage assets identified as part of this first phase include picturesque cottages, handsome old school buildings and churches and ambitious High-Victorian farm buildings. Such monuments make a valuable contribution to the character and identity of this part of rural Essex. Some of the buildings are most notable for their historical interest, including The Old Police Station in Purleigh which is one of the earliest rural police stations in Essex, houses associated with the radical and short-lived Purleigh Colony, and the World War II (WWII) floodlight in North Fambridge.

4. CONCLUSION

- 4.1 Maldon District Council has a commitment to protect and enhance the natural and built heritage of the District now and for the enjoyment of future generations. Policy D3 of the Maldon District Local Development Plan sets out this Council's objective of 'safeguarding, enhancing and promoting the historic environment'. Up-to-date Lists of Local Heritage Assets, which highlight and promote locally important historic buildings in each parish, will be a useful tool in meeting these objectives.

5. IMPACT ON CORPORATE GOALS

- 5.1 The recommendations of this report will support Corporate Goals by highlighting and promoting the significance of locally important heritage assets.

6. IMPLICATIONS

- (i) **Impact on Customers** – The goal of the Lists of Local Heritage Assets is to highlight and promote the significance of local heritage, reinforcing a sense of local identity and distinctiveness in the historic environment. Engagement with local residents and interest groups through public consultation, and the opportunity to submit further nominations, will enable locals to help identify and celebrate aspects of local heritage. Proactive identification of the buildings which should be regarded as 'non-designated heritage assets' will allow greater certainty of the issues to be considered as part of the planning process.
- (ii) **Impact on Risk** – The Lists of Local Heritage Assets will identify instances where consideration of heritage significance and conservation should be a material consideration in the planning process, thereby reducing the risk that local heritage assets are harmed or lost unnecessarily or without justification.

- (iii) **Impact on Resources (financial)** – The Lists of Local Heritage Assets will be maintained within existing budgets.
- (iv) **Impact on Resources (human)** – The Lists of Local Heritage Assets will be maintained within existing resources.
- (v) **Impact on the Environment** – Positive, due to the way in which the Lists will encourage the conservation of locally valuable historic buildings.

Background Papers: None.

Enquiries to: Tim Howson, Conservation Officer (Tel: 01621 875725).

Draft List of Local Heritage Assets in **Althorne**



December 2018

Planning Policy

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Introduction

The Maldon District contains over a thousand nationally listed buildings, which are protected by law. It has also been recognised that there are many historic buildings which, although they may not meet the criteria for national listing, possess local value because of their architectural and historic interest. The District Council is developing a List of Local Heritage Assets to identify and celebrate these locally important buildings. Inclusion on the Register does not of itself bring any additional consent requirements over and above the existing requirement for planning permission, but it does mean that a building's heritage significance will be a material consideration in the planning process. The following criteria have been developed to help identify those buildings which merit inclusion on the Register of Local Heritage Assets. As with the national list the word building can apply to any type of permanent structure.

1. Age and integrity

- a. All buildings which retain a significant degree of pre-1840 architectural character in terms of form, materials and stylistic detailing or for which there is realistic potential for restoration of that character.
- b. 1840-1880 buildings that are reasonably complete and of good local architectural and historic interest
- c. 1880-1945 buildings that are substantially complete and of very good local architectural and historic interest
- d. Post 1945 buildings that are wholly complete and of an outstanding level of local architectural and historic interest
- e. Buildings which are valued as rare examples of a particular type

2. Historic Interest

- a. Historic association with important national or local historical figures, architects, events or industry
- b. Social or communal importance: relating to structures perceived as a source of local identity and cohesion. (This might include important commemorative structures such as war memorials or places of worship).

3. Architectural Interest

- a. Important examples of a past type or style
- b. Quality materials, detailing and workmanship
- c. Buildings which display technological innovation
- d. Group Value: Buildings whose local importance derives from their visual relationship with other important buildings in a village or town setting or where they make an important contribution to an historic skyline.
- e. Buildings which make a positive contribution to an attractive rural setting
- f. Sustainability: Buildings which can be easily adapted for continuing use due to robust construction or quality materials

This document lists the buildings in the parish of Althorne which have been identified as meeting the above criteria.



Burnham Road, The Old Forge

Left-hand photograph taken May 2015

Right-hand photograph taken early-20th century, reproduced with permission from Kevin Bruce.

Description

Three timber-framed cottages and the fragmentary remnants of a forge, built in the late-18th or early-19th century, now a single dwelling. First developed as pair of cottages with a half-hipped roof, to which a third cottage with a gambrel roof was added at the east end shortly after. Old maps illustrate that the cottages were developed on roadside waste of the manor. The west single-storey element of the present house represents a fragment of the smithy which originally continued further west.

Significance

This is an attractive and reasonably well preserved group of vernacular Georgian cottages.



Burnham Road, Barn Cottage and the Old Post Cottage

Left-hand photograph taken May 2018

Right-hand photograph taken early-20th century, reproduced with permission from Kevin Bruce.

Description

A pair of early-19th-century cottages, constructed of brick now mostly painted or rendered, 1 ½ storeys in height with a tiled gambrel roof. One of the cottages was formerly the village post office. The single-storey flat-roofed projection to the front of the Old Post Cottage represents the much altered remnants of a late-19th-century shop.

Significance

An attractive and reasonably well preserved pair of vernacular Georgian cottages. The houses have a positive presence in the street-scene, complementing the setting of the grade II listed Black Lion Cottages to the north, which are of a similar type and date.



Fambridge Road, K6 Telephone Kiosk (approved by P & L Committee)

Photograph taken February 2010

Description

A red K6 telephone kiosk. Manufactured by Carron Co. MK1 model, (pre-1939)

Significance

A valuable local feature in long views of the Crouch Estuary from Fambridge Road



Fambridge Road, The Old Vicarage

Photograph taken January 2015

Description

A mid-19th-century Rectory built for the Rev. H. M. Milligan. Constructed of yellow stock brick with red brick dressing and a hipped slate-covered roof.

Significance

This property has significance as a reasonably well preserved Victorian rectory. It displays quality materials, detailing and workmanship.



Fambridge Road, Gilder Lodge

Left-hand photograph taken late-19th or early-20th century, reproduced with permission from Kevin Bruce

Right-hand photograph taken May 2018

Description

This is a two-storey, timber-framed and weatherboarded house with a hipped clay-tiled roof. It has a striking principal elevation featuring oriel and bay windows. Above these windows is a central feature-gable with a circular window. At first-floor level the walls are clad in horizontal weatherboarding, and at ground floor the walls are clad in diagonal boarding. At ground-floor level there is a cast-iron veranda with a glazed roof to the front and flank elevations. The house occupies an elevated position overlooking the Crouch estuary.

The house is thought to have been built c. 1890 by H. Gilder Drake, a prominent local landowner, who also built the Gilder Drake Almshouses on Summerhill. Gilder Lodge was the house he built for himself. Allegedly he also built King's Lodge on Summerhill – which is of a very similar design.

Significance

This late-19th century house is of a very distinctive and high quality design, deploying good materials, detailing and workmanship. Externally it appears very little altered. Its association with Gilder Drake, a local figure who was responsible for other notable buildings in the village, amplifies the building's local interest.



Fambridge Road, War Memorial

Photograph taken May 2018

Description

A war memorial in the style of a lychgate. Framed in oak with a pitched roof covered with clay tiles. A metal plaque bears the names of those men from the parish who lost their lives in the first and second world wars.

Significance

This is a structure of social and communal importance. It is also a well built and attractive feature in the streetscene and landscape.



Summerhill, King's Lodge

Photograph taken May 2018

Description

This is a two-storey, timber-framed and weatherboarded house with a hipped concrete-tiled roof. It has a striking principal centred upon a feature gable containing a circular window and a central first-floor oriel window. At first-floor level the walls are clad in horizontal weatherboarding, and at ground floor the walls are clad in diagonal boarding. At ground-floor level there is a cast-iron veranda roofed with concrete tiles to the front and flank elevations.

Built c. 1890 by H. Gilder Drake, a prominent local landowner, who also built the Gilder Drake Almshouses on Summerhill. Gilder Drake lived at Gilder Lodge on Lower Burnham Road. Allegedly he built King's Lodge for his housekeeper.

Significance

This late-19th century house is of a very distinctive and high quality design, deploying good materials, detailing and workmanship. The roof tiles and some of the windows are later replacements, but the house is otherwise well preserved. Its association with Gilder Drake, a local figure who was responsible for other notable buildings in the village, amplifies the building's local interest.



Summerhill, Gilder Drake Almshouses

Photograph taken May 2018

Description

This estate of almshouses of c.1930 is named after the local benefactor, Henry Gilder Drake. The eight houses are arranged in four pairs set back from the edge of Summerhill. They are single-storied, constructed of red brick and roofed in clay tiles. Each pair of houses presents two gables flanking an un-gabled central section. Over the main window in each of the gabled wings there is a decorative feature comprising an arch filled with a herringbone pattern.

Adjoining the pavement in front of the almshouses is a brick plaque which reads: "GILDER DRAKE ESTATE [] FOUNDED A.D. 1930 BY H.G.DRAKE [] IN REMEMBRANCE OF HIS PARENTS".

Significance

These almshouses are of communal and social value. They are well-designed and attractive buildings, deploying quality materials, detailing and workmanship. Apart from replacement windows and doors they are well preserved. The association with Gilder Drake, a local figure who was responsible for other notable buildings in the village (c.f. Gilder Lodge and Kings Lodge), amplifies the estate's local interest.



Summerhill, St Andrew's Church Hall

Photograph taken January 2015

Description

A church hall of c.1909. Built of red brick with a clay-tiled roof.

Significance

This is a building of social and communal value. Apart from replacement windows it is well preserved, deploying quality materials and detailing. Occupying a prominent position at the junction of Summerhill and Fambridge Road, it makes a valuable contribution to the streetscene.

Draft List of Local Heritage Assets in **Cold Norton**



December 2018

Planning Policy

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Introduction

The Maldon District contains over a thousand nationally listed buildings, which are protected by law. It has also been recognised that there are many historic buildings which, although they may not meet the criteria for national listing, possess local value because of their architectural and historic interest. The District Council is developing a List of Local Heritage Assets to identify and celebrate these locally important buildings. Inclusion on the Register does not of itself bring any additional consent requirements over and above the existing requirement for planning permission, but it does mean that a building's heritage significance will be a material consideration in the planning process. The following criteria have been developed to help identify those buildings which merit inclusion on the Register of Local Heritage Assets. As with the national list the word building can apply to any type of permanent structure.

1. Age and integrity

- a. All buildings which retain a significant degree of pre-1840 architectural character in terms of form, materials and stylistic detailing or for which there is realistic potential for restoration of that character.
- b. 1840-1880 buildings that are reasonably complete and of good local architectural and historic interest
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- d. Post 1945 buildings that are wholly complete and of an outstanding level of local architectural and historic interest
- e. Buildings which are valued as rare examples of a particular type

2. Historic Interest

- a. Historic association with important national or local historical figures, architects, events or industry
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This document lists the buildings in the parish of Cold Norton which have been identified as meeting the above criteria.



Kitt's hill, Floodlight

Photograph taken 2013

Description

The remains of a floodlight, dating from the 1930s, intended to help defend against German bombers. It is the only one of around 50 floodlights to survive in Essex. The use of floodlights in this way was not a success, as the light reflected off the clouds and lit up the countryside to the aid of the bombers.

Significance

This is a rare, possibly unique, survival of an experimental type of WWII defence infrastructure. As such, the monument possesses considerable architectural and historic interest (Nash 2010).



St Stephen's Road, St Stephen's Church

Photograph taken May 2018

Description

Parish church built in 1855 to designs by the architect G. E. Prichett. The reconstruction of the church was funded entirely by the Rev. William Holland. The church consists of a nave and chancel, constructed of Kentish ragstone with Caen stone dressings and slate-covered roof. The church is built in the decorated gothic style. Timber-framed south porch with clay tiled roof. Internally, the highlight of this church is a remarkable roof structure with wall posts resting on corbels carved as crouching figures of the Apostles. Along the southern boundary of the churchyard is a fine stone rubble wall.

Significance

This is a good Victorian church, deploying high quality materials, detailing and workmanship. It has an important relationship with the adjacent grade II listed Norton Hall. It occupies an attractive hilltop setting. It has considerable social and communal value.

Sources

Bettley, J. and Pevsner, N.: *The Buildings of England: Essex* (Yale, 2007)

Nash, F.: *Survey of World War Two Defences in the District of Maldon* (ECC & MDC: 2010)

Draft List of Local Heritage Assets in **North Fambridge**



December 2018

Planning Policy

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- d. Post 1945 buildings that are wholly complete and of an outstanding level of local architectural and historic interest
- e. Buildings which are valued as rare examples of a particular type

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- a. Historic association with important national or local historical figures, architects, events or industry
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- e. Buildings which make a positive contribution to an attractive rural setting
- f. Sustainability: Buildings which can be easily adapted for continuing use due to robust construction or quality materials

This document lists the buildings in the parish of North Fambridge which have been identified as meeting the above criteria.



Fambridge Road, Hallwood Cottage

Photograph taken May 2015

Description

A 2-storey timber-framed and weather-boarded house with clay tiled roofs and red brick chimney stacks, built early in the 19th century as a row of cottages on a roadside verge. The combination of black and white paintwork on the weatherboarding creates quite a distinctive appearance.

Significance

This is an attractive 19th-century building, retaining good-quality vernacular materials and detailing, and makes a positive contribution to the street scene.



Fambridge Road, Smuggler's Cottage

Photograph taken in May 2015

Description

This cottage, dating from early in the 19th century, has an unusual form, with a wide gable facing the street. It is timber framed and weatherboarded with clay-tiled roofs and ridge-line chimney stacks. The front part is 2 storeys in height and the rear part is 1 ½ storeys. The combination of black and white paint on the weatherboarding creates quite a distinctive appearance.

Significance

This charming late-Georgian wayside cottage has interest because of its unusual form. It is also an attractive building in the street scene, retaining good-quality vernacular materials and detailing.



Farnbridge Road, Village Hall

Photograph taken October 2018

Description

This hall was built as a school master's house and school in 1875. It is constructed of red brick embellished with yellow brick banding and has clay-tiled roofs. The house is 2 storeys in height and the school room is single storeyed.

Significance

This is an attractive and well-detailed Victorian building, which makes a positive contribution to the street scene despite the introduction of modern windows and extensions. It also has local communal value.



The Avenue, Parish Church of Holy Trinity

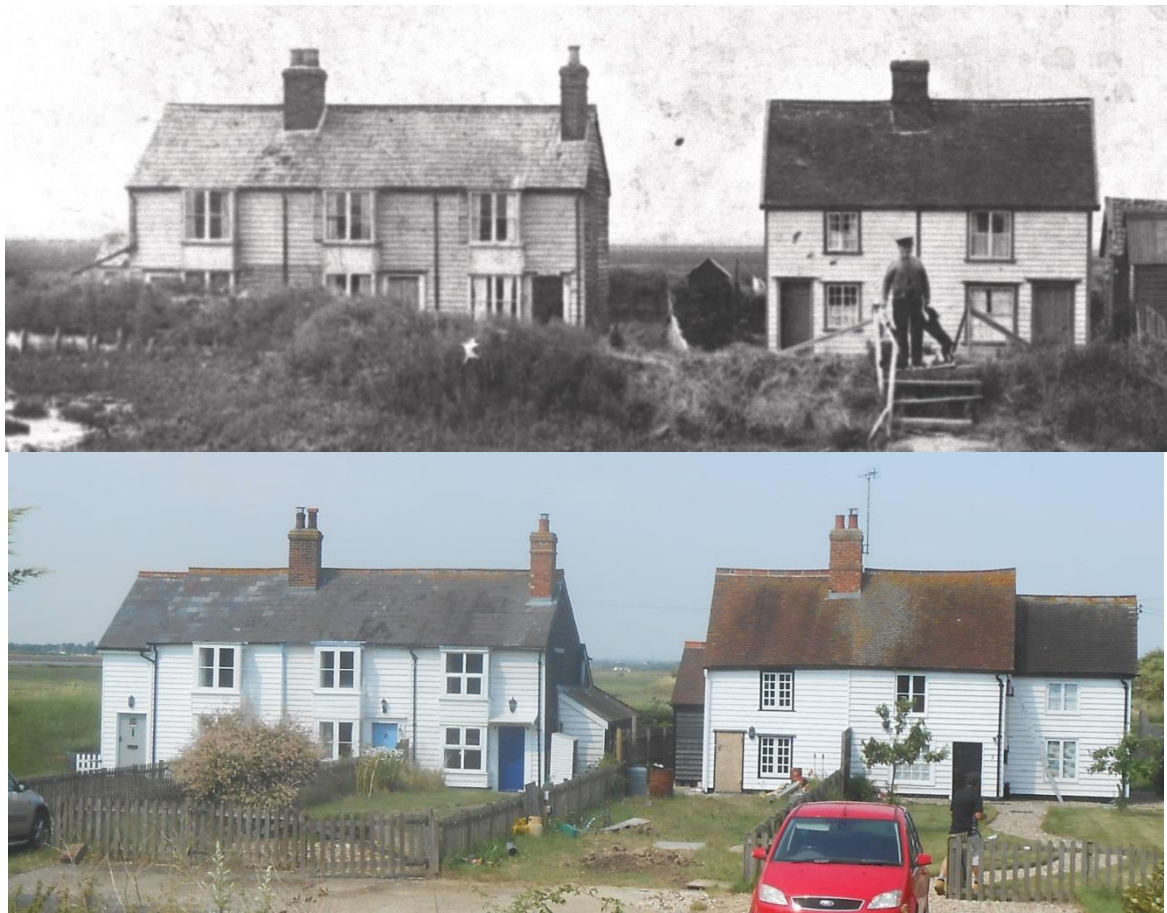
Photograph taken October 2018

Description

This simple and modestly scaled parish church dates from the mid-18th century. It is constructed of red bricks laid in English bond, has arched windows and a clay tiled roof. A small bellcote with a shingled spire crowns the west end of the roof. The half-timbered, lean-to narthex and vestry at the west end was designed by Chancellor and Son in 1912.

Significance

This is a relatively well-preserved example of a humble Georgian parish church. It exhibits good quality materials and detailing and embodies considerable local historic and communal value.



Riverside Cottages Nos. 1, 2 & 3

*Top historic photograph reproduced with permission from Kevin Bruce
Bottom photograph taken July 2017*

Description

This terrace of three timber-framed and weatherboarded cottages (illustrated on the left-hand side of the above photographs) dates from the mid-19th century. Each cottage has a 2-storey bay window on its principal (east) elevation. The weatherboarding on the front elevation is painted white, while that to the rear is painted black. The roof is clad in natural slate and punctuated by two red-brick chimney stacks. The cottages share group value with the adjacent cottage – Nos 4 and 5 Riverside Cottage – the latter being slightly older and grade II listed. The cottages are enclosed in an isolated sea wall of earth faced with slabs.

Significance

These houses are a good example of Vernacular Victorian cottages. They are reasonably well preserved, and appear picturesque in relation to the adjacent cottages, the sea wall and the River Crouch.

Sources

Bettley, J. and Pevsner, N.: *The Buildings of England: Essex* (Yale, 2007)

Draft List of Local Heritage Assets in Purleigh



July 2018

Planning Policy

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Introduction

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- e. Buildings which make a positive contribution to an attractive rural setting
- f. Sustainability: Buildings which can be easily adapted for continuing use due to robust construction or quality materials

This document lists the buildings in the parish of Purleigh which have been identified as meeting the above criteria.



Birchwood Road, Bay Cottage

Photograph taken 17th July 2018

Description

A single-storey timber-framed cottage built in 1833, facing the junction between Birchwood Road and Chimney Pot Lane. The original cottage is that part with the tallest roof. The roof is covered with clay tiles and there is a central ridgeline chimney stack. The building is now rendered but old photographs show that it was formerly clad in weatherboarding. Small rear and side extensions in a similar style were added in the 20th century. The windows are 21st-century uPVC casements. The cottage is known to have been built in 1833, utilising eight elm trees which had been growing on the site (Potter, 1994, p. 33 and Essex Record Office: D/DHh M116, Court Book of Walton's Manor, courts held on 27th May and 10th December 1833).

Significance

This is a reasonably well-preserved example of an early-19th-century roadside cottage. It is a picturesque feature on the road junction. The historical evidence for the date of construction and the number of trees used to build it amplify the cottage's significance.



Birchwood Road, Thatched Cottage

Photograph taken November 2016

Description

An early-19th-century, single-storey, timber-framed and rendered cottage with a hipped thatch-covered roof. This is the last survivor of four similar cottages built here on a strip of roadside enclosure between 1832 and 1841 (Essex Record Office: D/P 197/28/4, D/F 21/6 pages 63-64, and D/F 21/9 page 44). A larger house was recently constructed to the rear of the site, with the cottage retained as an annexe.

Significance

This is a reasonably well-preserved example of an early-19th-century, thatched, roadside cottage. It is a picturesque feature on this rural lane. It is relatively rare for such tiny thatched cottages to survive, although Purleigh has two other examples which are grade II listed (Penn Cottage and Fir Tree Cottage, both on Hackman's Lane).



Birchwood Road, Fingerpost at junction with Chimney Pot Lane

Photograph taken 17th July 2018

Description

An early-20th-century cast-iron finger post, painted black and white.

Significance

A good quality and attractive example of early street furniture



Burnham Road, Round Bush Farm house

Photograph taken November 2016

Description

A farmhouse built c.1869, of yellow stock bricks with white brick dressings. It has a hipped, slate-covered roof with projecting eaves supported by shaped brackets. It was built for the Governors of Charterhouse. The architect was G E Pritchett, and the contract with the builder, Ebenezer Saunders, is dated 27th March 1869 (London Metropolitan Archives: Acc/1876/MP3/88).

Significance

This is a good example of a four-square Victorian farmhouse, designed by an architect. It is of a handsome design with quality materials and detailing and is well preserved.



Chelmsford Road, K6 Telephone Kiosk (approved by P & L Committee)

Photograph taken February 2010

Description

A red K6 telephone kiosk.

Significance

A locally important feature, forming an attractive group with the adjacent traditional black weatherboarded cottage (Queenside).



Chelmsford Road, Greenvale

Photograph taken November 2016

Description

A timber-framed, 2-storey house built c.1808 (Essex Record Office: D/DU 377/2, Le Howe manor court rolls, court held 24th November 1808). Its roof is covered with clay peg tiles and at the rear continues down in 'cat-slide' form to a lower eaves level. The house is depicted in old photographs as being rendered but it is now clad in timber weatherboarding painted black. There is a central, ridge-line chimney stack. The front door is placed centrally, opening onto a lobby in front of the stack.

Significance

This handsome house has been recognised as 'probably the best surviving example (externally) of what was once a very common style of local architecture' (Potter, p. 38).



Chelmsford Road, New Hall former cattle building

Photograph undated

Description

An aisled cattle barn built c.1868, of red brick with stock brick dressings. The principal elevation presents a wide gable with a large arched central entrance flanked by smaller doorways. The interior is understood to be well preserved with much of the timber-framed structure surviving *in-tact*. It was designed by Frederick Chancellor (Bettley and Pevsner, 2008, 630). At the time of writing, it is used as a wedding venue.

Significance

This is a good and well preserved example of a High-Victorian cattle barn, designed by a renowned architect. Other examples in the Maldon District of this type of building survive at Little Braxted Hall Farm (also designed by Chancellor) and Beckingham Hall Farm, Tolleshunt Major. Chancellor was also responsible for the design of The Old Rectory, Church Hill (1883).



Chelmsford Road, Queenside

Photograph taken February 2010

Description

A timber-framed, 2-storey house, built in the mid-19th century as a pair of cottages, converted into a single dwelling in the 20th century. This house is absent from the 1846 tithe map (Essex Record Office: D/CT 277) but is shown on the 1874 OS map. The builder, Robert Kemp, (whose daughter subsequently owned it) retired and sold his business in 1862 (Chelmsford Chronicle 2nd May 1862, page 1) which narrows the house's construction to 1846 – 1862 (Steven Potter *pers. comm.*). The house is clad in black weatherboarding. Its roof is hipped, has a 'cat-slide' section to the rear and is covered in old clay peg tiles. It has a central ridge-line chimney stack.

Significance

Despite some alteration, this house preserves its historic form and character, and is an attractive feature in the street-scene.



Cold Norton Road, Crofton

Photograph taken November 2016

Description

A rendered, 2-storey house with a hipped slate roof. It has a 'four-square' plan with large windows and low pitched slated roofs. The chimneys are of stock brick. The house was described as 'newly built' in April 1864, so it was presumably built during 1863-64 (Chelmsford Chronicle 22nd April 1864, page 2). The porch is a recent attachment.

Significance

This house is a classic and (externally) well-preserved example of a mid-19th-century 'four-square' house.



Cold Norton Road, Elmhurst

Photograph taken November 2016

Description

A single-storey, red brick house, designed by Henry Ough, Son and Marshal of London and built in 1903-4 on plot land (Essex Record Office: D/RMa Pb2/263). It has a hipped roof covered with concrete pantiles and a moulded timber eaves cornice. A pair of gabled bay windows flanks the central arched doorway. The windows and doors are modern uPVC replacements.

Significance

Small houses of this type seem to date from the 1890s to the 1930s and are often characteristic of the type built on the plot lands of the period, as Elmhurst was. This is a relatively early example of the type with some high quality detailing.



Cold Norton Road, Roselawn

Photograph taken November 2016

Description

A 2-storey house built in 1904-5 on plot land. It is constructed of stock brick with red brick dressings and moulded stone window lintel and front door surround. Canted bay windows flank the central recessed front door. It has hipped slate roofs and flank-wall chimney stacks and timber sash windows.

Significance

Houses built on plot-land sites were normally quite modest, but this a very grand and impressive architect-designed house, built as a country retreat by a London builder (Essex Record Office: D/RMa Pb2/314). It is well preserved with good quality materials and detailing.



Hackman's Lane, Fox and Hounds Public House

Photograph taken November 2016

Description

The Fox and Hounds was described as a 'newly erected beer house' in 1863 (Chelmsford Chronicle 3rd April 1863, page 2). The original main part of the building is of 2 storeys, constructed of red brick and a hipped slate-covered roof, punctuated by a symmetrically placed pair of chimney stacks. It has a symmetrical front elevation composed of multi-paned, timber sash windows and a central front door. The modern, single-storey side extensions respect the materials and balanced design of the original.

Significance

This is a well-preserved example of a purpose-built pub dating from the mid-19th century. It is an attractive community building positioned prominently on a bend in the road.



Hackman's Lane, Colony House

Photograph taken 17th July 2018

Description

A 2-storey house built in 1899, of rendered brick walls and clay pantile roofs. The front 2-storey range is original but the bay windows and veranda are later.

Significance

While this house is attractive, its principal interest is historical rather than architectural. It was built in 1899 by members of the 'Purleigh Colony'; 'a religious group of Englishmen and Russians who based their 'back-to-the-land' lifestyle' on the teachings of Tolstoy (Potter, p. 35 and Essex Record Office: D/RMa Pb2/69). The colony remained at the property, where they farmed 10 acres of land, until 1904. One of the colonists described the house as a 'six-roomed brick cottage' which they built from bricks they had fired themselves on the land (Hardy, 1975, p. 189). The Colony also established a printing press at Hill Farm, Mill Hill.



Hackman's Lane, Fingerpost

Photograph taken November 2001

Description

A cast-iron fingerpost dating from the early-20th century

Significance

An attractive and good-quality example of traditional highway signage



Hackman's Lane, Old Whitmans Cottage

Photograph taken May 2018

Description

A Georgian timber-framed and weatherboarded building, with a half-hipped gambrel roof covered with clay tiles. When this house was assessed for statutory listing in 1985, the listing inspector (John McCann) wrote to Purleigh's local historian (Steven Potter) to say that it represents a converted 18th-century wagon lodge and granary.

Significance

This is an attractive and well cared for Georgian building, displaying quality materials and detailing.



Howe Green Road, Chapel Cottage

Photograph taken November 2016

Description

Built as congregational chapel in 1852. Charles Clarke, the builder, bought the vacant plot of land on 6th March 1852 (Essex Record Office: D/DU 377/7, Le Howe manor court book, court held 29th October 1853). On 19th April 1852 he insured the chapel (D/F 21/13 page 98, insurance policy). It remained in use as a chapel until 1970, after which it was subsequently converted to a private dwelling (Potter, p. 56). It is a simple timber-framed and weatherboarded building roofed in slate.

Significance

A decent example of a mid-19th-century, vernacular, weatherboarded chapel, its appearance little altered by its conversion to a house



Howe Green Road, Dovecote

Photograph taken November 2016

Description

A timber-framed, 1 ½ storey cottage built in 1808 (Essex Record Office: D/DU 377/2, Le Howe manor court rolls, court held 24th November 1808). The right-hand end is an extension of 1913. The house has a gambrel roof covered with clay peg tiles and two original red-brick chimney stacks. The walls are partly rendered and partly clad in timber weatherboarding. The windows are mostly modern, of timber with lead glazing. The house was built by a farm labourer called John Sallows, who lived there with his family until the 1850s (Potter, p. 56). The plot is a narrow strip of land adjoining the road, which is highly typical of cottage development on 'manorial waste'.

Significance

This is a picturesque example of a vernacular Georgian cottage. Its interest is augmented by the historical evidence for the status of the individual who first built and occupied it.



Howe Green Road, Little Le Howe

Photograph taken November 2016



Description

This house was built in the 17th century as a 1 ½ storey cottage on the edge of Howe Green common. Its original form has been eroded by substantial extensions, but the timber-framed structure of the original house is understood to survive reasonably *in-tact*.

Significance

Bearing in mind the degree of modern alteration, the significance of this house relates primarily to its 17th-century timber-framed structure.



Maldon Road, The Old Police Station and Courthouse

Photograph taken May 2018

Description

Two red-brick houses with hipped slate-covered roofs. One of the houses was built as police station in 1843 (Essex Record Office: Q/SO 38 page 19) and the other as a court house in 1850 (Q/APb 12).

Significance

Although these buildings have been quite altered, their original form and design remains legible. The police station was built in 1843 and is of some historical interest as one of the first Essex police stations built under the 1839 Rural Constabulary Act. When it was built, it served the whole of the Dengie Hundred.



Mill Hill, Hill Farm

Photograph taken November 2016



Description

A modest, 2-storey farmhouse dating from the late-18th century. The house is timber framed and rendered, with the roof of the original main part of the building covered with clay peg tiles. It has flank-wall chimney stacks and sash windows. There is a 2-storey rebuild to the rear and a single-storey lean-to addition to the front, both dating from the 20th century.

Significance

This house preserves its essential form as a modest, late 18th-century farmhouse. It is also of some historical interest as in the early-20th century the radical 'Purleigh Colony' established a printing press here, where it published translations of the writings of Tolstoy and copies of an anarchist magazine called *The New Order* (Hardy, 1979, p. 190). The Colony was based at Colony House, Hackman's Lane.



The Glebe, K6 Telephone Kiosk (approved by P & L Committee)

Photograph taken May 2012

Description

A mid-20th-century, red K6 telephone kiosk.

Significance

An important local feature within view of the Purleigh Conservation Area



Roundbush Road, Lower Barn Farm, Barn and adjoining Shelter Shed

Photograph taken 2010

Description

This threshing barn and adjoining shelter shed was built in the third quarter 19th century of red brick. The brickwork of both buildings is corbeled out just below the eaves. The barn is embellished with simple pilasters. The barn has a hipped roof covered with slates. The shelter shed has a hipped roof covered with clay pantiles. A barn was constructed on the site between 1792 and 1797 (ERO: D/DHh M114 and D/DHn T23/5). The barn was described in 1866 as “lately rebuilt” and it is possible that the replacement barn reused bricks from the earlier barn (ERO: D/DHn T23/13).

Significance

These buildings are reasonably complete Victorian farm buildings of good architectural character, deploying quality materials and detailing. The buildings are a prominent and positive feature on a bend in the road.

Sources

Bettley, J. and Pevsner, N.: *The Buildings of England: Essex* (Yale, 2007)

Essex Record Office

Hardy, D.: *Alternative Communities in Nineteenth Century England* (1979)

Potter, S.: *Purleigh's Past in Old Photographs* (Purleigh Parish Council, 1994)

Preparation of the Register of local heritage assets for Purleigh has been greatly assisted by the input of Steven Potter, local historian.

Draft List of Local Heritage Assets in **Stow Maries**



December 2018

Planning Policy

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Introduction

The Maldon District contains over a thousand nationally listed buildings, which are protected by law. It has also been recognised that there are many historic buildings which, although they may not meet the criteria for national listing, possess local value because of their architectural and historic interest. The District Council is developing a List of Local Heritage Assets to identify and celebrate these locally important buildings. Inclusion on the Register does not of itself bring any additional consent requirements over and above the existing requirement for planning permission, but it does mean that a building's heritage significance will be a material consideration in the planning process. The following criteria have been developed to help identify those buildings which merit inclusion on the Register of Local Heritage Assets. As with the national list the word building can apply to any type of permanent structure.

1. Age and integrity

- a. All buildings which retain a significant degree of pre-1840 architectural character in terms of form, materials and stylistic detailing or for which there is realistic potential for restoration of that character.
- b. 1840-1880 buildings that are reasonably complete and of good local architectural and historic interest
- c. 1880-1945 buildings that are substantially complete and of very good local architectural and historic interest
- d. Post 1945 buildings that are wholly complete and of an outstanding level of local architectural and historic interest
- e. Buildings which are valued as rare examples of a particular type

2. Historic Interest

- a. Historic association with important national or local historical figures, architects, events or industry
- b. Social or communal importance: relating to structures perceived as a source of local identity and cohesion. (This might include important commemorative structures such as war memorials or places of worship).

3. Architectural Interest

- a. Important examples of a past type or style
- b. Quality materials, detailing and workmanship
- c. Buildings which display technological innovation
- d. Group Value: Buildings whose local importance derives from their visual relationship with other important buildings in a village or town setting or where they make an important contribution to an historic skyline.
- e. Buildings which make a positive contribution to an attractive rural setting
- f. Sustainability: Buildings which can be easily adapted for continuing use due to robust construction or quality materials

This document lists the buildings in the parish of Stow Maries which have been identified as meeting the above criteria.



Church Lane, The Old School House

Photograph taken May 2015

Description

This former teacher's house and adjoining schoolroom was built in 1871 as a National (Church of England) School. It was opened in 1872, with room for 68 children in one schoolroom. It was replaced by a new school in 1927 and became a private house. It is constructed of red brick with steeply-pitched roofs covered with clay tiles. The building has a picturesque character, as a result of the asymmetrical composition of the different ranges.

Significance

This is a well-preserved example of a Victorian National School. It shares group value with the adjacent grade II* listed parish church and Smythe Hall. Although humble in scale, it is an attractive building, of good quality materials, detailing and composition.



Church Lane, Smythe Hall

Photograph taken May 2015

Description

This is a single-storey, timber-framed and rendered building, with some mock-Tudor-style decorative framing on the eastern gable. The roof is covered by asbestos tiles. The windows are all 21st century uPVC replacements. This hall was built as the new Church of England School in 1927 following the closure of the adjacent 1871 school. It was founded by the Rector at the time, G. F. Smythe. It remained in use as a school until 1940, when it was requisitioned by the army. The building is now the church hall, named in honour of its founder.

Significance

This little building has value because of its local historical associations and its communal importance.



Lower Burnham Road, Morris Farm

Photograph taken October 2018

Description

This two-storey farmhouse appears to date from the 18th century. The external walls are a mixture of brickwork work laid in English bond and timber framing clad in black-painted weatherboarding. It has a double-pile hipped roof clad in clay tiles. The brickwork to the front half of the house is 19th-century yellow London stocks and encapsulates an earlier timber-framed structure. The rear half of the two-storey part is of 18th-century red brick. Morris Farm was one of the demesne farms of Stow Maries' Domesday manors.

Significance

The primary interest of this house derives from the age of its structure and its historical status as one of the parish's demesne farms.



Stow Maries Road, Great Hayes Farm buildings

Photograph taken May 2015

Description

A complex of late-19th century farm buildings constructed from yellow stock brick, with red brick dressings, and roofs clad in natural slate. The buildings are arranged around a courtyard, with a barn to the north, livestock ranges to east and west, and some more 'domestic' buildings (ridging horse stables and carriage housing) near the farmhouse to the south.

Significance

This is a good example of a complex of Victorian agricultural buildings, reflecting the principles of 'High Farming' which encouraged high investment to achieve higher yields. It occupies a prominent position adjacent a bend in the road and make a positive contribution to the character of the street scene.



Woodham Road, All Saints

Left-hand photograph taken May 2018

Right-hand photograph, undated, reproduced with permission from Kevin Bruce

Description

A two-storey, timber-framed and rendered house with a hipped thatched roof and a central chimney stack. One of four pairs of cottages built on the site of the parish poorhouse in 1839 and 1840.

Significance

While this property has been considerably altered and extended in the 20th and 21st centuries, it retains its basic form and thatched roof. It is an attractive and distinctive building in the street-scene.



Woodham Road, Scarr Cottage

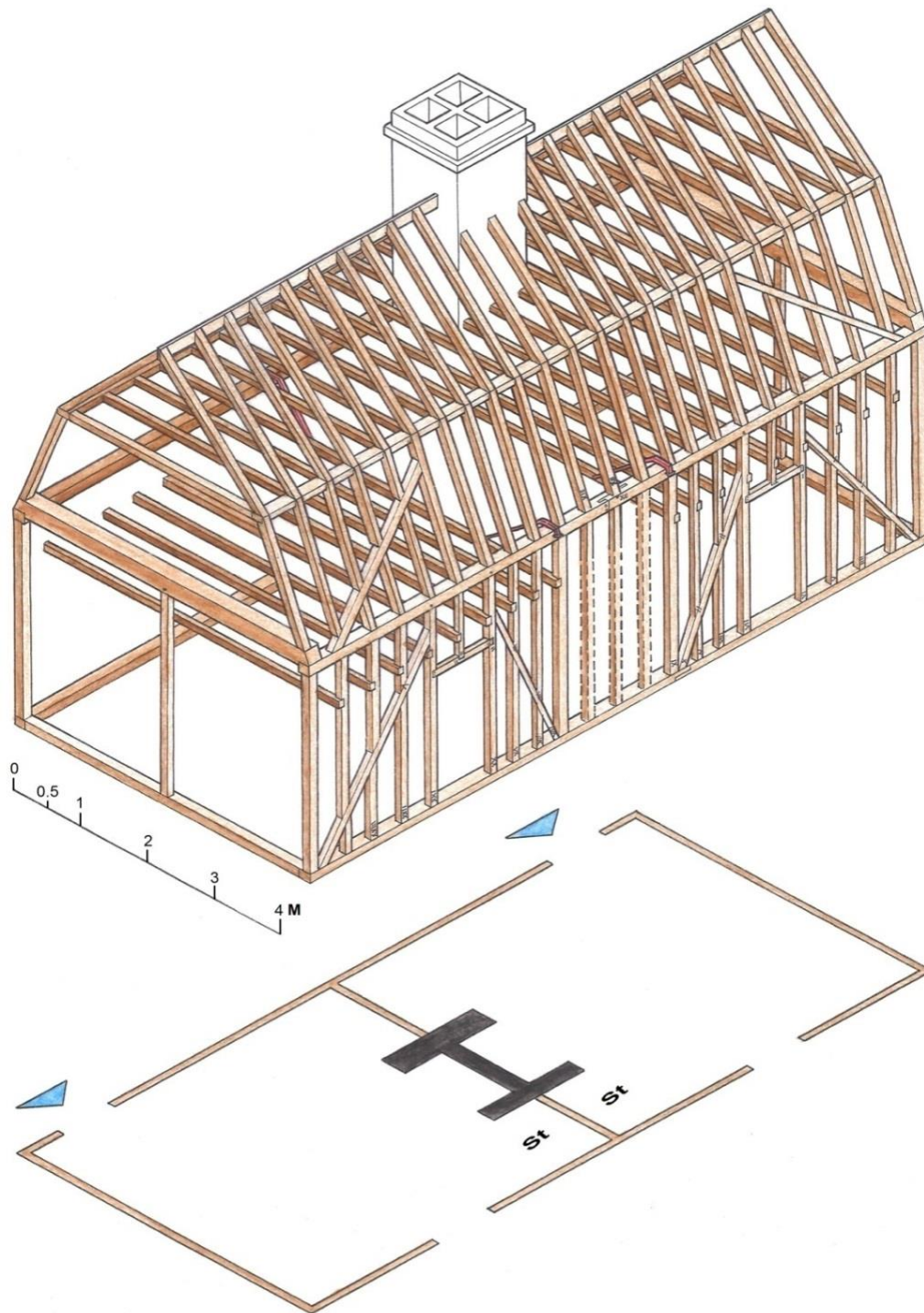
Photograph taken May 2018

Description

This house was built towards the end of the 18th century as a pair of semi-detached cottages (Essex Record Office: D/AER 35/265). The builder was John Burchill, the farmer at Morris Farm, and the intention was probably to house his labourers. It is a 1 ½ storey timber-framed and weather-boarded building, with a gambrel roof clad in clay tiles and a central, ridge-line chimney stack. The house has a good quality timber-framed structure (illustrated in an isometric drawing reproduced on the following page) and original fireplaces.

Significance

This is a well-preserved example of a pair of vernacular Georgian cottages. Modern alterations and extension have been carried out in a sympathetic manner and do not detract from the special character of the building.



Isometric reconstruction illustrating the timber-framed structure and original ground-floor layout of Scarr Cottage. The view is from the rear. The doorways in the rear wall probably led into rear lean-tos which no longer survive. Drawing by Tim Howson, 2015.

Sources

Board, B.: “‘A Venture of Faith’, the building of a school in Stow Maries”, *Essex Archaeology and History*, Volume 32 (2001), pp. 228-236

Board, B.: Exhibition on the history of Stow Maries, displayed in the parish church in 2015

Padfield, A.: “Stow Maries, Great Hayes Farm”, *Essex Archaeology and History*, Volume 35 (2004), pp. 183-4

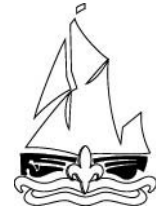
Preparation of the Register of local heritage assets for Stow Maries was greatly assisted by the input of the late Beryl Board, local historian.

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Timetable for the development of Lists of Local Heritage Assets in the Maldon District

	2019												2020									
	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	
Phase 1: Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries	24 Jan P&L			11 April P&L																		
Phase 2: Heybridge and Maldon				11 April P&L			July P&L															
Phase 3: Bradwell, Burnham, Dengie, Southminster and Tillingham						June P&L			Sept P&L													
Phase 4: Asheldham, Latchingdon, Mayland, Mundon, St Lawrence and Steeple									Sept P&L				Jan P&L									
Phase 5: Hazeleigh, Langford, Ulting, Woodham Mortimer and Woodham Walter													Jan P&L			April P&L						
Phase 6: Great Braxted, Great Totham, Little Braxted, Little Totham and Wickham Bishops																April P&L			July P&L			
Phase 7: Goldhanger, Tollesbury, Tolleshunt D'Arcy, Tolleshunt Knights and Tolleshunt Major																May P&L					Sept P&L	

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2019**

**DRAFT ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND
MITIGATION STRATEGY (RAMS): STAKEHOLDER AND PUBLIC
CONSULTATION**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to outline the content of the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) (**APPENDIX A**). It seeks Committee's approval for the draft RAMS to go out for public consultation. In accordance with the Council's Statement of Community Involvement, consultation for the RAMS will be undertaken over a six week period.
- 1.2 This report also seeks the Committee's approval for the RAMS to be used as the evidence base for securing financial contributions from new housing development in the interim period prior to the draft RAMS Supplementary Planning Document (SPD) being adopted.

2. RECOMMENDATIONS

- (i) That the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) be approved for stakeholder and public consultation;

To the Council:

- (ii) That the draft Essex Coast RAMS be approved for securing financial contributions from new housing development in the interim period prior to the draft Essex Coast RAMS SPD being adopted

3. SUMMARY OF KEY ISSUES

3.1 Draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)

- 3.1.1 The Conservation of Habitats and Species Regulations 2017 protects the ten international and nationally designated Habitats sites on the Essex Coast for their wildlife and habitats, including large numbers of wintering water birds. Four are wholly, or partly within the District at:

- Blackwater Estuary: Special Protection Area (SPA) and Ramsar

- Dengie: SPA and Ramsar
 - Crouch and Roach Estuaries: SPA and Ramsar;
 - Essex Estuaries: Special Area of Conservation (SAC).
- 3.1.2 The Regulations require Local Planning Authorities (LPA) to demonstrate that their Local Plans will not adversely affect the integrity of a Habitats site(s) through a Habitats Regulations Assessment (HRA). Similarly, the Regulations require the Council as a ‘competent authority’ to ensure that planning permission is not granted for development that will have an adverse impact upon a Habitat site(s) in the District or elsewhere, unless appropriate mitigation is sought. Any mitigation is a requirement of legislation so must be delivered.
- 3.1.3 Natural England has identified that a significant amount of new housing is expected to come forward in the Essex Coast area by 2038 (Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Maldon, Rochford, Southend on Sea, Tendring, Thurrock). In their opinion, the associated increase in residents is expected to have a significant cumulative recreational impact upon the integrity of the Habitats sites, which is contrary to the Regulations.
- 3.1.4 Natural England has identified that a Recreational disturbance Avoidance and Mitigation Strategy (RAMS) will provide the necessary confidence that mitigation will be delivered in the right places to address the impacts identified, at the right time, as a consequence of new development.
- 3.1.5 The RAMS will only mitigate ‘in combination’ effects of new housing through a tariff. Strategic sites may also generate ‘at source’ (on site) effects. If a development is required to provide on site mitigation, the tariff would still be required to address the ‘in combination’ effects expected to be experienced at the Habitats sites. The type of effect would be identified through a project level HRA undertaken as part of the planning application process for the site.

4. TECHNICAL REPORT

- 4.1 The RAMS has been prepared by Essex Place Services. It comprises two sections: the Technical Report and the Mitigation Report. The Technical Report sets out:
- why the RAMS is needed;
 - the purpose of the Strategy;
 - background evidence and analysis including:
 - winter and summer visitor surveys and results: their location, the survey methodology, questionnaire and results (previously brought to this Committee in March, Minute No. 2018/882, and June 2018, Minute No. 2018/123);
 - the approach taken to stakeholder workshops and their outputs (reported to this Committee in June 2018, Minute No. 2018/123);

- assessment of published data, reports and studies, such as the Habitats sites Site Improvement Plans, existing mitigation and bird data provided by the Wetland Bird Survey (WeBS);
- the zones of influence (reported in July 2018, Minute No 2018/291).

4.2 Mitigation Report

4.2.1 This part of the RAMS sets out:

- The overall mitigation package;
- How mitigation will be funded;
- How mitigation will be implemented and broad timescales for delivery;
- Details about monitoring and review.
- The amount of new homes expected to contribute to mitigation;
- The level of tariff recommended.

4.3 Mitigation package

4.3.1 Avoiding potential conflicts between birds and people is the priority of the RAMS. The Technical Report identifies key broad locations which are more accessible to visitors where recreation is expected to result in disturbance of key bird roosts. In the District these are at: Heybridge Basin; Northey Island; Bradwell Waterside; St Peters Chapel, Dengie; and, Tollesbury. Precise sites will vary depending on the time of year.

4.3.2 To address impacts in these key locations a mitigation package of interdependent projects has been produced, informed by the Technical Report, a precautionary approach and best practice. The mitigation package is required to ensure that an increase in recreational activity on the Coast does not increase the level of bird disturbance that currently exists. Costs are based on those provided by Partners for similar recent projects in the Essex Coast and in similar locations.

4.3.3 It is important that the mitigation package is pragmatic and realistic and only mitigates the recreational impacts of new development, and not existing issues. As such, the package and its phasing will need to reflect:

- Which measures will achieve the greatest impact in the most cost effective way;
- The complexity of projects: some may require long term planning, feasibility work prior to on the ground delivery etc.;
- The phasing of housing and therefore the availability of funding: Although the RAMS must be in place prior to the adoption of the first local plan in the Essex Coast (excluding Maldon), the RAMS indicates that most development will take place between 2023 - 2028, and many of the larger allocations and Garden Communities in particular are expected to have long lead-in times. This means that it may take some time for the majority of funding to be generated. The projects identified, particularly in the short term, will need to reflect this.

4.3.4 Four delivery timeframes have been identified: immediate priority (years one - two), short to medium priority (years three - five), longer term priority (years six - ten) and long term priority (10 years+). However, the precise delivery timeframe for each project will be agreed through the delivery process (see paragraphs 4.12.1 – 4.12.4). As the projects are reliant on the delivery of housing and the impacts evidenced on the Coast, as delivery evolves projects may need to be re-prioritised to reflect changing circumstances, the availability of funding from other sources (which RAMS could match fund) and changing national and local priorities.

4.3.5 Full details of the mitigation package are set out in Table 8.1 of the RAMS. The key implications for the District are discussed below.

4.4 Delivery Co-ordinator

4.4.1 To ensure delivery is managed effectively and efficiently a Delivery Co-ordinator will need to be appointed by the Accountable Body (see paragraph 4.12.3). This officer would be the main contact point for the RAMS and would ensure that the RAMS is being delivered as approved. They would provide regular updates to the Project Board and steering group (see governance) and will need to ensure that the RAMS complements projects delivered at Habitats sites by other stakeholders e.g. landowners, Essex Wildlife Trust (EWT), the Royal Society for the Protection of Birds (RSPB) and would need to identify opportunities to bring additional benefits through match funding.

4.5 Bird Aware

4.5.1 The RAMS identifies that communication and education are essential to deliver positive outcomes to the Coast. The Solent RAMS has established Bird Aware, a not-for-profit partnership which is a marketing tool, designed to educate and raise awareness of the birds that spend the winter on the Solent, so that people can enjoy the coast without disturbing the birds (see Minute No 2018/291).

4.5.2 The RAMS recommends establishing Bird Aware: Essex Coast as a cost-effective way to help deliver this key strand of the Strategy. Being involved in an established brand would generate greater awareness – by representing more of the environment, more mitigation and a larger public audience means the brand holds more weight in the statements it makes. This could make the process more credible to developers and the public.

4.5.3 Initial involvement would be £3,500 (£318 per Partner) and would cover the cost of a dedicated Essex Coast website, a locally tailored leaflet, brand kit and children's resources. The Essex Coast design would be in keeping with the brand but the Partners would have control over the content to ensure it is Essex Coast specific.

4.5.4 The Council's Countryside and Coast, Communications and Tourism Managers recognise that using an established brand could have positive benefits for the promotion of the RAMS in the District. Its use would not conflict with any other promotional material the Council is currently involved with. The initial contribution would come from existing budgets.

- 4.5.5 It is possible that other mitigation projects, such as the delivery officer, rangers, responsible dog owner campaigns and new signage could be delivered under the Bird Aware brand. However, this would be a decision for the Partners through the governance arrangements (see paragraphs 4.12.1 – 4.12.4).

4.6 Rangers

- 4.6.1 Encouraging people to avoid disturbance of birds through face to face education and communication has been identified by other partnerships, such as at Thames Basin Heaths and Dorset Heaths as an effective way to manage visitor behaviour. The RAMS supports this approach and identifies key locations with good visitor access that are likely to result in disturbance of key bird roosts, where rangers should focus their time. Six are within the District at Heybridge Basin, St Lawrence, Bradwell Waterside, St Peters Chapel, Burnham-on-Crouch, Tollesbury.
- 4.6.2 The RAMS provides for three Rangers to work across the Habitats sites. The RAMS recommends that during the winter one ranger should be dedicated to the Blackwater Estuary when disturbance of over wintering birds is likely from the number of homes planned in its Zone Of Influence (ZOI). The Blackwater Estuary will also be a priority for ranger visits in the summer as well. However, it is important that the rangers work with and complement existing services provided by the Councils and other organisations to ensure maximum value is achieved.

4.7 River bailiffs / codes of conduct/byelaws

- 4.7.1 The RAMS acknowledges the success of Maldon's river bailiff and recommends it should be expanded to the Colne Estuary and Hamford Water. The RAMS also recognises that the increasing use of watersports is an area of concern in the Blackwater Estuary, and that additional enforcement should be funded by the RAMS in this location, in the medium to longer term.
- 4.7.2 Bailiff activity would be most effective at reducing disturbance if backed up by new zoning aimed at reducing disturbance to key locations. The RAMS recommends introducing water sport zones, which could be appropriate in both the Blackwater Estuary and the River Crouch. This could reflect the successful 'wildlife refuge zones' used in the Exe where, depending on proximity to roosts, watersports are either not permitted, or are only permitted at certain times of the day (depending on the tide) / year (to reflect the seasons), and/or are restricted to certain types of activity.
- 4.7.3 The RAMS recognises that users will be most likely to alter their behaviour if measures, such as new codes of conduct and/or byelaws are established through close working with watersports groups, such as boating and paddleboarding clubs. Given the increasing level of watersport recreational activity in the District, there is potential to pilot this with key users groups active in the area.

4.8 Habitat Creation

- 4.8.1 Habitat creation has always been a feature of the RAMS but early drafts only allocated £50,000 for projects. Following representations by the Vice-Chairman of this Committee and the Acting Planning Policy Team Leader that the Technical Report justified an increased funding allocation, £500,000 has now been allocated for

habitat creation, which could include saltmarsh re-charge, regulated tidal exchange and artificial roosts at key locations. This provides the necessary ‘hooks’ for appropriate habitat projects to be delivered within and outside the District once the funding becomes available in the medium to longer term.

4.9 Habitat Protection

- 4.9.1 Areas of farmland and grassland outside, but adjoining the Habitats Sites (known as Functionally Linked Land) may be important ecologically in supporting the bird populations for which the Habitats sites have been designated. Many of these areas are within the District and are managed by farmers and other landowners under Higher Level Stewardship schemes. The RAMS recognises their importance to the longevity of the Habitats Sites: a key project is to map these areas and work with landowners in the District and elsewhere to ensure that any projects within the Habitats Sites complement those within the Functionally Linked Land.

4.10 Monitoring / Visitor surveys

- 4.10.1 The RAMS recognises that the key locations for bird roosts and the status of those species may change over time, as will recreation patterns, with factors such as climate, coastal erosion and the popularity / trends of different activities likely to influence distribution and access. Monitoring is an important element within the mitigation package: it is tailored to pick up ‘early-warning’ of any new issues and use of key measurable outcomes should ensure that the mitigation measures are effective. As such a detailed monitoring package will be a separate workstream delivered by the Steering Group in due course.
- 4.10.2 Monitoring of bird roosts will continue at regular intervals, through WeBS and volunteer observations across the Coast. This will ensure that trends in bird populations can be identified and impacts managed accordingly. Monitoring of access will be linked to the WeBS data to ensure any trends of recreation impact upon protected species are identified and mitigation projects identified where necessary. Relevant monitoring information will be reported annually to inform the Council’s Authority Monitoring Report.
- 4.10.3 The RAMS acknowledges that in some cases the total number of visitors completing visitor surveys for the RAMS was below that considered by Visit Britain guidelines to provide a comprehensive view of recreational activity on the coast. However, Natural England is satisfied that the responses are acceptable to inform the RAMS, as long as the mitigation package prioritises additional surveys in years one and two. Several locations, including the Dengie and the Crouch, have been prioritised for summer surveys early in the delivery period. Results would be combined with the existing winter surveys (used for the RAMS) to ensure the ZOI for each Habitats Site remains fit for purpose.
- 4.10.4 Therefore, visitor surveys are essential to the integrity of the RAMS process. Currently, the ZOIs for Habitats Sites in the District capture a significant proportion of housing from outside the District - it is important that their evidence base is kept up to date otherwise the Partners, and the Council as a competent authority, could be open to challenge. The RAMS also recognises that additional surveys provide an opportunity to enhance user data on watersport / air borne recreation activity and

ensure their impacts are fed into the delivery of key projects. This would benefit the Council and its partners by helping to justify associated projects in the District.

4.11 RAMS Tariff

- 4.11.1 The 11 Partners are seeking to deliver approx. 72,907 houses in their Local Plans over the plan period 2018 - 2038 (the lifetime of the Local Plans). This figure is based on current published housing figures in adopted and draft Local Plans – it is expected that as the Local Plans go through the plan-making process or are reviewed this figure will change. The RAMS and its SPD will be reviewed at appropriate intervals to ensure the documents remain up to date, relevant and effective.
- 4.11.2 The RAMS tariff is calculated by dividing the overall cost of the mitigation package (£8,916,448) by the number of dwellings in the Local Plans (without planning permission) which will be built in the Essex Coast Zone of Influence until 2038 (72,907 dwellings). The tariff per dwelling is therefore £122.30. Prior to the adoption of the SPD the housing figures will be re-considered to deduct any houses that have been granted planning permission in the interim. The cost of the mitigation measures will increase with inflation each year in line with the Retail Price Index.
- 4.11.3 All new residential development (where there is a net increase in the number of dwellings) built in the Zone of Influence will be required to make a financial contribution. The RAMS shows that all of the District falls within the ZOI. As such, all new housing will be liable to make a financial contribution.
- 4.11.4 The detailed approach to securing the tariff is still being finalised and will be a matter for the draft SPD (see paragraph 4.13.1).

4.12 Governance

- 4.12.1 To ensure transparency, governance arrangements are being taken forward by the Partners, rather than by Essex Place Services. Essentially, the Partners through the Essex Planning Officers Association (EPOA) Chief Officers Group propose to introduce a Project Board / Steering Group model (the draft governance chart is attached as **APPENDIX B**). This model has been implemented successfully by several partnerships elsewhere including North Kent, Dorset Heathlands and the Solent. Officers consider that the model can easily be transferred to the Essex Coast, however the objectives and priorities it delivers will be those set out by the Essex Coast RAMS.
- 4.12.2 Rather than establishing a new forum it is considered more effective and efficient for the Project Board to comprise the EPOA Chief Officers Group. This Group will make decisions at an operational level, relating to funding allocations, project prioritisation and delivery in line with the mitigation package set out in the RAMS approved by each Council. To ensure transparency and so that delivery is in line with the RAMS, an annual financial statement will be reported, as part of the Council's Authority Monitoring Report, to this Committee each year.
- 4.12.3 Environmental groups such as Natural England, will be invited to meetings where appropriate but will not have voting rights. The existing officer Steering Group will be retained and will provide technical support and reports to the Project Board. A

Member Working Group is expected to form part of the overall governance process to inform the Steering Groups approach to specific projects.

- 4.12.4 Additionally, one of the Partners will need to become the Accountable Body for the RAMS. That authority will employ the Delivery Officer, hold and administer funds, provide secretarial support to the Project Board and Steering Group, action commissioning of projects and surveys, collate monitoring information and provide a financial protocol. Each Council is considering whether to become the Accountable Body.
- 4.12.5 Further work is required on the details of the governance. A paper will be taken to the March EPOA Chief Officers meeting to provide more details on the operation of the delivery model and a communications plan. A Memorandum of Understanding will be taken to the June meeting to be signed by each Partner. The first allocation of funds will take place in December. Further information will be provided to this Committee during 2019 on the governance.

4.13 **RAMS SPD**

- 4.13.1 An SPD is being prepared by Essex Place Services to provide an effective framework for securing financial contributions to deliver the RAMS. It is expected that the draft SPD will be brought to this Committee in March for approval for consultation.

4.14 **Consultation**

- 4.14.1 Essex Place Services will undertake the consultation for the draft RAMS and the draft SPD at the same time. However the consultation will follow the same process the Council uses for all other draft SPDs.
- 4.14.2 Each Partner needs to take the documents to their relevant Committees so the consultation dates are not yet available. Further information on the consultation will be provided to this Committee in due course.

4.15 **Interim guidance**

- 4.15.1 In August 2018 Natural England issued interim advice (see RAMS report for noting to the November 2018 meeting of this Committee) to ensure that any residential planning applications coming forward ahead of the Essex Coast RAMS that are within the ZOI meet the requirements of the Habitats Regulations. Essentially, Natural England is advising that a fair and proportionate RAMS contribution is required. The process used by officers is set out in the November report.
- 4.15.2 All financial contributions must be consistent with the three tests set out in the Community Infrastructure Levy Regulations 2010. They must be:
 - a) Necessary to make the development acceptable in planning term;
 - b) Directly related to the development;
 - c) Fairly and reasonably related in scale and kind to the development
- 4.15.3 The evidence from which the Council would identify and justify a financial contribution is within the draft RAMS. The Council's Solicitor has advised that the

draft RAMS carries some weight in the consideration of planning applications. Therefore, it is reasonable to use the tariff in the draft RAMS as the basis for securing financial contributions from new housing where the Local Planning Authority, as a designated Competent Authority, make a judgement that the impacts of new housing would be significant that it would conflict with the Habitats Regulations. Approving the draft RAMS for consultation will enable officers to start using the tariff in the planning application process. This will reduce costs to developers and help streamline the development management process for officers.

5. CONCLUSION

- 5.1 The draft Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) is a joint initiative between 11 Essex authorities to identify the recreational impacts new homes will have on the Habitats sites along the Essex Coast. The RAMS will be reviewed and updated as necessary to ensure that it remains relevant and effective.
- 5.2 Once approved for consultation by this Committee, the draft RAMS will be used in, the interim prior to the adoption of the SPD, as the basis for securing financial contributions from new development.
- 5.3 Further information on the governance of the RAMS, on the draft SPD and on the consultation for both documents, will be brought to this Committee during 2019.

6. IMPACT ON CORPORATE GOALS

- 6.1 The draft Recreation disturbance Avoidance and Mitigation Strategy will have a positive impact on the corporate goals which underpin the Council's vision for the District, in particular protecting and shaping the District.

7. IMPLICATIONS

- (i) **Impact on Customers** – Clear strategy working with other authorities in Essex provides certainty to residents and businesses in the District. Planning applications for housing proposals will be determined in accordance with the RAMS ensuring housing has no adverse impacts upon the environment.
- (ii) **Impact on Equalities** – Not applicable.
- (iii) **Impact on Risk** – A RAMS is required in accordance with national legislation. The Council is a competent authority and must ensure that new development does not adversely impact upon Habitats sites in the District. The RAMS will provide greater certainty to the Council, developers and the local community in relation to the costs associated with development.
- (iv) **Impact on Resources (financial)** – The costs related to the stakeholder and public consultation will be met through the consultants commission. The RAMS sets out the evidence base for securing financial contributions from new housing.

- (v) **Impact on Resources (human)** – Project management of the RAMS is by Essex County Council: Place Services. The Council's project lead is in-house. The RAMS provides a robust and transparent evidence base within which to negotiate financial contributions from new development. The RAMS will enable the development management process to be streamlined and be more effective.
- (vi) **Impact on the Environment** – RAMS promotes sustainable development and safeguards the character and distinctiveness of the District. The RAMS is expected to generate significant positive impacts for the District's environment.

Background Papers:

Local Development Plan 2014-2029

Maldon District Local Development Plan Post Examination Sustainability Appraisal Report incorporating Strategic Environmental Assessment and Habitats Regulations Assessment, 2017

Conservation of Habitats and Species Regulations 2017

Draft Recreational disturbance Avoidance Mitigation Strategy 2018-2038, Essex Place Services, January 2019

Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Conservation of Habitats and Species Regulations 2017, Natural England, August 2018

Enquiries to: Karen Johnson, Acting Planning Policy Team Leader, (Tel: 01621 876283).



Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS)

Habitats Regulations Assessment
Strategy document
2018-2038

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Executive Summary

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the “Essex coast RAMS” or the Strategy) aims to deliver the mitigation necessary to avoid significant adverse effects from ‘in-combination’ impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity. All new residential developments within the evidenced Zone of Influence where there is a net increase in dwelling numbers are included in the Essex Coast RAMS.

The Essex Coast RAMS identifies a detailed programme of strategic mitigation measures which are to be funded by developer contributions from residential development schemes.

The 11 Local Planning Authorities (LPAs) which are partners in and responsible for the delivery of the Essex Coast RAMS are listed below:

- Basildon Borough Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Borough Council
- Chelmsford City Council
- Colchester Borough Council
- Maldon District Council
- Rochford District Council
- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council

The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have identified recreational disturbance as an issue for all of the Essex coastal Habitats sites.

Mitigation measures have been identified in the HRA (screening and/or Appropriate Assessments) for many of the Local Plans. There are similarities in the mitigation measures proposed, reflecting the identification of in-combination effects resulting from planned and un-planned growth in LPA areas.

Mitigation at this scale, and across a number of LPAs, is best tackled strategically and through a partnership approach. This ensures maximum effectiveness of conservation outcomes and cost efficiency. In recognition of this, Natural England recommended a strategic approach to mitigation along the Essex coast.

This strategic approach has the following advantages:

- It meets the requirements of planning legislation: necessary to make a development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to a development;
- It is endorsed by Natural England and has been used to protect other Habitats sites across England;
- It is pragmatic: a simple and effective way of protecting and enhancing the internationally important wildlife & habitats of the Essex coast and will help to reduce the time taken to reach planning decisions;
- It allows for detailed evidence to be gathered to understand the recreational disturbance patterns and provide an effective mitigation package;
- It provides an evidence based and fair mechanism to fund the mitigation measures required as a result of the planned residential growth; and

It provides developers, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes within the Zone of Influence is provided in an effective and timely manner.

The mitigation measures in the Essex Coast RAMS toolkit are summarised below:

Action area	Examples
Education and communication	
Provision of information and awareness raising	<p>This could include:</p> <ul style="list-style-type: none"> • Information on the sensitive wildlife and habitats • A coastal code for visitors to abide by • Maps with circular routes away from the coast on alternative footpaths • Information on alternative sites for recreation <p>There are a variety of means to deliver this such as:</p> <ul style="list-style-type: none"> • Through direct engagement led by Rangers/volunteers • Interpretation and signage • Using websites, social media, leaflets and traditional media to raise awareness of conservation and explain the Essex Coast RAMS project. • Direct engagement with clubs e.g. sailing clubs, ramblers clubs, dog clubs etc. and local businesses.
Habitat based measures	
Fencing/waymarking/screening	Direct visitors away from sensitive areas and/or provide a screen to minimise their impact
Pedestrian (and dog) access	<ul style="list-style-type: none"> • Zoning • Prohibited areas • Restrictions of times for access e.g. to avoid bird breeding season

Cycle access	Promote appropriate routes for cyclists to avoid disturbance at key locations
Vehicular access and car parking	Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”
Enforcement	<ul style="list-style-type: none"> Establish how Water Rangers operating the patrol boats can be most effective. It should be possible to minimise actual disturbance from the boat itself through careful operation. Rangers to explain reasons for restricted zones to visitors e.g. for bait digging, dogs on a lead
Habitat creation	Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans
Project delivery	
Partnership working	Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.
Monitoring and review	Birds and visitor surveys with review of effectiveness of measures with new ideas to keep visitors wanting to engage

The overall cost for the mitigation package is £8,916,448 in total from today until 2038. **The tariff per dwelling for this period is currently calculated at £122.30.**

Existing visitor pressure at Habitats sites will need to be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the relevant project HRA.

Ahead of the production of the Essex coast RAMS, LPAs have had an interim approach to delivering the requirements of the Habitats Regulations. The publication of the RAMS begins the strategic mitigation phase and the Essex Coast RAMS allows LPAs to collect developer contributions for applications for new residential dwellings which fall within the Zone of Influence of the Essex coast Habitats sites. The Essex Coast RAMS will be accompanied by a Supplementary Planning Document, which will facilitate its delivery.

1 Introduction

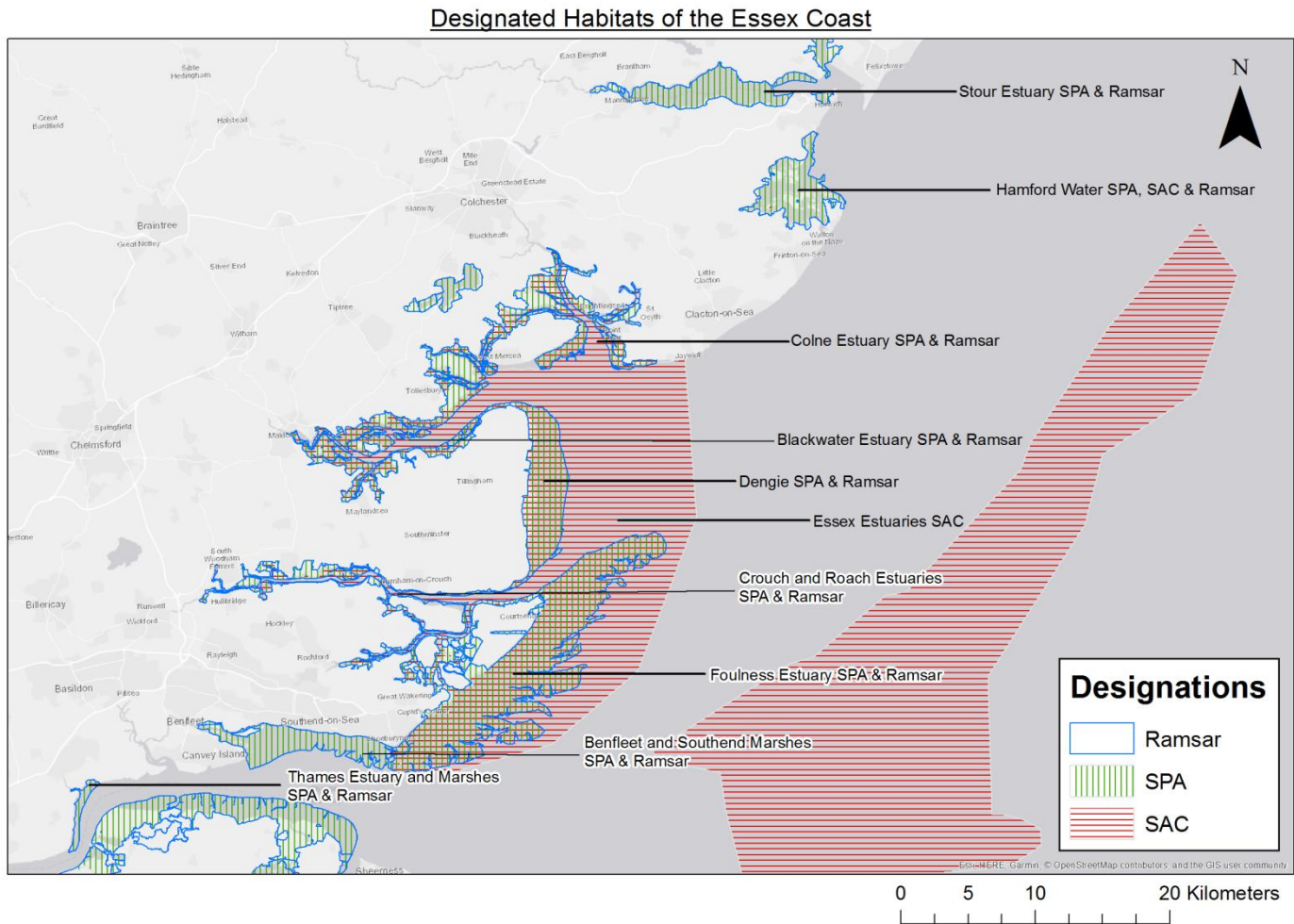
- 1.1 The Essex coastline stretches for just over 350 miles, extending from the Thames Estuary in the south, northwards to the port of Harwich and the Stour Estuary. The coastline is extremely diverse and features a variety of habitats and environments and which are internationally important for wildlife as shown on Fig. 1.1.
- 1.2 Most of the Essex coast is designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') as part of the European Natura 2000 network a series of these sites across Europe. For the purposes of this Strategy this means Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. A key purpose of these designations is to protect internationally important numbers of breeding and non-breeding birds and their coastal habitats.
- 1.3 The Habitats Regulations usually refer to these sites as 'European Sites', however as SPAs and SACs (designated under the EU Birds and Habitats Directives) are now defined as 'Habitats sites' in the National Planning Policy Framework (NPPF) (2018) they will be referred to as Habitats sites in this Strategy. The NPPF (para 176) gives the same protection to Ramsar sites (wetlands of international importance designated under the Ramsar convention). For this Strategy, the term Habitats Sites will therefore also include Ramsar sites.
- 1.4 The Essex coast also provides opportunities for recreation. Housing and consequent population growth in Essex is likely to increase the number of visitors to these sensitive coastal areas, creating the potential for impacts from increased recreational disturbance of the birds and their habitats, unless adequately managed.
- 1.5 This Recreational disturbance Avoidance and Mitigation Strategy (RAMS) will support sustainable residential growth in Essex. It will deliver mitigation to protect coastal Habitats sites and the wildlife they support, from the increased recreational disturbance associated with a growth in population.
- 1.6 This mitigation must keep ahead of the rate of population growth to avoid any adverse effects on the integrity of coastal Habitats sites.
- 1.7 The Essex Coast RAMS will be deemed successful if the level of bird disturbance is not increased despite an increase in population and the number of visitors to the coastal sites for recreation.

- 1.8 The network of Habitats sites within the UK covers over 8.5% of the land area or 920 sites in total. There are 10 of these sites in the Essex Coast RAMS area¹ (see Figure 1.1 overleaf for more details). This means that almost the entire Essex coast is protected by an international designation for its wildlife interest.
- 1.9 Each Habitats site is underpinned by one or more Site of Special Scientific Interest (SSSI) as defined by Natural England advice.
- 1.10 Natural England is the Government's advisor for the natural environment in England and has published a set of mapped Impact Risk Zones (IRZs) for all Sites of Special Scientific Interest (SSSIs). These are defined on the Natural England website as "a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals to: Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites. They define zones around each site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts."
- 1.11 The IRZs have been identified for all SSSIs, with different trigger distances for a variety of types of developments. This study has defined Zones of Influence (ZOIs) for each Habitats site, based purely on recreational disturbance from residential dwellings.
- 1.12 11 of the 14 Essex Local Planning Authorities (LPAs) lie wholly or partly within the IRZs of these coastal Habitats sites. The 11 LPAs that are therefore partners to this strategy are:
- Basildon Borough Council
 - Braintree District Council
 - Brentwood Borough Council
 - Castle Point Borough Council
 - Chelmsford City Council
 - Colchester Borough Council
 - Maldon District Council
 - Rochford District Council
 - Southend-on-Sea Borough Council
 - Tendring District Council
 - Thurrock Council

¹ Abberton Reservoir and Epping Forest are also Habitats sites in Essex, but these are not within scope for the Essex Coast RAMS.

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Figure 1.1: Habitats (European) sites on the Essex coast



Notes:

- Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention (1971)¹.
- Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds.
- Special Areas for Conservation (SACs) are sites which support high-quality habitats and species.

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- 1.13 Together, these LPAs are aiming to deliver approximately 80,000 new homes in the next 20 years according to growth set out in current and emerging Local Plans. This will potentially result in around 190,000 new residents in this area between 2018 and 2038 (based on a 2.4 person per household average household occupancy).
- 1.14 Harlow and Epping Forest Districts are not included in the Essex Coast RAMS because their geographical areas were outside the Zones of Influence for the coastal Habitats sites. However now that the ZOI for the Blackwater Estuary SPA & Ramsar site includes a small part of Uttlesford District, the District Council may decide to join as a partner for adoption of SPD and the delivery phase of the Essex Coast RAMS.
- 1.15 Under the Habitats Regulations, each of the partner LPAs is defined as “competent authority”, which is a term used for any public body or individual holding public office. In practice, this means that these LPAs have a duty to comply with the Habitats Regulations and ensure that plans and projects under their jurisdiction do not lead to adverse effects on the integrity of Habitats sites.
- 1.16 The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have also identified recreational disturbance as an issue for all of the Essex coastal Habitats Sites.
- 1.17 Each Habitats site or complex of sites in England has a Site Improvement Plan (SIP), developed by Natural England.
- 1.18 SIPs provide a high level overview of the issues (both current and predicted) affecting the condition of the designation features on the Habitats site(s) and outlines the priority measures required to improve the condition of the features. It does not cover issues where remedial actions are already in place or ongoing management activities which are required for maintenance.
- 1.19 The SIP consists of three parts: a Summary table, which sets out the priority Issues and Measures; a detailed Actions table, which sets out who needs to do what, when and how much it is estimated to cost; and a set of tables containing contextual information and links.
- 1.20 The SIPs are based on Natural England's current evidence and knowledge. The SIPs are not legal documents; they are live documents that are continually updated.
- 1.21 The planned growth in population is expected to increase the number of residents

using recreational spaces within reach of the new housing, including the Essex coast where people can undertake a range of recreational activities including picnics, hiking, walking their dogs, swimming, sailing and many other land and water based activities.

- 1.22 The Essex coast Habitats sites already experience recreational pressures but the planned level of population growth in Essex is likely to increase the number of visitors to these sensitive coastal areas. Unless adequately managed, this creates a potential for conflict between recreational activities and the conservation of internationally important assemblages of birds and habitats.
- 1.23 In response to the evidence for potential for recreational disturbance impacts from housing allocations in Local Plans, Natural England provided a list of Habitats sites to be included in a strategic approach to mitigation on the Essex coast. These are listed in Table 1.1 and shown on Figure 1.1:

Table 1.1: Habitats sites in Essex relevant to the Strategy

Habitats Sites on the Essex Coast
Essex Estuaries SAC
Hamford Water SAC, SPA and Ramsar
Stour and Orwell Estuaries SPA and Ramsar
Colne Estuary SPA and Ramsar
Blackwater Estuary SPA and Ramsar
Dengie SPA and Ramsar
Crouch and Roach Estuaries SPA and Ramsar
Foulness Estuary SPA and Ramsar
Benfleet and Southend Marshes SPA and Ramsar
Thames Estuary and Marshes SPA and Ramsar

Notes:

- *Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention (1971)².*
- *Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds.*
- *Special Areas for Conservation (SACs) are sites which support high-quality habitats and species.*

² Listed or proposed Wetlands of International Importance under the Essex Coast Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

- 1.24 Evidence for a link between population increase, increased recreational pressure on the Essex coast and the resultant impact on wildlife comes from a study by Footprint Ecology commissioned by Natural England (Panter, C & Liley, D 2016). The following text box provides further details.

Table 1.2: Effects of recreational disturbance on non-breeding SPA birds
(Reproduced from Panter, C & Liley, D. 2016)

1.3	<p>Disturbance has been identified by Natural England as a generic issue across many European Marine Sites (see Coyle & Wiggins 2010), and can be an issue for a range of species. During the winter/passage periods there can be high numbers of birds present, and competition for food and resources (Caldow <i>et al.</i> 1999; Goss-Custard <i>et al.</i> 2002, 2006; Stillman <i>et al.</i> 2007). Disturbance to wintering and passage waterfowl can result in:</p> <ul style="list-style-type: none"> • A reduction in the time spent feeding due to repeated flushing/increased vigilance (Fitzpatrick & Bouchez 1998; Stillman & Goss-Custard 2002; Bright <i>et al.</i> 2003; Thomas, Kvitek & Bretz 2003; Yasué 2005) • Increased energetic costs (Stock & Hofeditz 1997; Nolet <i>et al.</i> 2002) • Avoidance of areas of otherwise suitable habitat, potentially with birds feeding at poorer quality locations (Cryer <i>et al.</i> 1987; Gill 1996; Burton <i>et al.</i> 2002; Burton, Rehfish & Clark 2002) • Increased stress (Regel & Putz 1997; Weimerskirch <i>et al.</i> 2002; Walker, Dee Boersma & Wingfield 2006; Thiel <i>et al.</i> 2011)
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- 1.25 For breeding SPA birds, different issues result from recreational disturbance. Key breeding roosts are known on particular estuaries/shorelines and in specific locations where habitat and conditions enable territories to become established. Recreational pressure adds to the stresses of defending a territory, laying eggs and rearing chicks which means that SPA birds are often more vulnerable, and levels of public access to breeding areas can rise in the summer months too. During the breeding season, recreational disturbance can affect breeding success as it can result in nest desertion, potential trampling of eggs and an increase in predation rates etc. (Liley & Sutherland 2007).
- 1.26 Since this Footprint Ecology study was published, mitigation schemes across the UK have provided data which accords with the conclusions of this study.
- 1.27 The maps in Appendix 11 for each Habitats site, are annotated with existing recreational disturbance issues evidenced by Managers of these sites.
- 1.28 The potential ways in which species and their habitats are impacted by recreational disturbance, are considered in this Strategy. The Essex Coast RAMS identifies the baseline:

- The current condition of the Habitats sites, such as the existing pressures upon them, the effects on species and habitats;
- The level of recreational disturbance to non-breeding and breeding birds, trampling of sensitive vegetation e.g. saltmarsh, and nutrient enrichment and erosion of habitats; and
- The mitigation currently in place.

1.29 The Strategy then predicts the future situation without any mitigation and suggests suitable recreational disturbance avoidance and mitigation measures to negate possible significant effects on the Habitats sites.

1.30 The baseline will be used to assess the effectiveness of the Essex Coast RAMS.

1.31 A separate Supplementary Planning Document (SPD) will set out how each LPA will deliver the Essex Coast RAMS through the planning process. This SPD will build upon and provide more detailed guidance about the policies in the Local Plans prepared by the 11 Local Planning Authorities (LPAs) for adoption.

2 Background to the Strategy

Policy Context

- 2.1 This Strategy complies with the relevant legislation and national guidance, including:
- Article 6 of the Habitats Directive (92/43/EEC) 1994
 - European Commission (2001) Assessment of plans and projects significantly affecting Habitats sites – Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC ³
 - Government Circular 06/2005
 - Conservation of Habitats and Species Regulations 2017
 - The National Planning Policy Framework (NPPF) 2018
- 2.2 The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitats Regulations) transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations came into force on 30th November 2017 and extend to England.
- 2.3 The Habitats Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites (henceforth referred to as Habitats sites in accordance with the NPPF).
- 2.4 Regulations 63 and 64 of the Habitats Regulations require a series of steps and tests to be followed for plans or projects that could potentially affect a Habitats site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' (HRA) process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a Habitats site.
- 2.5 HRA is often referred to as 'Appropriate Assessment' (AA) although the requirement for AA is first determined by an initial HRA 'Screening' stage undertaken as part of the full HRA.

³

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

2.6 Specifically, Regulation 63 states:

63.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

2.7 The Regulation 63 of the Habitats Regulations refers to “the competent authority”. These are the body or bodies responsible for the application of the Habitats Regulations Assessment process, on a case-by-case basis to ensure compliance with the Habitats and Birds Directives. A competent authority is defined in Regulation 7 of the Habitats Regulations so as to include:

a) Any Minister of the Crown (as defined in the Ministers of the Crown Act 1975(1)), government department, statutory undertaker, public body of any description or person holding a public office;

b) the Welsh Ministers; and

c) any person exercising any function of a person mentioned in sub-paragraph (a) or (b).

and public body includes:

a) the Broads Authority(4);

(b) a joint planning board within the meaning of section 2 of the TCPA 1990 (joint planning boards)(5);

(c) a joint committee appointed under section 102(1)(b) of the Local Government Act 1972 (appointment of committees)(6);

(d) a National Park authority; or

(e) a local authority, which in this regulation means—

(i) in relation to England, a county council, a district council, a parish council, a London borough council, the Common Council of the City of London, the sub-treasurer of the Inner Temple or the under treasurer of the Middle Temple;

(ii) in relation to Wales, a county council, a county borough council or a community council;

- 2.8 The Habitats Regulations also use the following terms, which are used in this Strategy and are defined below:

Likely Significant Effect – this is a possible adverse effect that would undermine the conservation objectives for a Habitats (European) site and which cannot be ruled out based on clear verifiable objective information.

Alone – consideration given to the details of the plan or project which may result in effects on a Habitats site

In combination with other plans and projects – consideration needs to also be given to the cumulative effects which will or might result from the addition of the effects of other relevant plans or projects.

- 2.9 The Government has produced core guidance for competent authorities and developers to assist with the HRA process. This can be found online ⁴
- 2.10 HRA is thus a vital part of a Local or Strategic Plan's evidence base: for Plans to be considered legally compliant and sound, as set out in section 35 of the National Planning Policy Framework 2018, each LPA must provide mitigation.

Identifying the problem

- 2.11 The majority of the HRAs produced by Essex LPAs as part of the production of their respective Local or Strategic Plans identified that the level of planned housing growth may lead to disturbance of birds in coastal Habitats (European) sites within and beyond each individual LPA boundary.
- 2.12 HRA work relating to the Essex coast Habitats sites undertaken to date at the plan level and project level across the 11 LPAs is detailed in Table 2.1.

4

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82706/habitats-simplify-guide-draft-20121211.pdf

Table 2.1 LPAs and their relevant Habitats Sites

LPAs	Work undertaken	Relevant Habitats sites
Basildon Borough Council	Basildon Borough Council Local Plan 2014-2034 and HRAs (Oct 2018) at the plan and project level	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Braintree District Council	North Essex Authorities Shared Section 1 Local Plan HRA (May 2017) Braintree District Council Section 2 Local Plan HRA (May 2017) Braintree District Council has prepared project level HRAs for residential developments in Hatfield Peverel, Cressing, Braintree and Coggeshall.	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Brentwood	Brentwood Local Plan Habitat Regulations Assessment (January 2018)	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Castle Point	Castle Point Local Plan HRA is currently being undertaken	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Chelmsford	Chelmsford City Council's Pre-Submission Local Plan Habitats Regulations Assessment (January 2018) and an update dated June 2018	The HRA identifies the possibility of significant effects on European sites. In the Pre-Submission Local Plan, the Council has committed to the adoption of the RAMS SPD. Plan level mitigation measures are considered to be both achievable and likely to be effective. Additional provision and master planning requirements are included to minimise effects on the Crouch and Roach Estuaries.
Colchester Borough Council	North Essex Authorities Shared Section 1 Local Plan HRA Colchester Borough Council Section 2 Local Plan HRA <ul style="list-style-type: none"> - HRA screening for Boxted Neighbourhood Plan (2014-2029) - HRA screening for West Bergholt Neighbourhood Plan (2018-2033) - HRA re-screening for Wivenhoe Neighbourhood Plan (2017-2032) 	Colne Estuary, Hamford Water, the Blackwater Estuary the Stour and Orwell Estuaries.

LPAs	Work undertaken	Relevant Habitats sites
Maldon District Council	Maldon District Council Local Development Plan Sustainability Appraisal Report (March 2017) incorporating Strategic Environmental Assessment and Habitats Regulations Assessment Nine LDP allocations with planning permission or planning consent subject to a S106 agreement have project level HRAs. Only two LDP allocations without consent have not had project level HRAs.	Maldon's Local Development Plan was approved in 2017 and all mitigation identified through its HRA was reflected in relevant LDP policies and has been secured via project level HRAs for each allocation.
Rochford District Council	Rochford District Council Local Plan HRA (January 2013) HRA Maylons Farm, West Hullbridge and Wallasea Island	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Southend Council	Southend Council Local Plan HRA (September 2010) Southend Central Area Action Plan (February 2018)	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Tendring District Council	North Essex Authorities Shared Section 1 Local Plan HRA (May 2017) Tendring District Council Section 2 Local Plan HRA (May 2017) Adopted project level HRAs for development	<ul style="list-style-type: none"> • Colne Estuary, • Hamford Water, • Blackwater Estuary • Stour and Orwell Estuaries
Thurrock	Thurrock Local Plan Local Development Scheme (December 2015)	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary

Notes: Not all of the LPAs have prepared project level HRAs for residential developments within the IRZs³ of the SSSIs that underpin each Habitats site. Uttlesford is only affected by a small geographical area on its eastern boundary within the ZOI of Blackwater Estuary SPA & Essex Coast Ramsar and this component of the Essex Estuaries SAC. This also applies to strategic plans eg Joint Strategic Plan and north Essex

⁴ Natural England has published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs to help consider whether a proposed development is likely to affect a SSSI and determine whether they need to consult Natural England to seek advice on the nature of any potential SSSI impacts, their avoidance or mitigation. The dataset and user guidance can be accessed from the [gov.uk website](https://www.gov.uk/guidance/impact-risk-zones-for-sites-of-special-scientific-interest).

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Identifying the need for a strategic solution

- 2.13 In 2017, Natural England's West Anglia Team identified the Essex coast as a priority for strategic and proactive planning engagement and mitigation. This was due to the high numbers of dwellings that were likely to come forward for each Plan alone and also in combination within the relevant Local Plans by 2038 to meet projected housing needs, and the potential recreational impact these new residents could have upon the Habitats sites.
- 2.14 In September 2017, Natural England proposed a strategic approach to LPAs and recommended identifying the scale of the disturbance and implementing measures to mitigate impacts through the preparation of a joint Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Based on existing evidence of visitor pressures, Natural England advised that 11 district/borough Councils across Essex should be partners in the preparation of the Strategy. To reflect the differing Local Plan adoption dates of these authorities, Natural England advised that a Supplementary Planning Document should be the mechanism to secure developer contributions towards the mitigation measures identified as necessary by the Strategy.
- 2.15 Natural England's advice was that the Local Plans must have a clear policy commitment to producing a Mitigation Strategy, with a clear timeframe for its completion. This should be by the time the plan is adopted to ensure any developments coming forward as part of the plan have certainty that there are mitigation measures which can be implemented as soon as the plan is live.
- 2.16 Local Plans are advancing across Essex. The number of Local Plan consultations that are scheduled further increases the urgency to produce the strategy and secure a delivery mechanism for an effective mitigation package.
- 2.17 Mitigation measures have been identified in the HRA (screening and/or Appropriate Assessments) for many of the Local Plans. There are similarities in the mitigation measures proposed, reflecting the identification of in-combination effects resulting from growth in LPA areas. In recognition of this, Natural England recommended a strategic approach to mitigation along the Essex coast.
- 2.18 The LPAs agreed that a strategic solution to mitigate the impacts of recreational disturbance from Local Plans was a sensible approach to take the support of Natural England and Essex County Council. Strategic solutions are usually driven by challenges and opportunities arising from planning issues. They apply more broadly than at a single designated site and often include aims such as cutting down on unnecessary consultations, providing strategic scale mitigation or developing a generic approach to evidence collection and use. The development plan process provides huge opportunities to influence planning policy and create solutions that

can filter down to the application stage, providing confidence that mechanisms exist to deliver much needed development in the right places whilst also ensuring the natural environment is fully considered. Under planning legislation, LPAs have a statutory 'duty to cooperate' with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This includes the Essex Coast RAMS.

2.19 The initial Essex Coast RAMS meeting was held in November 2017 under the umbrella of the Essex Planning Officers Association (EPOA), with all Essex LPAs invited to discuss the rationale for taking a strategic approach to securing a solution to support their Local Plans. Natural England explained the need for Local Plans to provide mitigation in order that sustainable housing growth can be delivered whilst at the same time, adequately protecting Habitats sites from harm that could potentially occur because of increased recreational pressure arising from the new housing growth.

2.20 Natural England's guidance provided at the meeting held on 13 September 2017 outlined that a mitigation strategy should:

- Set clear parameters, providing a mechanism by which pressure from increased recreation can be avoided and mitigated for, thus enabling rather than stalling the progression of planned housing growth within local Plans;
- Be based on evidence and be precautionary where uncertainties remain;
- Provide a good degree of certainty that the required measures can be delivered;
- Be solutions focused, seeking to find robust means of mitigating for impacts to allow development to proceed, incorporating such mitigation at the plan level wherever possible so that these requirements are clear to developers and are consistently applied;
- Build upon work undertaken to date as part of the HRAs for the various Local Plans;
- Reflect best practice; and
- Include monitoring.

2.21 At the same meeting, Natural England also set out the key lessons learnt from strategic mitigation schemes in other parts of the country. These are:

- Early engagement is key to ensuring issues and opportunities are identified from the outset when time is on our side to deliver real solutions
- Embedding strategies – whilst a robust evidence base and options for avoidance and mitigation are crucial, the policy framework within a LPA's development Plan needs to be clear and reflect what is required at project stage to ensure successful delivery
- Stepping back and seeing the "bigger picture"

- Sharing and learning to embed strategic solutions is hugely important and enables lessons to be learnt and to apply best practice elsewhere.

2.22 Mitigation measures applied for the protection of Habitats sites through development should be those that :

- Are essential for and relevant to the planning permission being granted
- Provide certainty that housing development can proceed without adverse effect on the Habitats sites
- Are proportionate to the potential impact that may be generated, evidence based and cost effective.

Developing the Essex Coast RAMS project

2.23 The three options for the scale of joint working were discussed by the Essex LPAs present at the initial Essex Coast RAMS meeting. These are outlined in Table 2.2 below.

Table 2.2: Options for preparing an Essex Coast RAMS

<p style="text-align: center;"><u>Option 1 – No Joint Project</u></p> <p>In the absence of some form of joint project, it would fall upon those LPAs with likely effects predicted on European Sites to prepare the Essex Coast RAMS. However, in order for them to do this, information was required on housing growth from the other LPAs for the full extent of recreational impacts to be determined. Furthermore, those other LPAs would still be under a legal obligation to fulfil their duties under the Habitats Regulations, including managing residual recreational impacts on Habitats sites. In this situation, it would be the LPA with the Essex Coast RAMS determining how this could be resolved with no input from those other LPAs, potentially resulting in disputes over the appropriateness of projects and their costs. This did not appear to be an appropriate approach given the scale and cross-boundary nature of the problem.</p>
<p style="text-align: center;"><u>Option 2 – Sub-regional Projects</u></p> <p>LPAs are familiar with working across their housing market areas in order to deliver evidence-based projects and elements on plan making. This option offered some benefits in terms of utilising existing working arrangements. However, the housing market areas do not align with the ZOIs for the Habitats sites along the Essex coast and therefore there would still be a need for each sub-region to look at the Essex Coast RAMS beyond their area in order to determine their full impact on Habitats sites.</p> <p>Additionally, different approaches between these sub-regions may give rise to areas of dispute over the appropriateness and cost of projects, although this risk is not considered to be as significant as for Option 1. A further issue with this option is that some LPAs in Essex, such as Maldon are not part of a sub-regional working group because Maldon sits within its own housing market area. Given these issues, normal patterns of sub-regional working may not be appropriate in this instance.</p>
<p style="text-align: center;"><u>Option 3 – Essex-wide Project</u></p> <p>In order to cover all of the coastal Habitats Sites, and all of the Essex LPAs within the ZOIs, an Essex coast RAMS could be prepared jointly by the 11 LPAs considered likely to be affected. This was considered to be the</p>

most effective approach in terms of capturing all cross-boundary interactions between the different LPAs involved, and ensures that all authorities affected would have a stake in the final selection of mitigation projects and are aware of the costs associated with these.

Without a co-ordinated approach, it may be very difficult for LPAs to deliver bespoke mitigation measures particularly for those at a distance from the Essex coast.

However, experience with the Gypsy & Traveller Accommodation Assessment, as an example, has shown that it is difficult to manage a project with this number of authorities and therefore a dedicated project management would be a requirement, particularly if it is to deliver in a timely manner.

2.24 It was concluded that the best outcomes in terms of delivering an Essex coast RAMS which addresses the issues in an effective and equitable way will be achieved through joint working at an Essex wide level i.e. Option 3. However, this option presented the greatest challenge in terms of project management. It was agreed by the LPAs present that Option 3 would be taken forward.

2.25 The Essex LPAs appointed Place Services to prepare the Essex Coast RAMS and undertake project management.

What will the Strategy achieve?

2.26 A Steering Group (comprising officers from the 11 LPAs, from Essex County Council and Natural England and consultants from Place Services, Essex County Council) was established to lead this project. The initial work of the Steering Group focused on approval of the project plan, signing of a Memorandum of Understanding which set out the commitment to undertaking this project, an initial review of existing information sources (Baseline Evidence Report), and planning for stakeholder events to aid information sharing. The need for visitor surveys to provide a robust evidence base was subsequently agreed with Natural England.

2.27 The initial brief for the Essex Coast RAMS is set out in Table 2.3 although details were considered in consultation with Natural England along the journey of producing the Strategy. It was decided by the Steering Group that governance and resourcing would be a separate piece of work to the Strategy.

Table 2.3: The Brief for the Essex Coast RAMS

1. Patterns of use of SPAs/SACs/Ramsar sites	a) Review existing sources of information, and produce report/paper to present to the Steering Group
	b) Agree with Natural England whether sufficient information exists.
	c) Obtain further primary data where necessary.

	d) Analyse data to identify the locations where new development may lead to an impact in order for the LPAs to justify contributions being sought.
2. Mitigation and visitor monitoring	a) Based upon the conclusions from the patterns of use, identify which Habitats sites are relevant to which growth locations/ LPA.
	b) Identify mitigation and visitor monitoring objectives (i.e. what needs to be monitored, how often and to identify what methodologies to use).
	c) Identify specific existing or proposed on-site/off-site mitigation and site management measures which would address the HRA requirements. This must reflect HRA recommendations, set out the governance arrangements and likely delivery partners.
	d) Identify gaps (e.g. SAC/SPAs/Ramsar sites or parts of these Habitats sites where no mitigation or visitor monitoring is planned or where no or insufficient management is in place or planned, or where no delivery partner can be identified).
3. Funding	a) Identify what measures have already been funded and provide detail of how the current funding mechanisms work.
	b) Calculate the total cost of mitigation measures over the period of the local plans (based on the longest plan period of the project partners as in preparation now).
	c) Identify planned growth in the locations identified under 2c (above).
	d) Identify mechanisms for securing funding for each mitigation measure.
	e) Identify effective mechanisms for a Strategic Mitigation Scheme(s), to include collecting and holding contributions for 11 separate LPAs, prioritising spend and transfer of funds to delivery partners/organisations.
4. Monitoring of the Strategy	a) Identify mechanisms for monitoring the delivery and effectiveness of the mitigation strategy (e.g. outputs and outcomes – the former might be monitored more regularly).
	b) Provide recommendations related to future growth e.g. how might the strategy take account of growth in the longer term (beyond most plan periods) which would be subject to new HRAs and how should the results of monitoring feed into decisions about locations / scale of future growth.
	c) Identify how monitoring results will be analysed and used effectively.
5. Strategy finalised with recommendation for SPD	a) Incorporate areas above into strategy.
	b) Agree strategy with the Steering Group.

to facilitate implementation	c) LPAs to consult on draft SPD- targeted consultation with interested parties, but strategy publically available for comment.
6. Finalise SPD	a) Consider consultation responses.
	b) Amend and finalise SPD.
	c) Adopt SPD.

3 Purpose of the Strategy

- 3.1 The Essex Coast RAMS will support sustainable residential growth in Essex while protecting Habitats sites and their wildlife from the increased disturbance from recreation associated with a growth in population. The Essex Coast RAMS will identify specific avoidance and mitigation measures that will be necessary to enable the planned housing and associated population growth within the strategy area to go ahead, without adversely affecting the designated features of the Habitats sites.
- 3.2 The Essex Coast RAMS will identify:
- the likely in combination impacts from recreational disturbance;
 - a range of effective mitigation measures;
 - when the mitigation measures are required;
 - where the mitigation is required;
 - how mitigation relates to development (or development locations);
 - how mitigation measures will be funded;
 - how the Strategy will be implemented
 - how the success of the mitigation measures will be monitored; and
 - how best to incorporate monitoring data and other information and best practice into future reviews of the strategy and Local Plans.
- 3.3 The Strategy does not cover any additional site-specific infrastructure, such as Country Parks, which are often referred to as Suitable Alternative Natural Greenspaces (SANGs). The issue of SANG is slightly different as, given that the coast cannot be replicated inland, SANGs do not tend to form part of coastal mitigation strategies. However, there is some evidence from the Solent HRA Mitigation project and corresponding website⁴ that if people are only visiting the coast because it is their nearest greenspace, then they can be drawn away from the coast by providing an attractive site nearer to their home. Natural England therefore may advise that on-site greenspace should be provided as part of individual developments (e.g. to include circular walks, dogs off lead areas etc.) to take some of the pressure off the coastal sites. However, this will not remove residents' overall desire to visit the coast, so a contribution to the mitigation measures at the coastal Habitats sites still needs to be made in all cases.

⁵ <http://www.birdaware.org/>

3.4 The Essex Coast RAMS Strategy does not provide:

- A mechanism to deliver mitigation for recreational impacts from individual residential developments alone; this must be provided on/near the development site;
- A mechanism for measures necessary to avoid likely significant effects from non-recreational impacts e.g. air or water quality, identified through project level HRAs prepared for individual planning application;
- Any mitigation needed to reduce or avoid *existing* impacts from recreational or other activities identified by Natural England in the SIPs for each Habitats site along the Essex coast;

or

- Mitigation for the England Coast Path (ECP). This is a Natural England project, which aims to create a new National Trail around the entirety of England's coast. For each section of the ECP, Natural England undertakes an "Access and Sensitive Features Appraisal" (ASFA) which contains a bespoke HRA to mitigate for the effects of the Coast Path.

3.5 As listed in Natural England's letters to LPAs (Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations, November 2017 & August 2018) provided in Appendix 1, the Strategy applies to all net increases in residential dwellings that fall within the ZOI which are in the Planning Use Classes listed in Table 3.1, overleaf (excluding replacement dwellings and extensions).

Table 3.1: Planning Use Classes

Planning Use Class*	Class Description
C2 Residential institutions	Residential care homes, boarding schools, residential colleges and training centres.
C2A Secure Residential Institution	Military barracks.
C3 (a) Dwelling houses (a)	Covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
C3 Dwelling houses (b)	Up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
C3 Dwelling houses (c)	Allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom
Sui Generis ***	- Residential caravan sites (excludes holiday caravans and campsites) - Gypsies, travellers and travelling show people plots

Notes:

** This table is based on Natural England advice (244199, included as Appendix 1) which was advisory, not definitive.*

*** Care homes will be considered on a case-by-case basis according to the type of residential care envisaged.*

**** Sui Generis will be considered on a case-by-case basis according to the type of development.*

- 3.6 The applications in scope for consideration will be confirmed in the SPD and should include:
- Full planning applications;
 - Reserved Matters planning applications where the outline planning consent was not previously assessed through the HRA process; and
 - Permitted Development as clarified by SPD.
- 3.7 A strategic, coordinated approach will reduce the burden on the LPAs and developers for project-level HRAs and offer a straight-forward, efficient and effective option for residential developers to provide appropriate mitigation measures, to ensure development accords with the Habitats Regulations.
- 3.5 Without a co-ordinated approach, it may be very difficult for LPAs to deliver effective bespoke mitigation measures particularly for locations that are on the outer edge of the Essex coast RAMS ZOI.

The Technical Report – Evidence Base

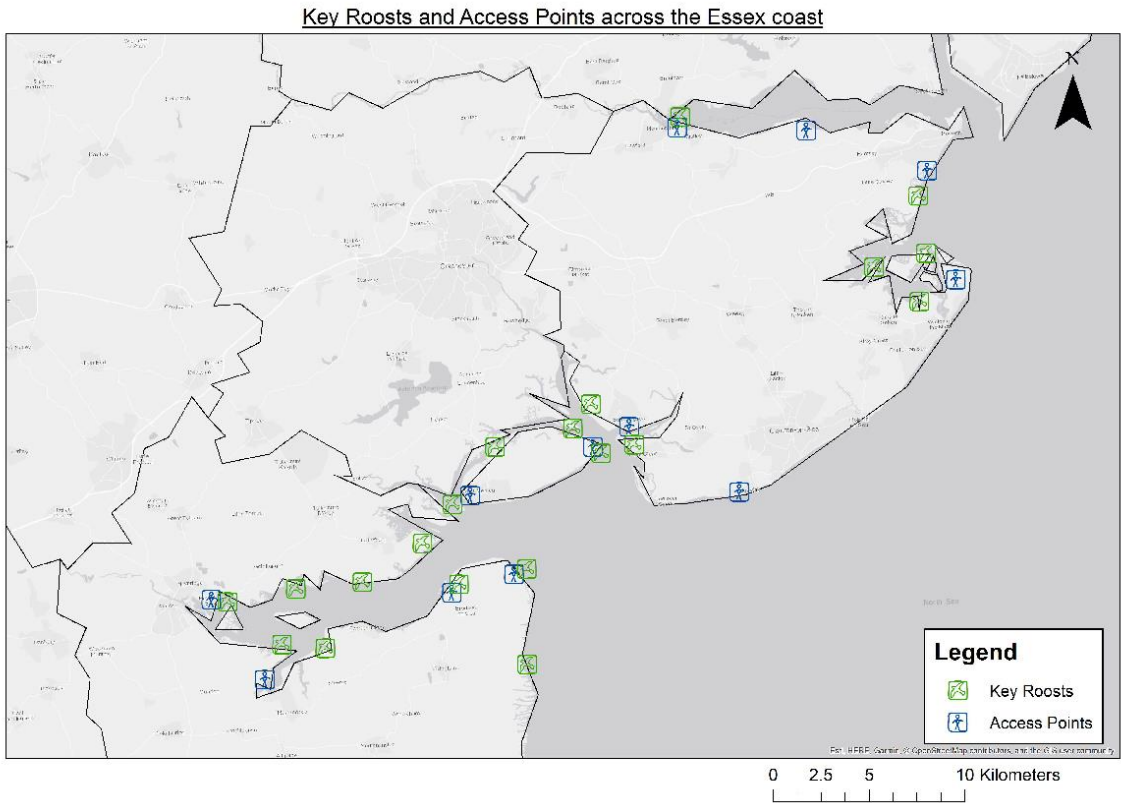
4 The Baseline

- 4.1 In order to determine the baseline, the following methodology was followed in the review process to determine patterns of visitor use of designated sites:
- Desk studies to determine what evidence existed and identify any gaps;
 - Visitor surveys to supplement the desk studies and gain an understanding of the origins of visitors to the Habitats sites and thereby determine the ZOIs;
 - Continual engagement with Natural England to discuss and agree the methodology, location and results of the studies to provide robust evidence on which to develop the Strategy; and
 - Stakeholder meetings with those parties with a responsibility for or an interest in the Habitat sites to gain a fuller understanding of the Habitats sites, the recreational pressures they are under presently, those that would arise with an increase in population and an understanding of what mitigation has been undertaken to date and how effective this is. Full details of the workshop attendees can be found in Appendix 10.

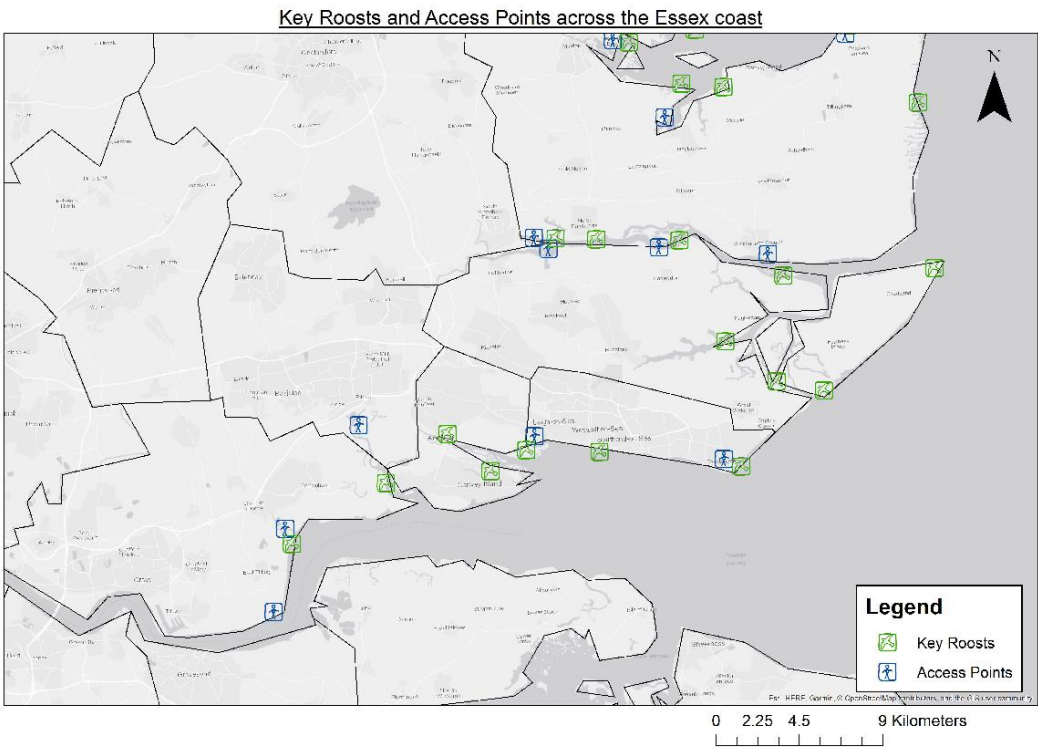
The Importance of the Essex coast Habitats sites – Desktop review

- 4.2 A desktop review looked at the existing data on the Habitats sites and the species therein.
- 4.3 Forty different bird species – predominantly waders and wildfowl – are specifically listed by Natural England as designated Interest Features for at least one of the Habitats sites.
- 4.4 Discussion with the Royal Society for the Protection of Birds (RSPB) on data available on key bird roost locations which are sensitive to disturbance has identified 20 key sites, which are shown on the maps 4.1 and 4.2. Because breeding information is confidential, the maps do not distinguish breeding and non-breeding roosts.
- 4.5 [Functionally Linked Land](#) (FLL) also needs to be protected from disturbance e.g. key areas of farmland and grassland for Brent geese. This will need to be mapped and has been included as a project in the mitigation package set out in this Strategy.

Map 4.1 Key SPA bird roosts/breeding areas and access points for North Essex



Map 4.2 Key SPA bird roosts/breeding areas and access points for South Essex



- 4.12 As key roosts are used by SPA birds at different times of the year (breeding and non-breeding), there are seasonal variations as well as daily variations in usage due to the tidal cycle. Key locations for SPA birds and the state of the tide can mean birds are closer or further from the shoreline and potential disturbance.
- 4.13 During harsh winters, a prolonged cold spell can mean birds struggle to get sufficient feeding time in between tides and any disturbance in these conditions is more significant to bird populations. Some roost sites hold large concentrations of birds but numbers may change as use fluctuates and factors other than disturbance or habitat degradation may be an issue in some locations.
- 4.14 [The Wetland Bird Survey](#) (WeBS) data has also been reviewed. WeBS monitors non-breeding waterbirds in the UK. There is a WeBS Alerts system which provides a method of identifying changes in numbers of water birds at a variety of spatial and temporal scales and reports are written every 3 years. It would be beneficial to integrate WeBS counts with the Essex Coast RAMS bird monitoring programme. Species that have undergone major changes in numbers are flagged, by the issuing of an Alert. Alerts are intended to be advisory; subject to interpretation, they should be used as a basis on which to direct research and subsequent conservation efforts if required.

Identifying visitor patterns of use of Habitats sites

- 4.15 Visitor surveys were undertaken to inform the Strategy, with the aim of gathering information on the number of visitors expected at coastal Habitats sites and evidence of the distances visitors to the sites will travel to access coastal locations for recreation purposes. This evidence is then used to calculate the Zones of Influence.

Visitor surveys

- 4.16 Where visitor data existed for Habitats sites, which had been previously collected by the LPAs, this was collated, and gaps identified in a baseline report to the Steering Group.
- 4.17 Visitor data (for the Stour & Orwell Estuaries SPA and Ramsar site, Hamford Water SAC, SPA and Ramsar site, the Colne SPA and Ramsar site and the Essex Estuaries SAC) was collected over a three-year period (from 2011 to 2013) as required by the appropriate assessments of Colchester and Braintree's adopted development plans and Tendring's emerging Local Plan.
- 4.18 On the advice of Natural England, the Essex Coast RAMS Steering Group agreed that the sites which would be subject to visitor surveys needed to be prioritised due

to resourcing and time constraints. Surveys at locations with no data were therefore prioritised so that there were data on which to base the ZOIs for all Habitats sites.

- 4.19 Tables 4.1 and 4.2 below show the visitor survey data which had previously been completed, and also the location of surveys needed to fill in the gaps.
- 4.20 ZOIs for the Habitats sites in North Essex were informed by the survey and monitoring work undertaken as a requirement of the Appropriate Assessments of Colchester and Braintree's adopted development plans and Tendring's emerging Local Plan. Since this joint survey work the North Essex LPAs have submitted an Appropriate Assessment (AA) for the North Essex Authorities Shared Strategic Part 1 for Local Plans Pre-submission (Regulation 19) prepared by Land Use Consultants (LUC) May 2017.
- 4.21 The AA for this joint plan identifies an increased prevalence and occurrence of negative recreational effects to the Habitats sites, which in the absence of effective mitigation is likely to lead to adverse effects on the sites' integrity.

Table 4.1: North Essex visitor survey details

Survey Location	Habitats Site	Source of existing information?	Seasons which information is needed for: Summer (May-July) Winter (August to April)
Mistley Walls	Stour and Orwell Estuaries	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Stour Wood	Stour and Orwell Estuaries	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Kirby Quay	Hamford Water	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
The Naze	Hamford Water	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Brightlingsea Marsh	Colne Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Cudmore Grove CP, Mersea	Colne Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Wivenhoe Barrier	Colne Estuary	None	Winter
Strood Channel	Blackwater Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Old Hall Marshes (owned by RSPB)	Blackwater Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Tollesbury Wick (owned by EWT)	Blackwater Estuary	None	Summer and Winter
Promenade Park Maldon (Northey Island Causeway)	Blackwater Estuary	None	Winter
Bradwell Marina	Blackwater Estuary	None	Summer and winter
Dengie (St Peters Chapel)	Dengie	None	Winter

Table 4.2: South Essex visitor surveys required to identify impacts on the designated features

Survey Location	Habitats Site	Existing information?	Season Summer (May-July) Winter (August to April)
Burnham-on-Crouch	Crouch and Roach Estuaries	None	Winter
Blues House Farm (EWT), North Fambridge	Crouch and Roach Estuaries	None	Winter
Wallasea Island	Crouch and Roach Estuaries	Total visitor numbers recorded by RSPB from 2008-2016 and visitor numbers to the sea wall and number of cars from Apr-Sep 2017.	All
Thameside Nature Park (EWT)	Thames Estuary and Marshes	None	Winter
Coalhouse Fort	Thames Estuary and Marshes	None	Winter
Cinder Path, Leigh-on-Sea	Benfleet and Southend Marshes	None	Summer and Winter
Gunners Park, Shoebury	Benfleet and Southend Marshes	None	Winter
Two Tree Island, Leigh-on-Sea	Benfleet and Southend Marshes	None	Summer

Additional evidence gathered and analysis

- 4.22 The first round of visitor surveys took place in winter 2017/18, when non-breeding waders and wildfowl which are designated features of the Habitats sites are present along the Essex coast (August to April). The second round of visitor surveys took place on the Blackwater Estuary during the spring of 2018 when breeding birds such as the Little Tern and Ringed Plover, which are designated features of this Habitats site, use it for nesting. Benfleet and Southend Marshes SPA provide habitat for SPA birds which could be impacted by trampling during the summer months used by non-breeding species over winter.

Table 4.3: Designation features per Habitats site (MAGIC, 2018) and visitor surveys undertaken to assess disturbance

Habitats Site	Designation features sensitive to recreational disturbance and surveys undertaken				
	Habitats	Breeding birds (May to July)	Summer survey completed?	Non-breeding birds August to April	Winter survey completed?
Stour and Orwell Estuaries	Yes	Yes	Yes	Yes	Yes
Hamford Water	Yes	Yes	Yes	Yes	Yes
Colne Estuary	Yes	Yes	Yes	Yes	Yes
Blackwater Estuary	Yes	Yes	Yes	Yes	Yes
Dengie	Yes	No	N/A	Yes	Yes
Crouch and Roach Estuaries	Yes	No	No	Yes	Yes
Foulness Estuary	Yes	No	No	Yes	No**
Benfleet and Southend Marshes	Yes	No	Yes	Yes	Yes
Thames Estuary and Marshes	Yes	No	No	Yes	Yes
Essex Estuaries	Yes	No*	No*	No*	No*

*The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective Zols throughout.

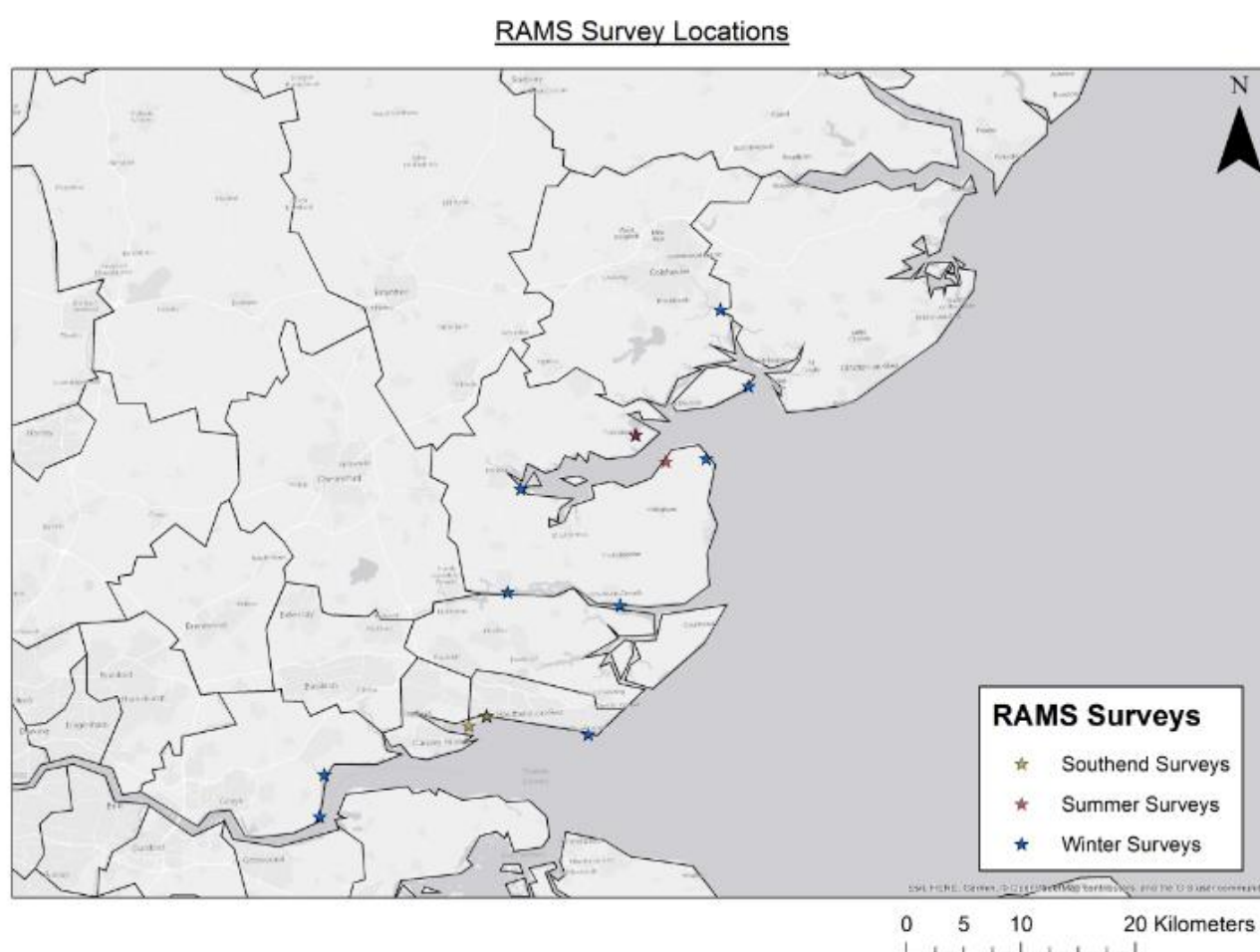
** As Foulness Estuary has limited access due to military control of much of the land, no surveys were considered necessary by Natural England.

- 4.23 Foulness Estuary, which is located within the Foulness Estuary SPA and Ramsar site, is Ministry of Defence (MoD) land and public access is restricted. For that reason, recreational disturbance from visitors is likely to be minimal or non-existent. As a result, no visitor surveys were carried out in this location.
- 4.24 A copy of the Visitor Survey methodology is included in Appendix 2, the questionnaire in Appendix 3 and the results for the Winter Visitor Surveys are in Appendix 4. Summer Visitor Survey results for the Blackwater Estuary and Benfleet and Southend Marshes are in Appendix 5.
- 4.25 The survey questionnaires were the same for both winter and summer, with the addition of a question relating to water borne recreational activities for the summer surveys. This was in response to the particularly high level of water borne recreation in the Blackwater Estuary when compared to other sites. The content of the survey questionnaires was agreed by the Steering Group and Natural England.
- 4.26 Cudmore Grove Country Park situated on the Colne Estuary was surveyed from 2011-2013, in the first north Essex surveys. This was repeated in 2018 as the ZOI was a lot higher than anticipated and the data was potentially skewed based on the

surveyor's location. As Cudmore Grove is a Country Park that attracts visitors from afar, the Essex Coast RAMS needed to clarify which of these visitors were there to use the facilities within the park and not at risk of causing disturbance to the coast. Therefore surveys were repeated with surveyors being focussed on locations where key bird roosts or habitats were likely to be disturbed by recreational activities. This enabled efforts to capture disturbance to coastal Habitats sites and no other recreational activities such as the children's play area.

- 4.27 Figure 4:1 shows the existing (completed) and additional allocations for visitor surveys on the Essex coast in 2018.

Figure 4.1 Locations of Visitor surveys undertaken 2018



- 4.28 Further visitor surveys were completed during May/June 2018 for the Blackwater Estuary SPA, when breeding SPA designated birds e.g. Little Tern & Ringed Plover use the site for nesting. Survey locations within the Blackwater Estuary were at Bradwell Marina and Tollesbury Wick. Additional visitor surveys were also undertaken by Southend Council in August 2018 for Benfleet and Southend Marshes SPA & Ramsar site with surveyors at Cinder Path and Two Tree Island. All locations were agreed with Natural England to ensure the results would inform recreational disturbance of Habitats sites features.
- 4.29 The visitor surveys provided data to add to the picture painted by attendees at the workshops. Indeed the significant visitor pressure experienced on the foreshore at Southend with over 7 million day visitors a year, principally in the summer months, includes dog walking at the Garrison in Shoebury as well as along the foreshore in the winter months when dogs are permitted on the beach.
- 4.30 The questions asked of visitors to the SPA locations were designed to collect data on the reasons for visits as well as postcodes to evidence Zones of Influence. The datasets collected for surveys of people visiting the Habitats sites on the Essex coast are therefore up to date and the best available. Natural England, as well as the LPAs and other key stakeholders are satisfied that they are acceptable to inform the mitigation strategy. It will therefore be used as a robust basis for identifying the mitigation measures necessary for this Strategy.
- 4.31 Additional surveys will improve the robustness of the datasets and repeat, surveys of visitors will be undertaken at the earliest opportunity to review the postcode data and Zone of Influence for the Dengie SPA & Ramsar. The total number of visitors completing questionnaires was below the number considered by Visit Britain guidelines to provide a comprehensive picture of recreational activities to draw them to this site (i.e. below 400). This is in addition to repeat visitor surveys throughout the lifetime of the Local Plan periods for all Habitats sites to ensure that the ZOIs remain fit-for-purpose, for example in the context of new development, infrastructure and advances in technology.

Identifying Zones of Influence (Zoi) for Essex coast Habitats sites

- 4.32 Data from both the winter and summer visitor surveys has been used primarily to calculate the Zois for each Habitats site, and also to collate information on current recreational activities at Habitats sites and predict likely impacts from increased use by additional residents.
- 4.33 The consideration of mitigation needed at each Habitats site and assessment of need, based on site sensitivity and housing allocated within the ZOI will be included

in the mitigation section of this report.

- 4.34 The results of the winter and summer visitor surveys provided substantial evidence relating to who uses the Habitats sites, where they travel from, how often they visit and why..
- 4.35 The data used to calculate the ZOIs defined in Table 4.4 has been refined to eliminate surveys where people were unlikely to cause disturbance to the coast. Although surveyors were placed in locations to capture the most potential disturbance in sensitive coastal areas, some sites had facilities that could be used for alternative recreational activities. For example, in the Dengie surveyors were located by St. Peters Chapel where some visitors were there solely for the use of the Chapel and were unlikely to cause recreational disturbance. Therefore an adjustment was made. Without refinement this would have increased the ZOI and affected the credibility of the data.
- 4.36 The ZOIs were calculated by ranking the distances travelled by visitors to the coast based on the home town postcode data they provided. Not all postcode data is used as this can skew the results. Instead the ZOIs are based on the 75th percentile of postcode data (i.e. the distance where the closest 75% of visitors come from) taken from the winter.
- 4.37 This method was used for a number of strategic mitigation schemes, including the emerging Suffolk Coast RAMS and is considered by Natural England to be best practice.
- 4.38 The ZOIs identify the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation. The ZOIs presented within this report will guide the requirement for residential developments to provide a financial contribution towards visitor management to mitigate for in-combination impacts on all the Habitats sites. Natural England have reviewed their IRZs, on MAGIC website on the basis of the overall Zoi because the data collected for this Strategy is the most comprehensive and up-to-date available.
- 4.39 ZOIs will be used to trigger developer contributions for delivery of mitigation measures for the Habitats sites. This will enable the delivery of mitigation measures to avoid impacts from increased recreational pressure.
- 4.40 Figure 4.4 below shows the overall ZOI for the Essex Coast RAMS to be used by each LPA to secure developer contributions for the Essex Coast RAMS package of measures. NB This excludes areas within the adjoining counties of Suffolk and Kent.

Table 4.4: ZOI calculations for Essex Coast Habitats sites

European designated site	Original ZOI (km) from Natural England's interim advice letter (Nov 2017)	Updated ZOI based on winter Essex Coast RAMS visitor surveys (RAW DATA)	Updated ZOI based on winter Essex Coast RAMS visitor surveys (REFINED DATA)	Updated ZOI based on summer Essex Coast RAMS visitor surveys (RAW DATA)	Updated ZOI based on summer Essex Coast RAMS visitor surveys (REFINED DATA)	Final ZOI (km)
Essex Estuaries SAC	24	-	-	-	-	-*
Hamford Water SAC, SPA and Ramsar	8	-	-	-	-	8
Stour and Orwell Estuaries SPA and Ramsar	13	-	-	-	-	13
Colne Estuary SPA and Ramsar	24	9.7	9.7	-	-	9.7
Blackwater Estuary SPA and Ramsar	8	14.2	14.2	22	22	22
Dengie SPA and Ramsar	13	27.3	20.8	-	-	20.8
Crouch and Roach Estuaries SPA and Ramsar	10	4.5	4.5	-	-	4.5
Foulness Estuary SPA and Ramsar	13	-	-	-	-	13
Benfleet and Southend Marshes SPA and Ramsar	10	4.1	4.1	4.9	4.3	4.3
Thames Estuary and Marshes SPA and Ramsar	10	8.1	8.1	-	-	8.1

*The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary, Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective ZOIs throughout.

Figure 4.2: Overall Zone of Influence (Zol) for Essex Coast RAMS



5 Housing planned in the Zones of Influence

- 5.1 Tables 5.1 and figures 5.1 and 5.2 represent the amount of housing that is being planned for in each Local Plan. All LPAs are at different stages of the plan making process. Some figures will be based on Local Plan allocations, but where that is not possible LPAs have provided an informed estimate based on evidence from housing trajectory documents and past housing delivery rates.
- 5.2 The housing data goes up to 2038, which is the longest Plan period for a partner LPA. These housing numbers will be reviewed and, where necessary, updated over the lifetime of the strategy in accordance with LPA monitoring data, as part of the Essex Coast RAMS monitoring and review process.
- 5.3 The housing numbers supplied in Table 5.1 below are based on the quantity of net new dwellings that are expected to fall within the ZOI for the Essex Coast RAMS. Basildon, Braintree, Brentwood, Chelmsford, and Thurrock are all partially covered by the ZOI, and therefore only the numbers of homes that are expected to be built within the ZOI have been included in the figures in the tables below. All the other authorities are wholly covered by the ZOI. Estimated windfall is the amount expected for the length of the strategy.

Table 5.1: – Housing to be delivered in the Essex coast RAMS overall Zol

	Included in calculations for RAMS mitigation package for Local Plans							
		Phasing of dwellings from allocations within ZOI				A Total dwellings within ZOI	A2 Of the total dwellings (column A), how many have been consented ?	A3 Dwellings to include in the RAMS tariff = A-A2.
Local planning authority	Estimated total windfall Nov 2017-2038	2017 - 2022/23	2023/24 - 2027/28	2028/29 - 2032/33	2033/34 - 2037/38			
Basildon	686	2669	2625	3758	2133	11871	2431	9440
Braintree	582	3169	5269	3659	1300	13979	209	13770
Brentwood	41	0	0	0	0	41	0	41
Castle Point	300	1369	1867	886	470	4892	171	4721
Chelmsford	1222	2149	2969	2964	1672	10976	2205	8771
Colchester	315	1407	3266	3851	455	9294	150	9144
Maldon	300	1795	1421	130	0	3646	0	3646
Rochford	300	471	701	0	0	1472	150	1322
Southend-on-Sea	3843	2450	2073	193	0	8559	911	7648
Tendring	1195	185	1384	1545	4568	8877	448	8429
Thurrock	375	3500	2100	0	0	5975	0	5975
Total	9159	19164	23675	16986	10598	79582	6504	72907

Figure 5.1: North Essex - distribution of housing allocations and numbers of units

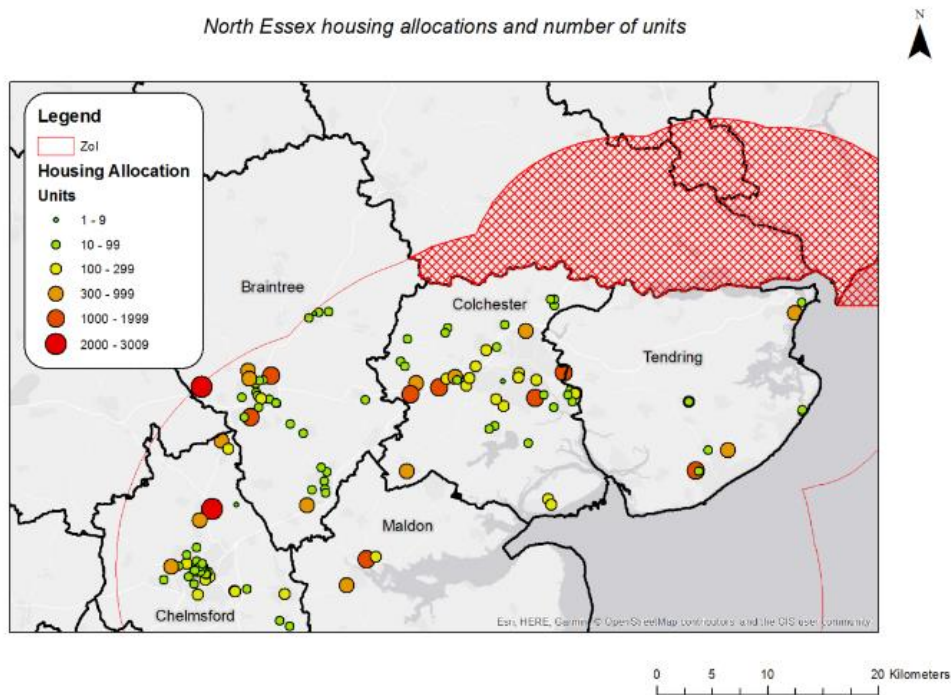
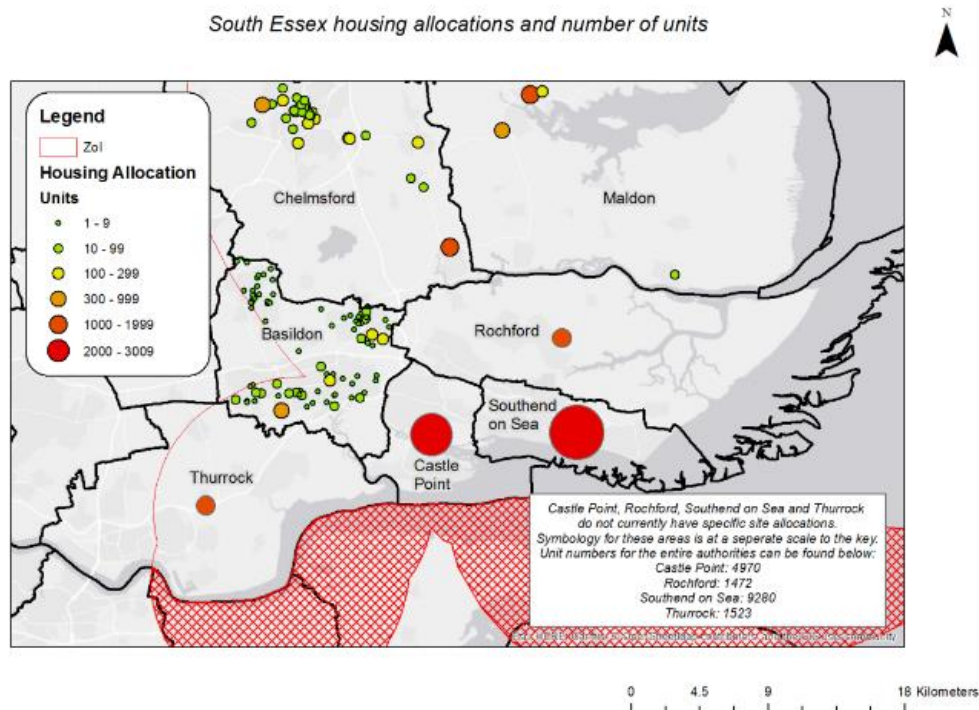


Figure 5.2: South Essex - distribution of housing allocations and numbers of units (NB Castle Point and Southend have a single dot instead of sites)



6 Exploring mitigation options

- 6.1 Two initial workshops were held for key stakeholders in February and March 2018 to gather local and specialised knowledge from organisations and individuals on the following:
- The locations of visitors at the coast and the recreational activity currently taking place;
 - Current recreational disturbance problems; and
 - Current mitigation measures in place.
- 6.2 A follow-up workshop held with key stakeholders in June provided an opportunity to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure on the Essex coast on Habitats sites in the future.
- 6.3 For each Habitats site, stakeholder input has helped to identify current issues of recreational disturbance which have provided a focus for and will help prioritise measures in the Essex Coast RAMS. The results of the workshop are summarised in the tables below and full details of the workshops is in Appendix 7.
- 6.4 It was explained to workshop attendees that the Essex Coast RAMS funds are targeted at non-infrastructure measures which are needed for in-combination effects from the overall quantum of residential development.
- 6.5 The provision of Suitable Accessible Natural Greenspaces (SANGs) (see Section 3.3) are not within the scope of the Essex Coast RAMS, since this provision is required to deal with impacts from an individual development scheme (i.e. identified by the project level HRA for that scheme). Furthermore, SANGs would have to be funded by the Community Infrastructure Levy, rather than the use of Section 106 (s106) Planning Obligations/agreements. Since no more than five s106 agreements may currently be pooled to contribute to infrastructure projects it will be up to the Project Board to determine whether any of these are a priority or if pooling restrictions are amended, It will however be important for LPAs involved with SANG provision to liaise closely with the Essex Coast RAMS Rangers to deliver the same messages to avoid recreational disturbance.
- 6.6 LPAs could decide to identify SANG(s) to be provided through separate funding streams (CIL) or enhancements such as the Local Growth Fund and Local Enterprise Partnership, where appropriate. Examples discussed by the Steering Group include:
- expand Belhus and/or Hadleigh Castle Country Parks

- upgrade other open space areas near the coast to attract visitors away from the beach areas
- provide a new Country Park/open space facility to the northeast of Southend as identified in the adopted Southend-on-Sea Core Strategy.

6.7 The information gained from the workshops has been summarised in the following tables as well as in Figures 6.1 and 6.2. They show the current recreational disturbance by increased visitor access, existing mitigation in place and identification of any gaps in mitigation which could be considered to be part of the Essex Coast RAMS.

Figure 6.1: Types of recreational disturbance reported at the Essex Coast RAMS workshops

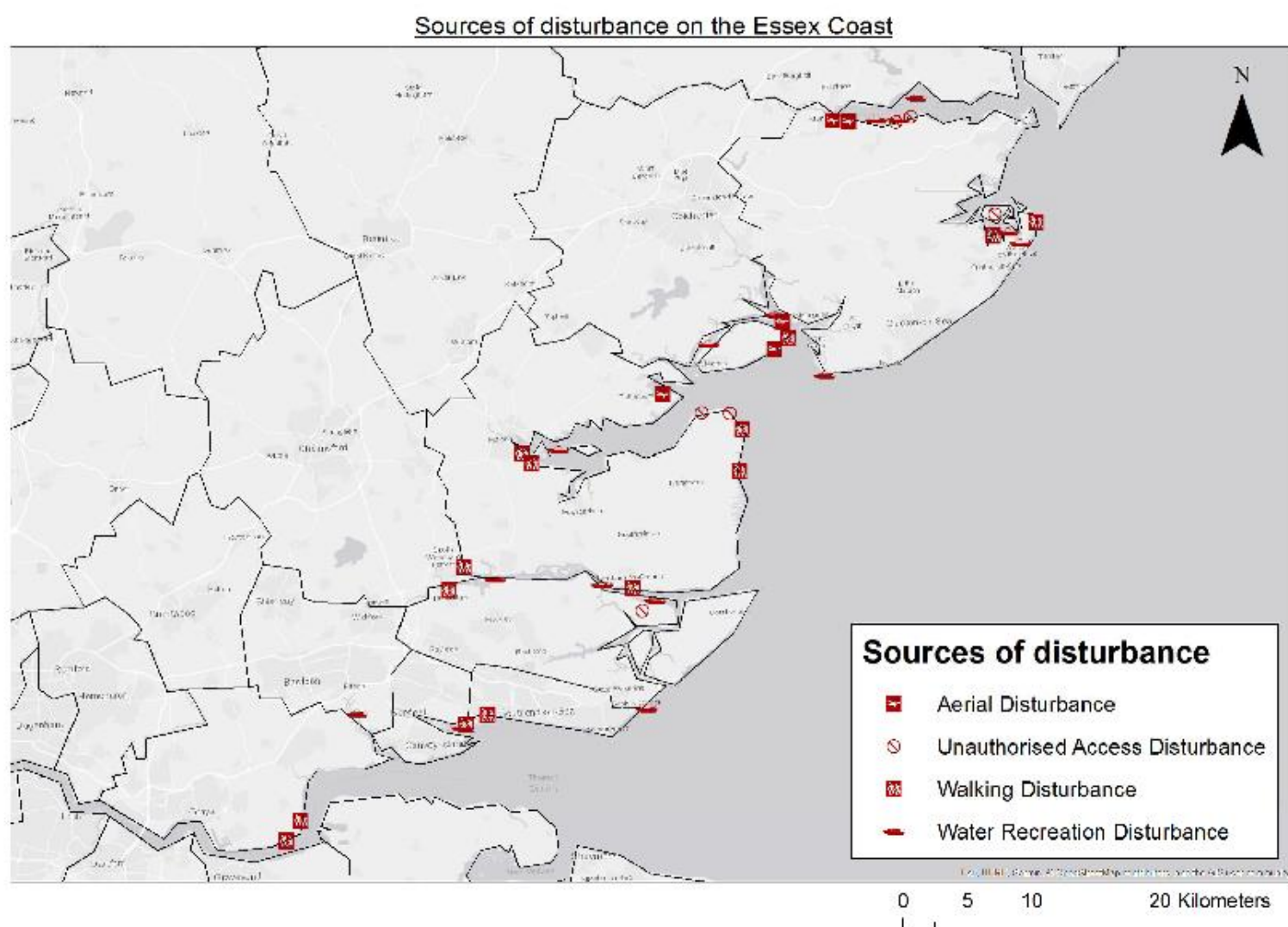


Figure 6.2: Key mitigation options identified at the Essex Coast RAMS workshops

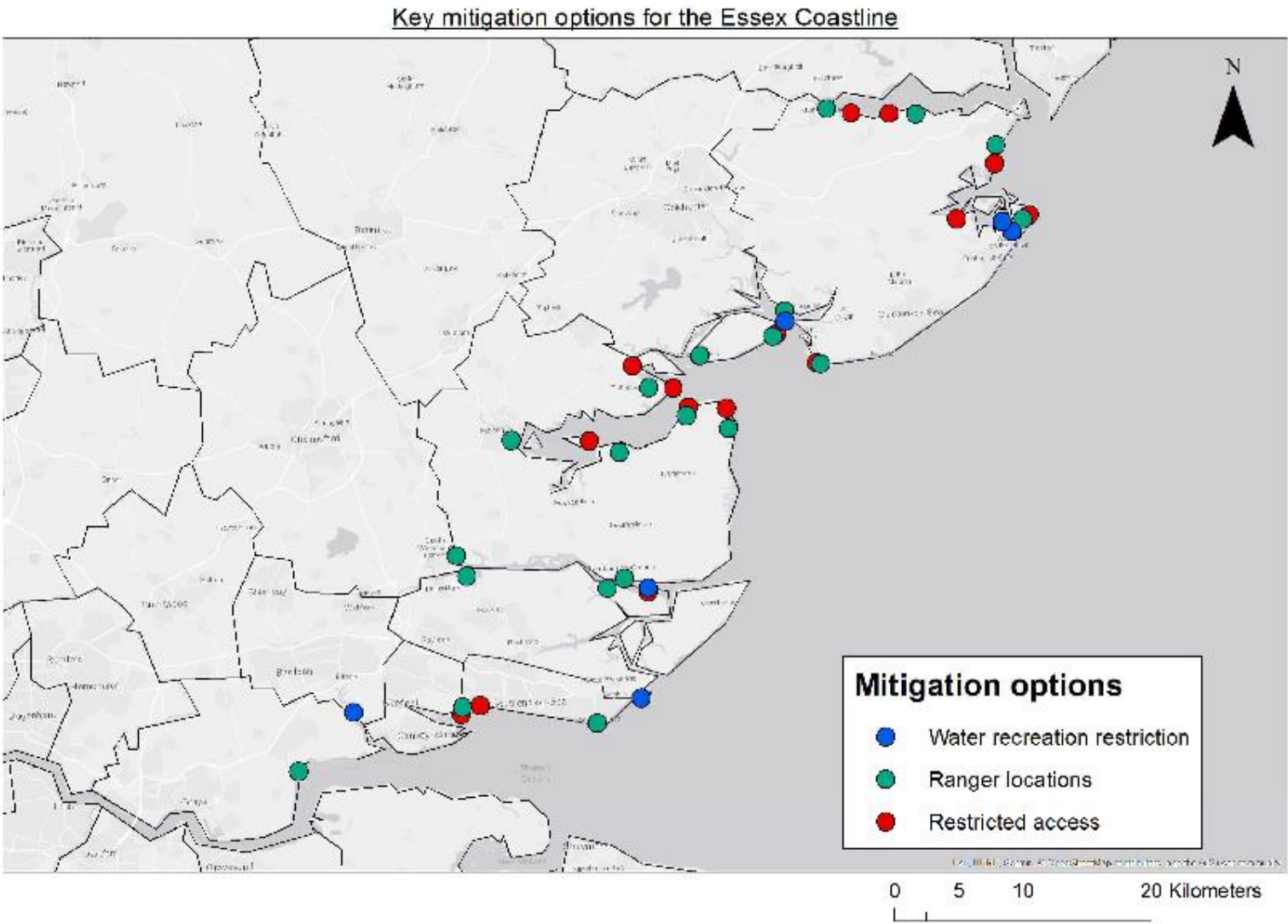


Table 6.1: Potential for disturbance to birds in Stour Estuary (Essex side only)

Stour Estuary SPA and Ramsar (Essex side only)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Average percentage from WeBS for southern sectors is relatively low suggesting relatively even distribution of birds across southern part of estuary. - Relatively few roost sites mapped suggest that those mapped may hold large numbers of birds. - Percentage of mudflat within 60m of the shore are mostly quite low, though WeBS sector at Mistley relatively high suggesting shoreline access here has potential to affect a high proportion of open mud feeding areas. - Shoreline near Manningtree and Harwich has high levels of local housing suggesting access levels could be potentially high at access points creating hotspots for recreation. One WeBS section with high housing near Harwich is identified as not having easy access to the estuary. - Paths all along southern shore but high path densities around eastern and western ends, suggesting more current access around Harwich and Manningtree. Relatively few car-parks mapped. 	<ul style="list-style-type: none"> - There is a visual screening and a bird hide on the southern shore of the estuary at RSPB Stour Wood. This ensures that an area looks more important for overwintering birds, with the aim of creating a better public attitude on how the area is used. - Oyster shell recharge projects are being undertaken to help create habitats for Little Terns - The Stour estuary has few access points to the Habitats site on the Essex side. Main points include Mistley Walls, Bradfield foreshore, Wrabness foreshore from Stone Lane and RSPB Stour Wood, Essex Coast Ramsey. - EWT manage the Wrabness nature reserve with a volunteer on site visual screening. However walkers use seawall which is not PROW from Wall Lane towards Bradfield and a lot of signage on site for visitors - EWT also manage some of the Wrabness Marsh fields which are adjacent to the Nature Reserve; these have no access and have been improved with scrapes and bunds to retain more water on site. There is a hide and the marsh fields under EWT management which will be extended following a purchase of additional land. - To the north of Harwich international port and Parkeston the estuary is relatively inaccessible due to the lack of PROW and the private ownership of the port. - At the RSPB Stour Estuary reserve there is already a ban on dogs for parts of the site, rangers, screening and hides. 	<ul style="list-style-type: none"> - Recreational disturbance is focused in the Manningtree and Mistley area. Although the shoreline near Harwich is within a short distance of housing, there is limited access due to a lack of PROW and private ownership of the port. - Essex coast RAMS measures should tie in with Suffolk Coast RAMS measures for this estuary, particularly at the western end near Cattawade Marshes and a high tide roost on the Brantham side which is relatively close to the Essex shoreline. - Drone activity and paramotors over SSSI/SPA – witnessed at Manningtree and Mistley Walls - Kayakers accessing saltmarsh at inappropriate times, e.g. close to high tide roosts - Increased mid-estuary mooring - Water skiing is common in Holbrook Bay and speed limits are not kept to in Jacques Bay. This should be enforced to reduce disturbance. - Saltmarsh is driven over and trampled at Jacques Bay (accessed via Shove Lane, Bradfield): possible reduction in access to avoid habitat erosion. - Unauthorised access along sea wall in front of screen at Wrabness NR (not on PROW) should be managed; this could be through better screening or wardening to encourage use of PROW through Wrabness NR. - There are bait diggers at Jacques Bay which should be made seasonal and have location restrictions. - Pedestrian access from at Wall Lane, Wrabness (no car park) along PROW on landward edge of saltmarsh to high tide roosts can cause disturbance as well as recreational water craft particularly kayakers and paddle boarders. Access and locations of activities should be restricted in conjunction with local landowners.

Table 6.2: Potential for disturbance of birds in Hamford Water

Hamford Water SAC, SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Garnham Island and Horsey Island have highest average percentage values from WeBS for Hamford Water, suggesting these areas are particularly important - Large and important gull colonies - Breeding Little Tern and Ringed Plover at a range of beaches around the site - Percentage of mudflat within 60m of the shore for WeBS sectors near Walton and Great Oakley relatively high, suggesting shoreline access in these areas has potential to affect a high proportion of open mud feeding areas - Weighted housing values are mostly relatively low compared to other sites, suggesting few local residents - Some of the shoreline near the south-east of the site is identified as having no access and also has some higher values for local housing, suggesting high numbers of local residents within 'visiting' range - Western side (opposite Garnham) appears to have relatively little or no access and little path infrastructure and is likely to be relatively undisturbed - Limited path network and parking 	<ul style="list-style-type: none"> - Bramble Island has no access and is a quiet area as it is known as an area that is sensitive to wintering and breeding birds - Much of the site is inaccessible but the impact of the England Coast Path (ECP) is difficult to assess at this stage - Low risk to grassland habitat due to its wide nature and known location - Skippers Island has regular visits by a volunteer warden who speaks to visitors - Skippers Island has no landing signage on site - At EWT John Weston reserve there is very little recreation disturbance as 50% of the site has restricted access. However this has led to dog walkers and public users using the other half of the site and has made it worse. This is now being promoted as a safe, dog exercise area - Voluntary regulated speed limits are in place for boats to avoid disturbance to wildlife 	<ul style="list-style-type: none"> - Breeding Little Tern and Ringed Plover nest at a range of beaches and Garnham & Horsey Islands have the highest average WeBS value for the SPA so are important to protect waders and wildfowl from disturbance - Some of the key threats to SPA birds are sailing and jet skiing out of Titchmarsh marina and Walton Yacht Club - The location of the grassland habitat close to the southern PROW is susceptible to trampling and nutrient enrichment. Walking on the saltmarsh is also disturbing birds on the south easterly side of Hamford Water - At John Weston Essex Wildlife Trust reserve dog walkers and public use the accessible half of the site and has made it worse, this is now being promoted as a safe, dog exercise area - Enforcement on unauthorised quadbikes and motorbikes is needed - If a permissive bridle path was created at the western side of Hamford Water, this would draw horses away from the seawalls and give landowners income stream through stabling and grazing - Create shorter circular paths off coastal path with particular access from car parks. A main car park on public open space away from The Naze may encourage people to walk their dogs there instead of sensitive areas - Promote alternative sites for wind surfers and canoeists away from The Naze such as St. Osyth Lake/Jaywick/end of Clacton beach - The Naze would benefit from seasonal access rather than all year round day access

Table 6.3: Potential for disturbance to birds and mitigation options in Colne Estuary (including Essex Estuaries SAC)

Colne Estuary SPA and Ramsar (including Essex Estuaries SAC)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- All average percentage values from WeBS are relatively low; creeks around Mersea Island have highest average values for the site- Percentage of mudflat within 60m of the shore values are moderate, suggesting a relatively high proportion of mudflat is close to shoreline areas- MOD land at Fringringhoe holds range of breeding bird species including Marsh Harrier and Pochard- Weighted housing is highest around Brightlingsea, otherwise relatively low levels of housing nearby and sections of shore identified as having no access- Areas around Brightlingsea and St. Osyth with high density of paths; Fringringhoe Ranges and Eastmarsh Point currently appear to have no access- Path network (and parking) focused around Brightlingsea, St Osyth and towards Clacton- Western shoreline and to some extent northern parts with little or no paths (including large area owned by MOD).- Very few slip ways and potentially limited access to water for those with boats- Development at Robinson Road will impact site	<ul style="list-style-type: none">- Natural England and EWT manage many of the key areas- The Colne Point is wardened and as such is likely to be resilient to increased visitor impacts although this provides a good opportunity for engagement with visitors. The Brightlingsea Marsh part of the site is only accessible by permit holders- Western edge of the Colne channel is sensitive to disturbance but this is on MOD land where access is difficult- St Osyth Stone Point and Brightlingsea Creek is another area where potential conflict could take place, however these areas are relatively remote- Conflict between water birds and water sports is also recognised on this SPA- Paramotors at Cudmore Grove – Natural England have held a meeting with Mersea Paramotors Club to discuss code of conduct- Ray Island has no landing signs which have proven ineffective. More recently new no access signs, a new gate and fence have been implemented onto the landward access through Bonner Saltings- EWT Fringringhoe Wick Nature Reserve has a no landing sign on Raised Beach which is very effective as well as a warden. Fringringhoe Wick Nature Reserve extension area has no landing signs on the sea wall and outside the wall by the saltmarsh; this reserve also has a warden- EWT Fringringhoe Wick Nature Reserve, Geedon Bay and Saltmarsh belonging to MOD have multiple no landing and keep off signs and a warden- Colne River between Tide Barrier and Point where Alresford Creek joins the Colne Estuary has a warden	<ul style="list-style-type: none">- Housing within easy reach of access points is highest around Brightlingsea and St Osyth and this area has a high density of PROW so this is a key area for Essex Coast RAMS ranger patrols- Another key location for mitigation is Mersea and Cudmore Grove Country Park in particular. Strandline/sand/shingle vegetation along the south side of Mersea and Cudmore Grove is currently being damaged by trampling and fires; mitigation is required to reduce impact. Current access levels at Cudmore Grove already cause some damage to vegetation and reduce breeding success for ringed plover. Access to the foreshore at Cudmore Grove at ebb tide causes disturbance to feeding waders- Powered hang gliders currently take off from a field in Mersea which affects a large area, these occasionally fly low and fly over the Colne and Blackwater SPAs. Paramotors have also caused disturbance at Cudmore Grove and it will be important to work with Mersea Paramotors Club- Jet skis and canoes disturbing wader high tide roosts in main channel of the Colne Estuary and Strood Channel. Water based recreation of Strood Channel in summer can also impact on breeding Little Terns- Breeding Ringed Plover and potentially Little Tern are heavily disturbed by the passenger ferry route from Mersea to Brightlingsea- Colne Point is by far the most important area for sand/shingle vegetation and breeding Ringed Plover so should be protected. Saltmarsh is vulnerable to increased visitor pressure at the EWT and National Nature Reserve (NNR)- Natwurst beach - dune vegetation badly damaged in places and may benefit from fencing- The popular beach by Point Clear commonly has kiteboarding which is disturbing terns and ringed plovers- Habitat creation could be used to move roosting birds away from the shoreline- As this SAC is designated for estuary and shoreline habitats eg mudflats, saltmarsh & sandbanks that support SPA birds, the measures specific to this Habitats site are to avoid trampling and degradation by promoting visitor behaviour including codes of conduct

Tables 6.4: Potential for disturbance to birds and mitigation options in the Dengie

Dengie SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- All WeBS sectors with relatively high average percentages suggesting relatively high importance across site- All WeBS sectors with relatively low percentage of mudflat within 60m of the shore, suggesting open mudflat is mostly away from shoreline areas.- Weighted housing densities are all low- Very little existing paths- No parking identified- No infrastructure providing access to water for boats	<ul style="list-style-type: none">- This is not a managed access restriction but as the south-east area of Dengie has poor access it means that it is only occasionally used.	<ul style="list-style-type: none">- Canoeists disturb high tide roosts on the River Blackwater although there is no infrastructure providing access to water for boats- There is often illegal off-roading of motorcycles and quadbikes on the seawalls and saltmarsh beach by Bradwell PowerStation- The north east Dengie area is too disturbed for high tide roosts although the open mudflat is mostly away from the shoreline and weighted housing densities are all low for this SPA- Othona Community and St Peters Church area is known to have walkers cross the saltmarshes in all directions. This should be an issue for the ECP to mitigate and Essex Coast RAMS Rangers to explain when they are in this area

Table 6.5: Potential for disturbance to birds and mitigation options in Blackwater Estuary

Blackwater Estuary SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- RSPB Old Hall Marshes shown to be particularly important from average WeBS values- Gull colony and breeding Ringed Plovers on Peewit Island- Important concentration of breeding birds around Old Hall Marshes- Sectors near Maldon coast, Mayland and St Lawrence have relatively high percentages of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat- Weighted housing values are high around Maldon suggesting higher levels of access here- Path network shows some sections of shoreline with high path density, suggesting much access. Other areas, such as large section of northern shore have just single routes along shoreline- Parking concentrated at western end of estuary near Maldon	<ul style="list-style-type: none">- RSPB Old Hall Marshes has a Little Tern colony and has a managed restricted access by boat in the summer- Despite efforts made to gather stakeholder information at workshops and follow-up questionnaires, there are fewer existing measures identified for some SPA sites. It will therefore be important for the Essex Coast RAMS rangers to ensure local stakeholders can add to these lists, and any additional measures and their efficiency are understood before trialling new ones	<ul style="list-style-type: none">- Boat landing at Old Hall point (breeding little terns) needs mitigation- Kite surfing and Para hang-gliding are a problem on the wider parts of the estuary and paramotors have caused disturbance at Tollesbury- Dog walking causes disturbance to Little Terns- Weighted housing values are high around Maldon and parking is concentrated in this locality so will be a key area for Essex Coast RAMS ranger patrols- Mayland & St Lawrence also have relatively high percentages of mudflat within 60m of the shore indicating these areas could be subject to disturbance from access- Maldon District Council jet-ski patrols should be supported- Work with Natural England to Keep National Trust Northey Island free of England Coast Path spreading room (access to foreshore)- Goldhanger had a former Little Tern colony- East Osea is a very popular picnic area which is un-authorised- Keep shingle spit free from public access at Tollesbury Wick- Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex which will be useful for monitoring the strategy and its effectiveness

Table 6.6: Potential for disturbance to birds and mitigation options in Crouch and Roach Estuaries

Crouch and Roach Estuaries SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- Central part of site has highest average WeBS values- WeBS sectors around Wallasea have relatively high percentage of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat. Creeks here are relatively narrow- High weighted housing values for South Woodham Ferrers, Hullbridge and around Burnham on Crouch, suggesting access levels higher in these areas- Areas near Brandy Hole and Bridgemarsh Island likely to be currently relatively undisturbed- Path network variable, with some areas with high density of paths (suggesting good current access provision and use), particularly around the settlements and for much of shoreline continuous routes. Some parts of north shore seem to have limited or little paths- Wide range of parking locations scattered around the estuary	<ul style="list-style-type: none">- Essex County Council parks such as Fenn Washland and Chelmsford City Council's Saltcoats Park are alleviating pressures on Habitats Sites as they provide good facilities such as dog walking, car parking, play and sports facilities.- EWT manages Blue House Farm- There is signage on the sea walls and Public Rights of Way (PROW).- RSPB Wallasea Island Nature Reserve (Allfleets Marsh is soon to be a designated SPA)	<ul style="list-style-type: none">- Although there is a wide range of parking opportunities around the estuaries, high weighted housing values for South Woodham Ferrers, Hullbridge and Burnham on Crouch suggest access levels are highest in these areas. These should be key patrol areas for Essex Coast RAMS rangers.- Dogs off lead require mitigation and maybe free leads being available from Essex Coast RAMS rangers- Trespass - regular occurrences of public access to private areas of the RSPB Wallasea reserve - generally on foot, but recently on motorcycles- Unauthorised boat activity – entering Allfleets Marsh to fish (which is the northern section of the island where the first seawall breaches took place)- Unauthorised fishing off the old seawalls on Allfleets Marsh- “Recreational” use of high speed watercraft including unauthorised temporary mooring to the conveyor pontoon in both the Crouch and Roach estuaries- Drone flying in this area causes disturbance to SPA birds & needs code of conduct for clubs- Better signage to minimise cycling on the seawall as it's a public footpath)- Use the Southend Council foreshore officers to enforce byelaws and speed limits for water sports such as jet-skis

Table 6.7: Potential for disturbance to birds and mitigation options in Foulness

Foulness SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- Central part of site has highest average WeBS values- WeBS sectors around Wallasea have relatively high percentage of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat. Creeks here are relatively narrow- High weighted housing values for South Woodham Ferrers, Hullbridge and around Burnham on Crouch, suggesting access levels higher in these areas- Areas near Brandy Hole and Bridgemarsh Island likely to be currently relatively undisturbed- Path network variable, with some areas with high density of paths (suggesting good current access provision and use), particularly around the settlements and for much of shoreline continuous routes. Some parts of north shore seem to have limited or little paths	<ul style="list-style-type: none">- This site is under MoD management and heavily restricted access or no public access at all- This site has 31 SSSI units that are unaffected by recreational pressure	<ul style="list-style-type: none">- Currently there is access for jet-skis in the north of Shoebury which causes disturbance and possible restrictions should be considered

Table 6.8: Potential for disturbance to birds and mitigation options in Benfleet and Southend Marshes

Benfleet and Southend Marshes SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- North side of Canvey Island has highest average WeBS values- No data on the distribution of roost sites- WeBS sectors tend to have relatively low values for percentage of mudflat within 60m of shore, reflecting expansive areas of intertidal.- Weighted housing values all high, particularly around north side of Canvey, suggesting these areas have high levels of current access- Very high path density around most of shoreline particularly at Southend which experiences over 7 million day visitors a year to its tourist facilities centred on the coast which displaces local residents- Car-parking relatively evenly spread around shore	<ul style="list-style-type: none">- Signage at various locations along the length of the foreshore about the different types of birds and habitats raising awareness- Southend Council dog controls are in force in the summer months preventing dogs from entering the beach areas from 1st May to 30th September- Bait diggers are a common sight on the foreshore and their activities are controlled by local bye-laws. They can be seen travelling quite a way out from the shore- Significant water recreation takes place along the foreshore including sailing (5 clubs, jet skiing and rowing). Bye-laws are available to control accessibility to the foreshore and jet-ski use- EWT lease the nature reserves at Two Tree Island and Gunners Park from Southend-on-Sea BC and manage these areas	<ul style="list-style-type: none">- Two Tree Island has been highlighted as key area of habitat disturbance for breeding birds (eastern saltmarsh, island and eastern lagoons). Two Tree Island is subject to a wildfowling shooting agreement made in the 1950s. The agreement was made in perpetuity- The foreshore is accessible (with the exception of Gunners park) for its entire length and is regularly visited by residents and tourists. In the summer months the area experiences significantly high volumes of visitors with residents tending to be dispersed to the west which impacts on the SPA features and east foreshore which is also sensitive to disturbance in winter, Thameslink pathway near Two Tree Island is heavily used (Two Tree to Hadleigh Loop)- Leigh Cockle Sheds provide access to mudflats – people take their dogs which causes degradation of the habitat which impacts birds over the winter- Foreshore Officers have been significantly reduced in recent years. This and a lack of enforcement powers to implement by-laws and codes of conduct is resulting in some habitat degradation. On busy days in the summer, Foreshore officers are focused in central Southend to the detriment of other sensitive areas. Southend BC is working with Natural England to identify a solution- Delivering the sustainable links between Southend-on-Sea and Rochford as set out in the urban habitats strategy would provide relief to the coastal areas- Motorbiking, horse riding and trespassing for fishing in this SPA are activities which require mitigation

Table 6.9: Potential for disturbance to birds and mitigation options in Thames Estuary & Marshes (Essex side only)

Thames Estuary & Marshes SPA and Ramsar (Essex side only)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none">- No variation in average WeBS values and all moderately high- WeBS sector near Thurrock has high percentage of mudflat within 60m of the shore, suggesting little mudflat is away from shoreline areas- No data on the distribution of roost sites- Little variation in weighted housing and all currently moderate- Relatively low path density for whole area- Limited parking	<ul style="list-style-type: none">- Thameside Nature Park (Essex Wildlife Trust) is set to expand – this park has rangers and opening / closing times to the car park restricting access- East Tilbury Quarry is anticipated to restore provide recreational facilities/areas away from the coast	<ul style="list-style-type: none">- Thameside Nature Park run by EWT will be a key location for the Essex Coast RAMS rangers to complement the existing resource- Restoration of East Tilbury Quarry is anticipated to provide recreational facilities away from the coast- Unauthorised activities involving motorbikes, horse riding and trespassing for fishing are problems which will require input to resolve- Holehaven Creek is proposed as an extension to this SPA so may be a focus for the Essex Coast RAMS rangers to visit- There is little mudflat away from the shoreline in this WeBS sector and jet skis from Wat Tyler Park using this part of the coast are a problem. This issue could benefit from better signage and working with this supplier and clubs in the wider area

The Mitigation Report

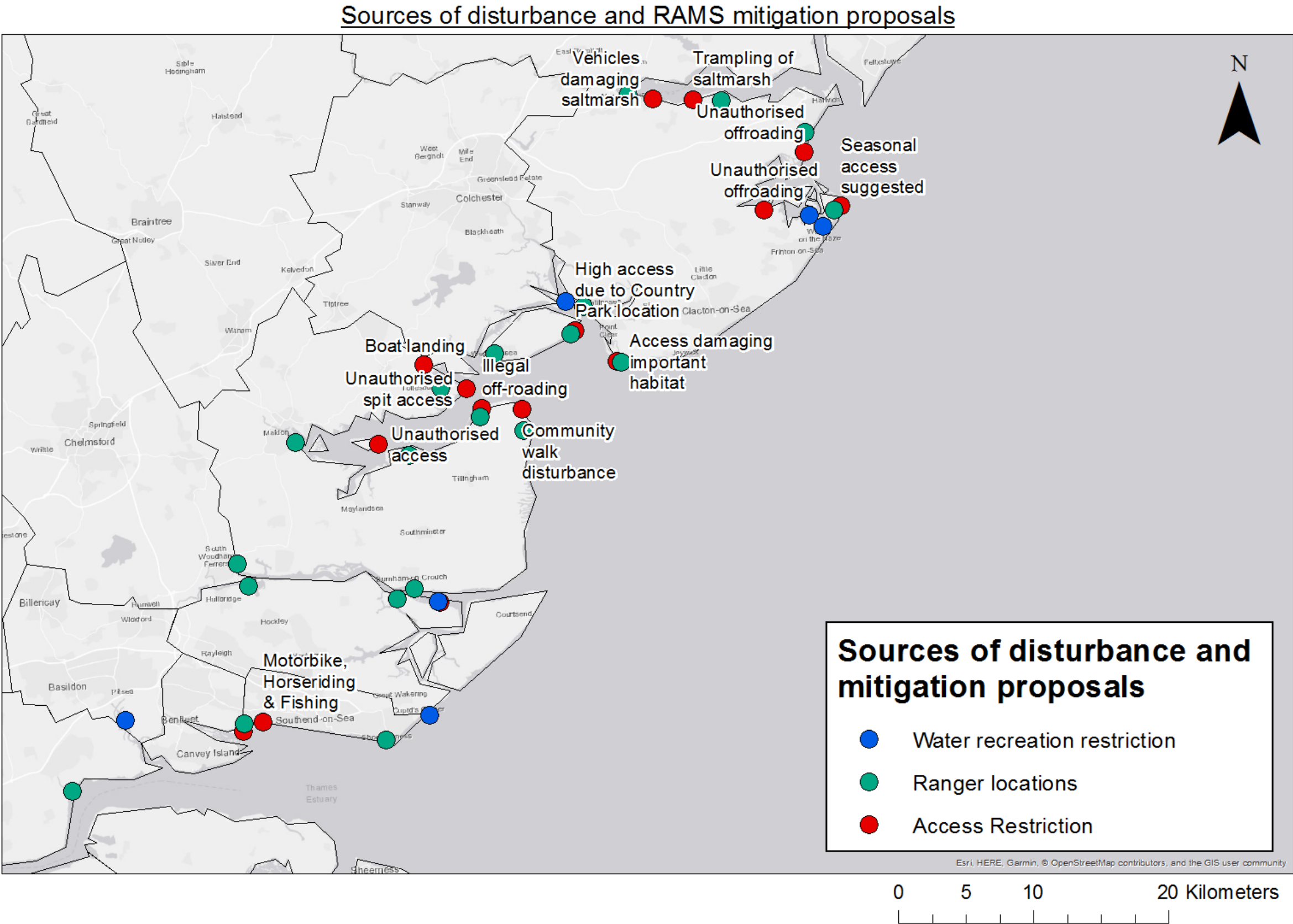
7 Overview of Essex coast RAMS mitigation options

- 7.1 This report has used the evidence gathered in the Technical report (sections 4- 6) to identify the package of effective measures considered necessary to avoid and mitigate the impacts of recreational disturbance from planned residential growth over the next 20 years in each participating LPA area. It is not designed to mitigate or reduce the current level of recreational disturbance in the Essex coastal sites although the measures identified for delivery will promote good visitor behaviour, which will have a positive impact where there are existing problems.
- 7.2 This chapter contains sections that address the following parts of the brief:
- a) effective mitigation measures;
 - b) when the mitigation measures are required;
 - c) where the mitigation is required;
 - d) how mitigation relates to development;
 - e) how mitigation measures will be funded;
 - f) How the mitigation will be implemented;
 - g) how the success of the mitigation measures will be monitored; and
 - h) how best to incorporate monitoring data and other information and best practice into future reviews of the strategy and Local Plans.

Recommended measures to avoid impacts from planned residential growth in Essex

7.3 The key measures proposed in the mitigation package are shown in Figure 7.1 below:

Figure 7.1 Sources of disturbance and Essex Coast RAMS mitigation proposals



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- 7.4 The geographical distribution of recommended mitigation measures shown on Figure 7.1 indicate key locations where resources should be focussed. However it is possible that during the winter, one ranger would ideally be dedicated to one or two Habitats sites when disturbance of over-wintering birds is likely, where additional new housing delivery numbers are greatest in this part of the Essex Coast RAMS Zone of Influence. Ranger visits in the winter months will be focussed on key locations to counter problems e.g. associated with bait digging, oyster pickers and dog walkers allowed on to the beaches at Southend during these months.
- 7.5 In the summer months (May to September), Ranger efforts should be dedicated to locations within Habitats sites where trampling of sensitive habitats and SPA breeding birds in the spring & summer months are the focus e.g. Blackwater Estuary SPA, Benfleet & Southend Marshes SPA, Essex Estuaries & Hamford Water SACs. Clearly, the prioritisation of the implementation of these measures will need to consider which measures will achieve the greatest impact, the cost of the measures and the amount of funds available in the Essex Coast RAMS budget and the complexity of projects, for example some may require long term planning and feasibility work.
- 7.6 The package of mitigation measures, some coast-wide and others specific to an individual Habitats site, will need to be implemented “in perpetuity” although the costs are limited to the lifetime of the Local Plans 2018-2038. The term “in perpetuity” has a legal definition of 125 years (The Perpetuities and Accumulations Act 2009) and it has been accepted in strategic mitigation schemes for European sites such as those in place for the [Thames Basin Heaths](#) and [Dorset heathlands](#). Existing RAMS partnerships elsewhere in England invest some of the developer contributions to ensure that mitigation for impacts from residential development can be delivered for the Local Plan periods without the need for successive funding. BirdAware Solent currently invest 40% of all such contributions. After the current Strategy lifetime, future timetables will need to be prepared based on reviews of the Strategy itself and its evidence base.
- 7.7 The interventions for the Essex Coast RAMS Rangers are broadly categorised as education, communication and habitats based and are listed in Table 7.1 Essex Coast RAMS toolkit. Education and communications is discussed in sections 7.8 – 7.14. Partnership working, monitoring and review will be essential tasks for the partner LPAs

Table 7.1 – The Essex coast RAMS toolkit

Action area	Examples
Education and communication	
Provision of information and awareness raising	<p>This could include:</p> <ul style="list-style-type: none"> • Information on the sensitive wildlife and habitats • A coastal code for visitors to abide by • Maps with circular routes away from the coast on alternative footpaths • Information on alternative sites for recreation <p>There are a variety of means to deliver this such as:</p> <ul style="list-style-type: none"> • Through direct engagement led by rangers/volunteers • Interpretation and signage • Using websites, social media, leaflets and traditional media to raise awareness of conservation and explain the Essex Coast RAMS project. • Direct engagement with clubs e.g. sailing clubs, ramblers clubs, dog clubs etc and local businesses.
Habitat based measures	
Fencing/waymarking/screening	Direct visitors away from sensitive areas and/or provide a screen such that their impact is minimised.
Pedestrian (and dog) access	<ul style="list-style-type: none"> • Zoning • Prohibited areas • Restrictions of times for access e.g.to avoid bird breeding season
Cycle access	Promote appropriate routes for cyclists to avoid disturbance at key locations
Vehicular access and car parking	Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”
Enforcement	<ul style="list-style-type: none"> • Establish how the crew operating the river Ranger patrol boat could be most effective. It should be possible to minimise actual disturbance from the boat itself through careful operation. • Rangers to explain reasons for restricted zones to visitors
Habitat creation	Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans
Partnership working	Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.
Monitoring and review	Birds and visitor surveys with review of effectiveness of measures with new ideas to keep visitors wanting to engage

Education and communication

- 7.8 A cost-effective approach which has been successfully implemented in North Kent and the Solent, is to develop a brand and use positive and clearly understandable message to engage with visitors. This positive and comprehensible approach is more engaging than an explanation of the Essex Coast RAMS and the intricacies of planning and conservation law. The latter would be provided on the website for interested parties.
- 7.9 The Solent partnership uses “Bird Aware” and North Kent uses “Bird Wise”, which is based upon the Bird Aware model. The use of the ‘Bird Aware’ brand for Essex Coast RAMS would not mean that the entire focus of the Essex Coast RAMS was on SPA birds as designated habitat features must be protected in their own right through the Essex Coast RAMS and these would not be forgotten about if this branding was used.
- 7.10 The Solent Coast RAMS project now offers a portal for information and partners under the Bird Aware brand which has a ready-made communication package including an established website - www.birdaware.org. This would be available for the Essex coast RAMS team to purchase and would include a bespoke Bird Aware Essex Coast webpage and an initial print run of Essex Coast with leaflets containing relevant local photos. A strategic approach / campaign is usually most effective where an easily understandable, clear, persuasive and memorable message/brand is presented to the target audience at the point of contact (recreational users of the sites in this case). For example, the RSPB have built an easily recognisable and well respected brand and, although their key focus is on protecting birds, their educational materials etc. advocate the conservation of other species and habitats too which improves people’s awareness of these as well. With this in mind, we just need to be mindful that the educational materials, ranger interactions with the public etc. should cover wider coastal habitat protection as well as birds.
- 7.11 Using a brand would complement the use of the Essex Coast RAMS rangers and the provision of rangers was a measure that was commonly cited in the Essex Coast RAMS workshops as being very effective. This face-to-face engagement with visitors is the main feature of other mitigation schemes such as the Solent (Bird Aware partnership), in the [Thames Basin Heaths](#) and [Dorset heathlands](#). Encouraging people to avoid disturbance of roosting and /or feeding wildfowl and waders has been identified as one of the most effective mitigation measures by wardens of Habitats sites.
- 7.12 The RAMS Rangers will form a small mobile team that spend the majority of their time outside at the coastal sites, educating and communicating with visitors, influencing how visitors behave and showing people wildlife. The advantage of such an approach is that the staff can focus their time at particular priority sites/locations as required, such as those with the best visitor access and those likely to result in disturbance of key roosts (see Figures 4.1 and 4.2).
- 7.13 The roles of the Essex Coast RAMS team as allocated by the RAMS Delivery co-ordinator would also include helping with the delivery of site-specific and local projects and monitoring of

visitors. As the Strategy is rolled out, the work of the Rangers will change to include publicity, events, monitoring, reporting and working on some of the longer-term measures.

- 7.14 Apart from the 20 identified key roosts and feeding areas, for Ranger visits across the Essex Coast RAMS area, other less sensitive sites will require additional visits. Locations identified should also include those with high visitor numbers regardless of risk to Habitats site features. Based on information provided by Bird Aware Solent Rangers, key locations should receive weekly visits as High Risk sites for recreational disturbance, whilst other locations should be categorised as Medium (with monthly visits scheduled) or Low (seasonal visits required). This frequency of visits to specific sites within each Ranger's geographical work area is aimed at maximising public engagement at the appropriate time of year which may be year-round in some locations. Rangers should aim to visit 2 sites each day on 3 days/week to allow for other work commitments. This calculation supports the inclusion of three Essex Coast RAMS Rangers within the mitigation package and any additional seasonal rangers will need to be assessed based on developer contributions collected and priorities for mitigation in any specific areas.
- 7.15 Rangers could also carry out further visitor surveys over the lifetime of the Essex Coast RAMS to provide updated baseline for ZOIs as part of the monitoring programme. This would ideally be prioritised as follows:
- Summer visitor surveys at all sites as the Ramsar sites and Essex Estuaries SAC include habitat features sensitive to recreational pressure at all times of the year, especially from water-based recreation. The ZOI should then be calculated from the combined dataset from summer visitors as well as over winter too.
 - Winter and summer visitor surveys at Hamford Water as these had been covered as part of Colchester, Braintree & Tendring visitor survey programme 2013-15.
 - Winter visitor surveys at the Stour Estuary as these were covered as part of Colchester, Braintree & Tendring visitor survey programme 2013-15.
 - Winter and/or summer visitor surveys for those sites which were surveyed as part of the Essex Coast RAMS programme but which had a dataset lower than 400 as per the Visit Britain guidelines.

Coordination of the Essex Coast RAMS

- 7.16 Delivering the Essex Coast RAMS will require the appointment of a delivery co-ordinator to overseeing the implementation of the different themes. This officer would report to a Project board. Options for governance of the Strategy implementation are to be dealt with in a separate report.

- 7.17 The delivery co-ordinator would act as the main contact point for the Essex Coast RAMS and report to the project board and Steering Group and other liaison as directed by the Governance report and relevant Terms of Reference.
- 7.18 The Essex Coast RAMS rangers would report to the Essex Coast RAMS Delivery co-ordinator and work with existing teams towards similar ends on the Essex coast. This could include the Coastal Guardians trained by Essex Wildlife. These volunteers promote visitor awareness by talks and the management of signage. The details will be finalised when the Essex Coast RAMS governance has been agreed with the partners.
- 7.19 The delivery co-ordinator will need to ensure that the Strategy complements other work to protect Habitats sites e.g. England Coast Path (Natural England), other projects delivered by stakeholders e.g. landowners, EWT, RSPB; and potentially also bringing additional benefits from funding elsewhere, whereby match funding can open enhancement opportunities over and above the mitigation requirement. As such the delivery co-ordinator would have the following duties:
- Develop projects and help with their implementation, working with stakeholders (landowners, NGOs, statutory bodies, LPA foreshore officers etc.) as necessary;
 - As funds are available, assist with recruitment of and oversee the Ranger's work programme. Tasks may include each ranger visiting sites each day and plan to maximise the numbers of people encouraged to avoid disturbance when visiting the coastal Habitats sites. The number of locations possible to visit each week will depend on the distance travelled in between Habitats sites as housing schemes come forward and the key hotspots for birds and people;
 - Report to the project board, Steering Group, liaise with Development Management planners and others e.g. s106 officers regarding development implemented and strategy work completed;
 - Organise funding for projects, both gaining funding from the developer contributions 'pot' through the Project Board but also linking with stakeholders and seeking other opportunities for additional funding, for example through reserve-based projects, tourism initiatives and the Heritage Lottery Foundation;
 - Oversee the project webpages and other publicity opportunities, explaining the strategy and providing information making full use of BirdAware or similar and other resources; and
 - Monitoring and review of the Strategy⁵.

⁵ It is recommended that the visitor survey information is updated within the first two years of the Essex Coast RAMS adoption and repeated every 5 years afterwards to maintain postcode evidence of new residents and justifiable ZoIs. The Essex Coast RAMS package of measures will need to be prioritised and delivered on several timescales. The initial priorities will be reviewed by the Essex Coast RAMS delivery co-ordinator, once they are in post.

8 Costed Mitigation Package and Mitigation Delivery

- 8.1 The costed mitigation package in Table 8.2 has been based on measures considered necessary to avoid likely disturbance at key locations with easy public access (as shown on Figure 7.1). A precautionary approach to avoid adverse effects has been adopted, with priority areas for measures identified as those which have breeding SPA birds which could conflict with high number of visitors to the coast in the summer and those with important roosts and foraging areas in the winter. Sensitive habitats are also at risk from damage by high numbers of visitors and potential hotspots have been identified for ranger visits which may including water rangers. The package includes an effective mixt of avoidance and mitigation measures to provide flexibility and deliverability, based on costed similar provision elsewhere in England.
- 8.2 This has been developed through identifying best practice measures and gathering local nature conservation practitioner expertise, from a new dedicated staff resource to focussing on awareness raising and appropriate behaviour with a wide range of recreational user groups at Habitats sites. The package particularly prioritises measures considered to be effective at avoiding and mitigating recreational disturbance by Habitats sites managers and Maldon DC in managing water sports on the Blackwater estuary. These measures can be justified as necessary, relevant and reasonable and enables the LAs to demonstrate that as competent authorities, they can avoid adverse effects on the integrity of Habitats sites.
- 8.3 The proposal to bolster the terrestrial RAMS Ranger visits with water based RAMS Ranger patrols is aimed at encouraging all users to take an active role in avoiding impacts from recreational activities on the coast waters. It is hoped that codes of conduct and zonation of sensitive waters near SPA bird roosts and foraging areas can be implemented, similar to measures on the Exe Estuary.
- 8.4 There is a potential need for additional rangers following the first five years of the project based on the predicted peak in housing delivery at this time, though evidence for this spend will be based on the findings of the rangers patrolling the coast. To provide flexibility for strategic deployment of resources, indicative locations are identified though “ground- trothing” from Ranger visits and updated surveys for the Essex Coast RAMS project Board and Delivery co-ordinator to account for any unforeseen circumstances.
- 8.5 The phasing of housing delivery, as shown below (taken from Table 4.4) indicates that most development within the overall ZOI for the Essex coast RAMS will take place in the period 2023/24-2027/28. The third Essex Coast RAMS Ranger is likely to be triggered in this time period.

Table 8.1 Phasing of housing delivery 2018-2038

Phasing of dwellings				Total to be included in the Essex Coast RAMS
2018/19 - 2022/23	2023/24 - 2027/28	2028/29 - 2032/33	2033/34 - 2037/38	
19,164	23,675	16,986	10,598	79,582

- 8.6 The per dwelling tariff is calculated by dividing the total cost of the Essex Coast RAMS mitigation package by the total number of houses still to be delivered over the Local Plans period i.e. any houses already consented having come forward early, are not included in this calculation.
- 8.7 As the above figures may change before the SPD is adopted, the tariff will require re-assessment beforehand. It will also be required as part of the monitoring process.

Table 8.2: Mitigation package costed for 2018-2038

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
Immediate - Year 1/2	Staff resources	Delivery officer		£45,000	19	£1,027,825	Salary costs include NI and overheads & 2% annual increments
		Equipment and uniform		(small ongoing cost)		£5,000	Bird Aware logo polo shirts, waterproof coats and rucksacks, plus binoculars for Rangers
Year 2		1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads & 2% annual increments
Year 2		1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads & 2% annual increments
		Staff training		£2,000	19	£38,000	£500 training for each staff
		Partnership Executive Group		(LPA £1,000)	19	£0	This would need to be an 'in kind' contribution from the LPA as this is a statutory requirement of the competent authorities. NB This is over and above the requirement for S106 monitoring
		Administration & audit		(LPA £1,000)	19	£0	As above
	Access	Audit of Signage including interpretation	£1,000			£1,000	Undertaken by Delivery officer/rangers but small budget for travel
		New interpretation boards	£48,600			£48,600	£2,700 per board, based on HLF guidance. Approx. 9 boards, one per Site. Cost allows for one replacement in plan period

Table 8.2: Mitigation package costed for 2018-2038

	Monitoring	Levels of new development				£0	No cost as undertaken as part of LPA work in Development Management and s106 or Infrastructure officers
		Recording implementation of mitigation and track locations and costs				£0	No cost as delivered as part of core work by delivery officer
		Collation & mapping of key roosts and feeding areas outside the SPA	£10,000			£10,000	Initial dataset to be available to inform Rangers site visits.
		Visitor surveys at selected locations in summer (with questionnaires)	£15,000			£15,000	Focus on Dengie, Benfleet & Southend Marshes and Essex Estuaries saltmarsh; estimated cost £5/Habitats site. Liaise with NE & ECC PROW re England Coast Path
		Visitor numbers and recreational activities	£5000 (£500/ Habitats site/yr)			£5,000	Rangers, partner organisations, LPAs
		Consented housing development within ZOI.	£0/ Habitats site/yr)			£0	S106 officers to Track financial contributions for each development for all LPAs; liaise with LPA contributions officers
	Communication	Website set up for Day 1				£0	Essex Coast Bird Aware webpage set up costs £3k to be covered by LPAs.
		Walks and talks to clubs and estuary users groups				£0	Covered by salary costs for Delivery officer

Table 8.2: Mitigation package costed for 2018-2038

		Promotional materials				£5,000	Use BirdAware education packs, stationery, dog bag dispensers, car stickers etc.
Short to Medium term	Dog related	Set up/expand Dog project in line with Suffolk Coast & Heaths AONB "I'm a good dog" and Southend Responsible Dog Owner Campaign	£15,000			£15,000	Use BirdAware design for leaflets & website text, liaison with specialist consultants (Dog focussed), liaison with dog owners etc. Liaise with dog clubs & trainers;
	Water sports zonation		£10,000			£10,000	Approx. costs only to be refined when opportunity arises
Year 5	Staff resources	1 additional ranger		£36,000	13	£456,567	Salary costs include NI and overheads & 2% annual increments
		Staff to keep website & promotion on social media up to date		£1,000	19	£19,000	Update/refresh costs spread over plan period and include dog and water borne recreation focussed pages on Essex Coast RAMS / Bird Aware Essex Coast website plus merchandise eg dog leads.
Year 5	Monitoring	Update Visitor surveys at selected locations in summer (with questionnaires)	£45,000			£45,000	Estimated cost £5000/Habitats site/year for 9 Sites. Liaise with NE & ECC PROW re England Coast Path and LPAs re budgets as some of the survey costs may be absorbed into the budget for the HRAs needed for Local Plans. This could reduce the amount of contributions secured via Essex Coast RAMS which could be used for alternative measures.

Table 8.2: Mitigation package costed for 2018-2038

		Signage and interpretation	£14,500			£14,500	£14500 allows for 3 sets of discs - 3 designs, 1500 of each; e.g. paw prints in traffic light colours to show where no dogs, dogs on lead and dogs welcome. This may linking with a timetable eg Southend with dog ban 1 st May to 30 th Sept
	Water based Rangers to enforce byelaws	Set up Water Ranger	£50,000	£120,000	15	£2,029,342	Costs need to include jet ski(s), salary & on costs, training and maintenance plus byelaws costs. Priority is recommended for at least 1 Ranger to visit locations with breeding SPA birds eg Colne Estuary, Hamford Water, and other locations eg Southend to prevent damage during the summer. Explore shared use at different times of year eg winter use at other Habitats sites.
		Additional River Ranger where needed		£120,000	15	£2,029,342	Given increased recreation predicted,
	Codes of conduct	for water sports, bait digging, para motors/power hang gliders & kayakers	£5,000			£5,000	Use Bird Aware resources with small budget for printing. Talks to clubs and promotion covered by Delivery officer and rangers

Table 8.2: Mitigation package costed for 2018-2038

	Habitat creation - Alternatives for birds project – and long term management	Work with landowners & EA to identify locations eg saltmarsh creation in key locations where it would provide benefits and work up projects	£500,000			£500,000	Approx. costs only to be refined when opportunity arises for identified locations in liaison with EA and landowners via Coastal Forum and Shoreline Management Plans.
	Ground nesting SPA bird project – fencing and surveillance costs - specifically for breeding Lt Terns, & Ringed Plovers	Work with landowners & partners to identify existing or new locations for fencing to protect breeding sites for Little Tern & Ringed Plover populations	£15,000			£15,000	Check with RSPB, NE & EWT when project is prioritised
Longer term projects	Car park rationalisation	Work with landowners, Habitats site managers & partner organisations	£50,000			£50,000	Approx. costs only to be refined when opportunity arises
	Monitoring	Birds monitoring for key roosts & breeding areas within and outside SPAs		£5,000	10	£50,000	Costs for trained volunteers; surveys every 2 years
		Vegetation monitoring		£5,000	4	£20,000	Costs for surveys every 5 years

Table 8.2: Mitigation package costed for 2018-2038

Year 10, 15 & 20	Monitoring	Update Visitor surveys at selected locations in summer (with questionnaires)	£45,000			£135,000	Estimated cost £5/Habitats site. Liaise with NE & ECC PROW re England Coast Path
	Route diversions	Work with PROW on projects	£15,000			£15,000	Approx. costs only to be refined when opportunity arises

TOTAL MITIGATION PACKAGE
10% contingency
TOTAL COST

COSTS £8,105,862
£ 810,586
£8,916,448

8.8 The total cost for calculation per dwelling tariff is based on the total number of dwellings identified in each Local Plan which have not received Full/Reserved matters consent i.e. any houses already consented having come forward early, are not included in this calculation. **This figure is therefore £8,916,448 divided by 72,907 which means the recommended tariff is £122.30 rounded to nearest pence.**

8.9 As set out in Table 8.3 below, the split of the total cost for the Essex Coast RAMS mitigation package for each LPA to collect (i.e. the proportion of the costs to be collected from developers) is based on their housing figures to be delivered by the Local Plan. If predicted housing numbers are not realised, the associated impacts will also be less so the cost of the mitigation necessary will be reduced.

Table 8.3 Housing number and cost of mitigation for each LPA

(to include Habitats site specific measures plus over-arching measures e.g. delivery co-ordinator and Essex Coast RAMS Rangers.)

Charging Zone	Dwellings coming forward up to the end of Essex Coast RAMS plan period not already consented	Cost per dwelling tariff (rounded to nearest pence)	Cost of mitigation per LPA area
Basildon	9,440	£122.30	1,154,502.00
Braintree	13,770	£122.30	1,684,056.00
Brentwood	41	£122.30	5,014.26
Castle Point	4,721	£122.30	577,373.20
Chelmsford	8,771	£122.30	1,072,684.00
Colchester	9,144	£122.30	1,118,301.00
Maldon	3,646	£122.30	445,901.90
Rochford	1,322	£122.30	161,679.20
Southend-on-Sea	7,648	£122.30	935,342.20
Tendring	8,429	£122.30	1,030,858.00
Thurrock	5,975	£122.30	730,736.10
Total (Cost of package plus 10% contingency)	72,907		£8,916,448.00

8.10 The cost of implementing the mitigation measures will increase with inflation so the per dwelling tariffs will be updated each year in line with the Retail Price Index.

- 8.11 A proportion of all developer contributions collected (% to be determined by the Essex Coast RAMS Board) will be invested to cover the cost of delivering the visitor management measures in perpetuity, as the number of new residents will be permanent.
- 8.12 To avoid impacts, delivery of mitigation needs to be in advance of new residents occupying additional homes so triggers for payment should be prior to commencement of house building.

9. Monitoring and review

- 9.1 The Essex Coast RAMS sets out the baseline, status and disturbance evidence from which to monitor change and the impact of the Essex Coast RAMS in the future.
- 9.2 The effectiveness of mitigation measures and their timely delivery will be monitored and reviewed by the Essex Coast RAMS team, reporting to the Essex Coast RAMS Steering Group.
- 9.3 Monitoring will be undertaken annually and a report provided to each LPA to inform their Annual Monitoring Report (AMR). As competent authorities under the Habitats Regulations, the delivery of the Essex Coast RAMS is the responsibility of the LPA needing it to ensure their Local Plan is sound and legally compliant.
- 9.4 The Steering Group shall work with the Essex Coast RAMS team to establish the monitoring procedure, which will include SMART targets to effectively gauge progress.
- 9.5 To ensure the monitoring process is fit for purpose, there will be various monitoring activities which will be undertaken at different times and at an appropriate frequency. For example, visitor survey updates will be scheduled for after 2 and then 5 years.
- 9.6 Table 9.1 provides an example of what the monitoring approach may look like.

Table 9.1: Monitoring Report

Monitoring type	Objective	Responsibility	Action	Notes
Visitor numbers and recreational activities	Collect data on use and type of activity at different locations; assess change in behaviour likely to cause disturbance	Ranger / site warden team	Car park counter data; collated every 2 years with counters shared at different locations over plan period	
Visitor surveys with questionnaires	Collect repeat or additional post code data to review Zones of Influence for each Habitats site using the same methodology	Ranger/ site warden team	Minimum one face to face survey on each Habitats site location during the plan period	
Bird numbers and roost/feeding locations	Identify numbers and behaviour of designated birds	Ranger and volunteers e.g. WeBS on estuaries, continued monitoring of Little Terns	WeBS and breeding bird surveys	
Vegetation monitoring	Targeted at identifying impacts of trampling and triggers for mitigation	Site wardens/ managers		
Effectiveness of mitigation measures	Check that projects deliver status quo or improvements	Ranger/ site warden team/Habitats site staff	Questionnaires for behaviour and incident logs,	
Delivery of mitigation measures	Audit of projects delivered with feedback on implementation to LPAs refunds spent on each Habitats site.	Delivery officer	Project management tools e.g. membership of dog project, numbers of visitors engaged at different events	

- 9.7 Any future decrease (or increase) in bird populations cannot be the only measure of success for the Essex Coast RAMS in this respect as the designated habitats require protection too and effects could not be attributed solely to the implementation of the Essex Coast RAMS. This is due to multiple other factors at play on a local scale (e.g. predation, weather, habitat loss, coastal squeeze) and international scale (e.g. success at breeding or wintering grounds elsewhere etc.). Therefore, a range of monitoring identified for the Essex Coast RAMS delivery is needed and disturbance events reported
- 9.8 Working closely with partner organisations will be essential to understand these factors, evaluate success and provide feedback to inform reviews of the Essex Coast RAMS work programme. Both Place Services and Natural England recommended that the Essex Coast RAMS team regularly liaise with local nature conservation practitioners for this purpose.
- 9.9 Formal records will need to be kept of what, where and how the Essex Coast RAMS measures have been implemented e.g.:
- Most sensitive European site locations e.g. key bird roosts & breeding areas (noting that some of this is ecologically sensitive information);
 - Pending projects i.e. all mitigation priorities reflected in the above tables;
 - Live projects i.e. those underway; and
 - Completed projects i.e. those chalked off as the strategy progresses.
- 9.10 These will support the audit trail for spending against priorities set for the whole Strategy but also for the funds collected for each Habitats site by the Local Authorities. The latter is essential as the numbers of dwellings consented in Zols which will be subject to developer contributions and will provide the Essex Coast RAMS budget available for spending in each financial year.

10 Conclusions and next steps

- 10.1 Each LPA partner to the Essex Coast RAMS made a commitment to developing a strategic mitigation solution to address potential significant recreational impacts, in combination with other plans and projects, arising from new housing on the Habitats Sites on the Essex Coast.
- 10.2 The evidence base for the strategic mitigation package is set out in the Essex Coast RAMS which will be accompanied by an Essex Coast RAMS SPD.
- 10.3 The Essex Coast RAMS per dwelling tariff (currently £122.30) for new dwellings in the Zone of Influence is to be adopted by the LPAs to fund the mitigation measures set out in this Strategy.
- 10.4 Place Services recommend that the LPAs now finalise the SPD to ensure that tariff contributions are collected to implement the Essex Coast RAMS and avoid adverse effects on integrity for the Habitats sites identified in this Strategy document.
- 10.5 Governance and delivery models are still being discussed by the LPAs.
- 10.6 Place Services recommend that a model similar to that used by the Solent Recreation Mitigation Partnership and that used in North Kent would provide an effective way to deliver the Essex Coast RAMS. Strong branding, such as use of the Bird Aware brand, gives a powerful and intelligible wildlife conservation message and would help deliver elements of the Strategy in a positive and effective way. It also provides a tried and tested model for governance, delivery of measures and communications
- 10.7 The Essex Coast RAMS will be deemed successful if the level of bird and habitat disturbance is not increased despite an increase in population and the number of recreational visitors to the coastal sites.

11 Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Competent Authority	Has the invested or delegated authority to perform a designated function.
England Coast Path	Natural England are implementing the Government scheme to create a new national route around the coast of England
Impact Risk Zone	Developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals. They cover areas such as SSSIs, SACs, SPAs and Ramsar sites.
Habitats sites	Includes SPA, SAC & Ramsar sites as defined by NPPF (2018). Includes SPAs and SACs which are designated under European laws (the 'Habitats Directive' and 'Birds Directive' respectively) to protect Europe's rich variety of wildlife and habitats. Together, SPAs and SACs make up a series of sites across Europe, referred to collectively as Natura 2000 sites. In the UK they are commonly known as European sites; the National Planning Policy Framework also applies the same protection measures for Ramsar sites (Wetlands of International Importance under the Ramsar Convention) as those in place for European sites.
Habitats Regulations Assessment	Considers the impacts of plans and proposed developments on Natura 2000 sites.
Natural England	Natural England - the statutory adviser to government on the natural environment in England.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1971.
Responsible Officer	Natural England officer responsible for a particular habitats site.
Special Area of Conservation	Land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Special Protection Area	Land classified under Directive 79/409 on

	the Conservation of Wild Birds.
Supplementary Planning Document	Documents that provide further detail to the Local Plan. Capable of being a material consideration but are not part of the development plan.
Zone of Influence	A designated distance that establishes where development is permitted.

Abbreviations

AA	Appropriate Assessment
AMR	Annual Monitoring Report
ASFA	Access and Sensitive Features Appraisal
BTO	British Trust for Ornithology
CIL	Community Infrastructure Levy
EA	Environment Agency
ECP	England Coast Path
EPOA	Essex Planning Officers Association
EWT	Essex Wildlife Trust
FLL	Functionally Linked Land
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zone
LEP	Local Enterprise Partnership
MoD	Ministry of Defence
NE	Natural England
NGOs	Non-Government Organisations
LPA	Local Planning Authority
PROW	Public Rights of Way
RO	Responsible Officer, Natural England
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SIP	Site Improvement Plan
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
WeBS	Wetland Bird Survey
Zol	Zone of influence

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Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS)

Habitats Regulations Assessment
Strategy document
2018-2038

Appendices

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Appendix 1: Natural England Interim Advice Letters (Nov 2017 & Aug 2018)

Date: 16 November 2017
Our ref: 231488



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Tendring District Council
Thurrock Borough Council

Cc. Graham Thomas, Growing Essex Future Development
Essex Place Services
Essex County Council
Epping Forest District Council
Harlow Council
Uttlesford District Council

BY EMAIL ONLY

Dear All

Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) – Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations¹

This letter provides Natural England's follow-up advice to the meetings with your authorities on the 13th September and 9th November 2017. During these meetings we discussed the need to take forward a strategic approach to mitigating recreational disturbance impacts from residential growth proposed in your local plans to European designated sites in and around the coastal zone of Essex. We found the discussion at the meetings very helpful and constructive and it was agreed in principle by all present that we would work together to prepare an Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to ensure that all local plans coming forward would be compliant with the Habitats Regulations and deliver positive outcomes for the natural environment. We consider that such an approach is the most effective and efficient means for planning authorities, developers and Natural England to ensure that housing growth is sustainably integrated alongside nature conservation in the long term.

One of the actions from the meeting on the 9th November 2017 was that we would provide you with some interim advice to ensure that any residential planning applications coming forward ahead of the Essex RAMS which have the potential to impact on coastal European designated sites are compliant with the Habitats Regulations.

¹ Conservation of Habitats and Species Regulations 2010, as amended (commonly known as the 'Habitats Regulations')

This advice specifically relates to additional recreational impacts that may occur on the interest features of the following European designated sites:

- Essex Estuaries Special Area of Conservation (SAC)
- Hamford Water Special Protection Area (SPA) and Ramsar site²
- Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Essex side only)
- Colne Estuary SPA and Ramsar site
- Blackwater Estuary SPA and Ramsar site
- Dengie SPA and Ramsar site
- Crouch and Roach Estuaries SPA and Ramsar site
- Foulness Estuary SPA and Ramsar site
- Benfleet and Southend Marshes SPA and Ramsar site
- Thames Estuary and Marshes SPA and Ramsar site (Essex side only)

For further information on these sites, please see the [Conservation Objectives](#) and [Information Sheets on Ramsar Wetlands](#) which explain how each site should be restored and/or maintained.

The Habitats Regulations Assessment (HRA) reports produced for your local plans have identified recreational disturbance as an issue which can impact on the interest features of coastal SPAs and Ramsar sites. The HRA reports have also identified the potential for other recreational impacts on the interest features of the Essex Estuaries SAC, which includes coastal and intertidal habitats; some of these features are at threat from physical damage (e.g. trampling, erosion from wave damage etc.) which can be caused by land and water-based activities including walking, fishing and water sports.

The local plan HRA reports have also identified a number of zones of influence which determine the distance at which new development may result in changes in recreational use, and therefore where mitigation is necessary. Some of these zones of influence are based on visitor survey information, whereas others have been determined using the best available evidence from other locations (e.g. local habitats of a similar nature). In order to strengthen the evidence base behind the zones of influence within which the Essex RAMS will apply, it was agreed at the meeting that these will be refined, as required, through visitor surveys carried out in the interim period. However, the current zones of influence as defined in the Local Plan HRA reports are as follows:

Table 1

European designated site	Zone of influence (Km)	Based on site specific evidence such as visitor surveys?
Essex Estuaries SAC	24	Yes - some
Hamford Water SPA / Ramsar	8	Yes - some
Stour and Orwell Estuaries SPA and Ramsar	13	Yes - some
Colne Estuary SPA and Ramsar	24	Yes - some
Blackwater Estuary SPA and Ramsar	8	Yes - some
Dengie SPA and Ramsar	Not yet determined*	Not applicable
Crouch and Roach Estuaries Ramsar and SPA	10	No

² Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites



Foulness Estuary SPA and Ramsar	Not yet determined*	Not applicable
Benfleet and Southend Marshes SPA and Ramsar	10	No
Thames Estuary and Marshes SPA and Ramsar	10	No

* Note: where a zone of influence has not yet been identified, we advise that 13 km should be used in the interim period on a precautionary basis

It is recognised that a considerable proportion of the residential allocations in your local plans will already be coming forward as planning applications, prior to the adoption of the Essex RAMS.

It is therefore important to ensure that any recreational impacts from these residential allocations which fall within the identified zones of influence are considered in terms of the Habitats Regulations.

Natural England has already developed a set of [Impact Risk Zones \(IRZs\)](#) which helps guide planning authorities on the scale of residential development that we should be consulted on, in part to assess impacts from increased recreational disturbance. For example, the Stour Estuary residential IRZs are as follows:

- **Within 50 m** – we should be consulted on all planning applications (including all residential development) except householder applications
- **Within 200 m** – we should be consulted on residential development of 10 units or more within an existing settlement or all residential development outside an existing settlement
- **Within 1 km** – we should be consulted on residential development of 50 units or more within an existing settlement or all residential development outside an existing settlement
- **Within 2 km** – we should be consulted on residential development of 50 units or more within an existing settlement or 10 units outside an existing settlement
- **Within 5 km** – we should be consulted on 50 units or more outside an existing settlement

We advise that Natural England should continue to be consulted in line with the current IRZ arrangements for each site in order to provide bespoke advice on these applications.

However, for new residential development which falls outside the current IRZ consultation arrangements but within the zones of influence shown in Table 1 (subject to review), we advise that the following interim protocol should be followed to ensure consistency and fairness in securing strategic level mitigation for these developments:

Interim approach to avoidance and mitigation measures

- Appropriate funding should be collected on the basis that it can be used to fund strategic measures at the relevant European designated sites, proportionate to the level of housing development.

- A delivery mechanism for the agreed measures must be secured and the measures implemented from the first occupation of dwellings, thereby ensuring that the level of recreational disturbance is not increased by future residential development.
- Your councils may wish to consider identifying and funding specific projects which can be delivered in the interim period to increase the resilience of European designated sites to recreational pressures. Identifying projects to be funded now can provide certainty and reduce the risk of receiving funds without a delivery mechanism in place. Natural England would be happy to work with you to help identify potential 'off-site' mitigation projects (i.e. in and around European designated sites) which could be delivered using developer contributions for recreational disturbance impacts prior to the adoption of the Essex RAMS.
- It should be ensured that emerging Local Plans have a policy that sets out how likely recreational disturbance impacts from new residential development will be mitigated. This should include a policy commitment to the production and implementation of the Essex RAMS.
- In the absence of a relevant policy or a Local Plan in place, an alternative approach would be to consider developing an Interim Policy Statement, or similar mechanism. This letter may help inform any such interim policy statement.

We would be happy to discuss this further. If you require any further clarification then please do not hesitate to contact us.

Yours sincerely



Sarah Fraser
Senior Adviser – West Anglia Team



Date: 16 August 2018
Our ref: 244199



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Rochford District Council
Southend-on-Sea Borough Council
Tendring District Council
Thurrock Borough Council
Uttlesford District Council
Essex Place Services

BY EMAIL ONLY

Dear All

Emerging strategic approach relating to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) – Revised interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations¹

This letter provides Natural England's revised interim advice further to that issued on 16th November 2017. This advice is provided to ensure that any residential planning applications coming forward ahead of the Essex Coast RAMS which have the potential to impact on coastal European designated sites are compliant with the Habitats Regulations. It specifically relates to additional recreational impacts that may occur on the interest features of the following European designated sites:

- Essex Estuaries Special Area of Conservation (SAC)
- Hamford Water Special Protection Area (SPA) and Ramsar site²
- Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Essex side only)
- Colne Estuary SPA and Ramsar site
- Blackwater Estuary SPA and Ramsar site
- Dengie SPA and Ramsar site
- Crouch and Roach Estuaries SPA and Ramsar site
- Foulness Estuary SPA and Ramsar site
- Benfleet and Southend Marshes SPA and Ramsar site
- Thames Estuary and Marshes SPA and Ramsar site (Essex side only)

¹ Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations')

² Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 176 of the National Planning Policy Framework applies the same protection measures as those in place for European sites

For further information on these sites, please see the [Conservation Objectives](#) and [Information Sheets on Ramsar Wetlands](#) which explain how each site should be restored and/or maintained.

Recreational 'Zones of Influence' (Zols)

As part of the work required to inform the Essex Coast RAMS evidence base, visitor surveys have been undertaken to determine the distances that visitors will travel from their residences to visit the European designated sites to undertake recreation. Following collation and analysis of the survey data, the Zols currently agreed by the Essex Coast RAMS Steering Group are as follows:

Table 1:

European designated site	Underpinning SSSIs ³	Zols (km)
Stour and Orwell Estuaries SPA and Ramsar	Orwell Estuary SSSI Stour Estuary SSSI Cattawade Marshes SSSI	13
Hamford Water SPA and Ramsar	Hamford Water SSSI	8
Colne Estuary SPA and Ramsar	Colne Estuary SSSI	9.7
Blackwater Estuary SPA and Ramsar	Blackwater Estuary SSSI	22
Dengie SPA and Ramsar	Dengie SSSI	20.8
Crouch and Roach Estuaries Ramsar and SPA	Crouch and Roach Estuaries SSSI	4.5
Foulness Estuary SPA and Ramsar	Foulness SSSI	13
Essex Estuaries SAC	Blackwater Estuary SSSI Colne Estuary SSSI Crouch and Roach Estuaries SSSI Dengie SSSI Foulness SSSI	-*
Benfleet and Southend Marshes SPA and Ramsar	Benfleet and Southend Marshes SSSI	4.1 [†]
Thames Estuary and Marshes SPA and Ramsar	Mucking Flats and Marshes SSSI	8.1

*Note 1: The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary, Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective Zols throughout.

†Note 2: The Benfleet and Southend Marshes Zol is to be confirmed following summer visitor surveys.

In the context of your duty as competent authority under the provisions of the Habitats Regulations⁴, it is anticipated that new residential development within these Zols constitutes a likely significant effect (LSE) on the sensitive interest features of the above designated sites through increased recreational pressure, either when considered 'alone' or 'in combination'. As you will be aware, the Essex Coast RAMS is a large-scale strategic project which involves all of the Essex authorities listed above working together to help mitigate these effects. Once adopted, the RAMS will comprise a package of strategic mitigation measures to address such effects, which will be costed and funded through developer

³ Underpinning SSSIs are listed here as these are what the IRZs are aligned to

⁴ Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations'). Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website.
<http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>



contributions. However, it is recognised that a considerable proportion of the residential allocations in your local plans will already be coming forward as planning applications, prior to the adoption of the Essex Coast RAMS. In the interim period until the RAMS is in place and the necessary developer contributions are known, it is therefore important that any recreational impacts from residential schemes such as these are considered in terms of the Habitats Regulations through a project-level Habitats Regulations Assessment (HRA). We offer the following advice to guide you on this:

Consultation arrangements

Natural England has already developed a set of [Impact Risk Zones \(IRZs\)](#) which helps guide planning authorities on the types and scale of development that we should be consulted on. We advise that we should continue to be consulted in line with these arrangements (i.e. where there are other IRZs are triggered in addition to the Essex Coast RAMS)

We will shortly be refining the residential IRZs for the above designated sites to align with Essex Coast RAMS project and capture new residential development which falls within the Zols shown in Table 1 above; these updates are currently scheduled for September 2018 and relate to the following development types:

- New dwellings of 1+ units (excludes replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Student Accommodation
- Residential care homes and residential institutions (excludes nursing homes)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots

We advise that the applications in scope for consideration should include all new applications as well as those with outline planning permission where this issue has not previously been assessed through the HRA process.

To help you screen applications prior to our IRZs being updated, we have included some maps in ANNEX A to this letter to show the current Essex Coast RAMS Zol.

Approach to avoidance and mitigation measures for recreational disturbance

We have included within ANNEX B to this letter a suggested HRA record template which can be used to record the conclusions of both the Screening and Appropriate Assessment stages of HRAs for planning applications within scope of the Essex Coast RAMS for which recreational disturbance to the above sites is the only HRA issue. The use of this template is not mandatory but we have provided it in an attempt to streamline the process and make it as straightforward and consistent as possible for the authorities involved in the RAMS.

For any queries relating to the specific advice in this letter only, please contact Jack Haynes on 0208 02 64857 or at jack.haynes@naturalengland.org.uk. In the context of the above advice, we would be happy to provide you with some training on the use of our IRZs, the HRA process, the use of the HRA record template etc. through our charged Discretionary Advice Service (DAS), further details on which are available [here](#). The way to progress your request is to complete a [DAS Request Form](#), including the training request, and send it to our consultations hub (consultations@naturalengland.org.uk).

Yours sincerely

Jack Haynes, Lead Adviser, Natural England

Figure A1.1

ANNEX A – Essex Coast RAMS 'zone of influence' (Zol) maps

Tendring, Colchester, Maldon, Rochford, Castle Point, Southend – The whole of the LPA area is within the Zol so all relevant development is in scope of the RAMS

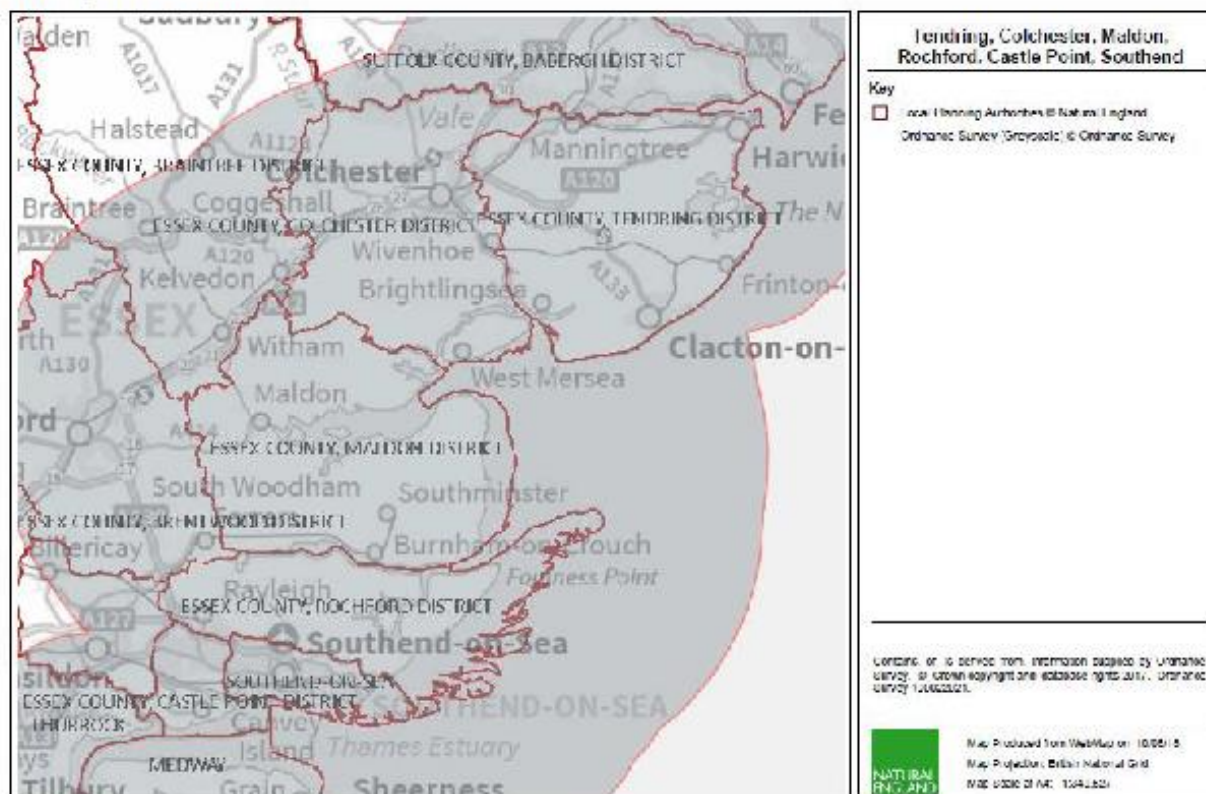




Figure A1.2

Braintree – Relevant development within the shaded area is in scope of the RAMS

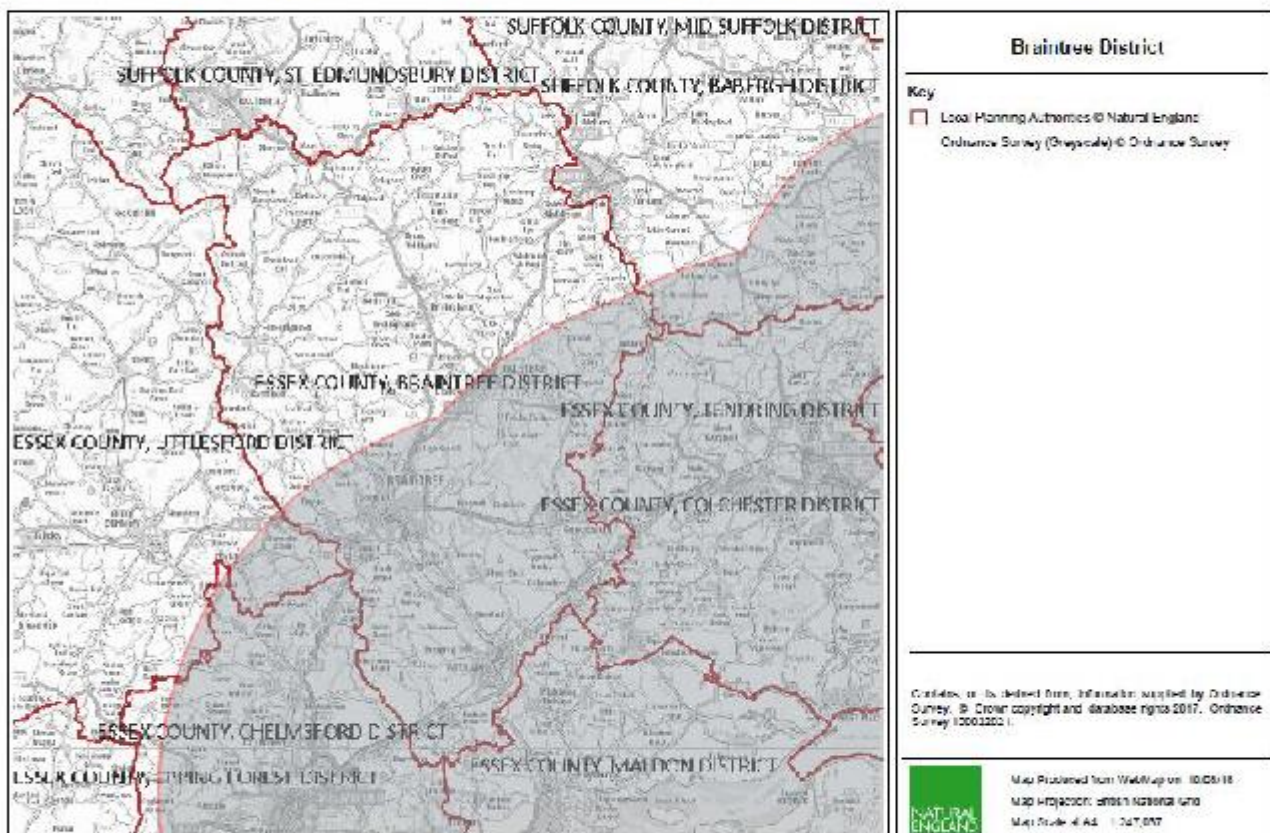


Figure A1.3

Uttlesford – Relevant development within the shaded area is in scope of the RAMS

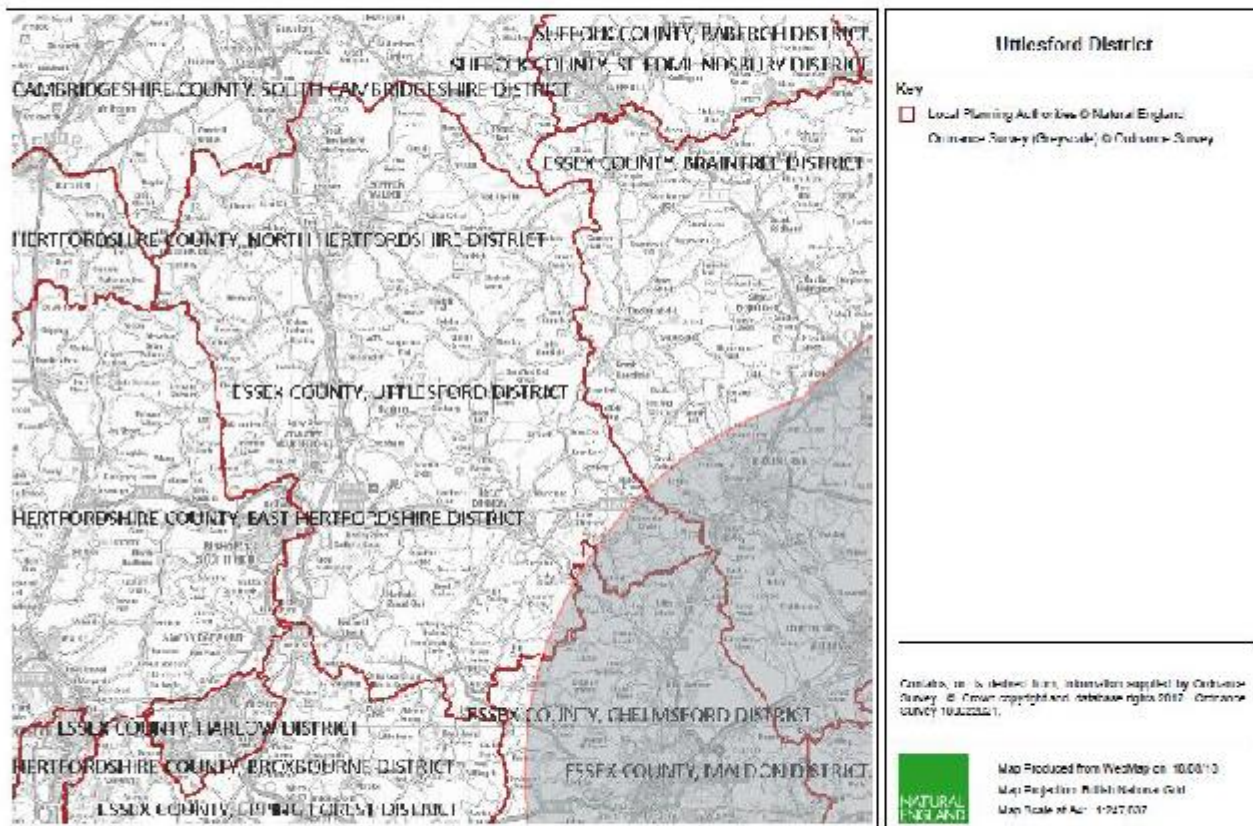




Figure A1.4

Chelmsford – Relevant development within the shaded area is in scope of the RAMS

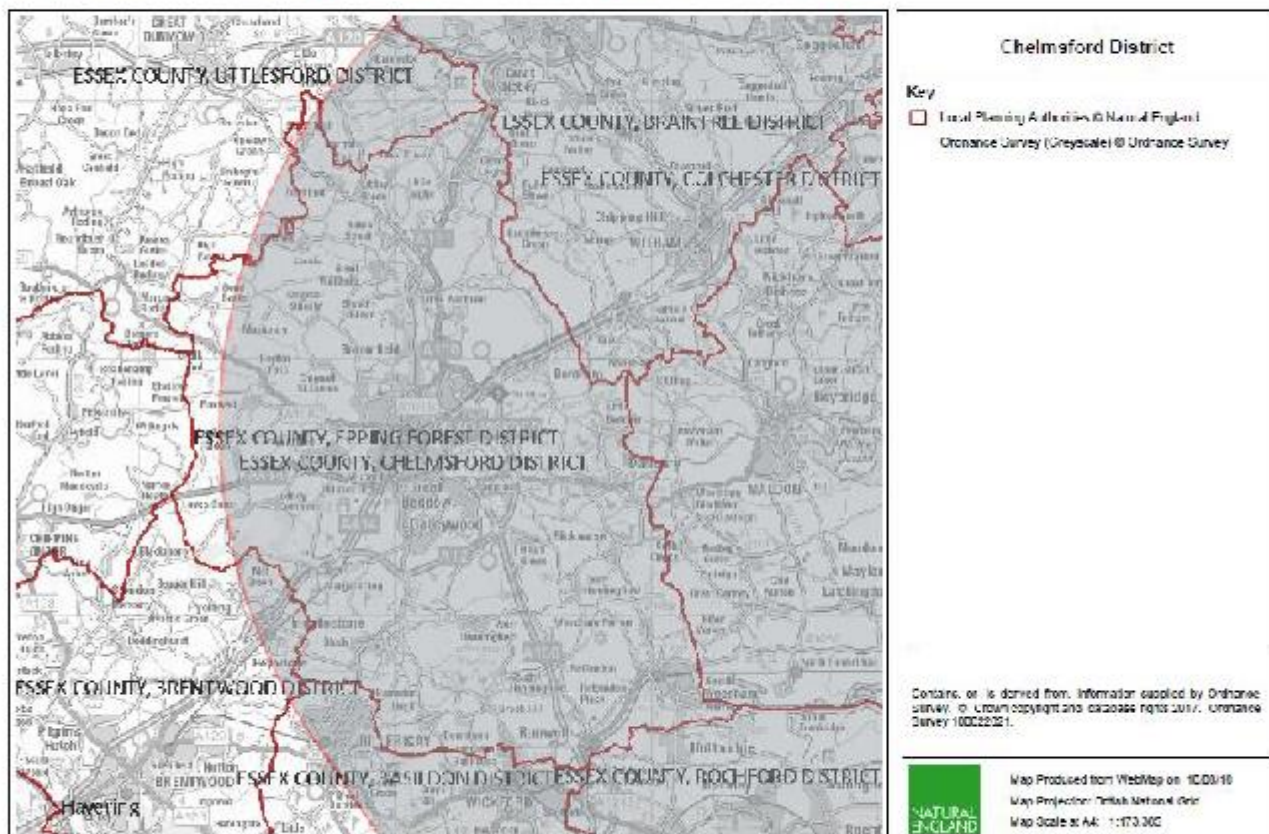


Figure A1.5

Basildon – Relevant development within the shaded area is in scope of the RAMS

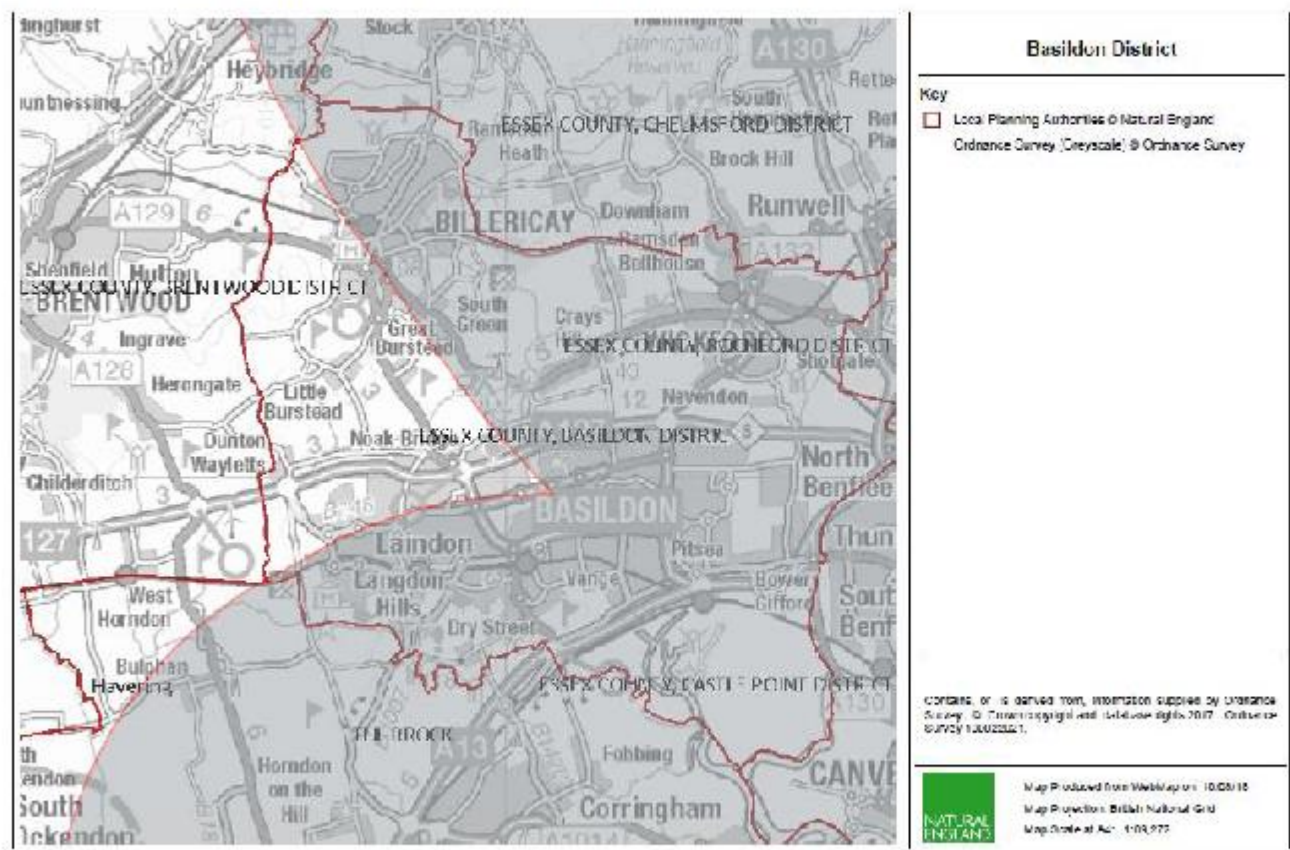
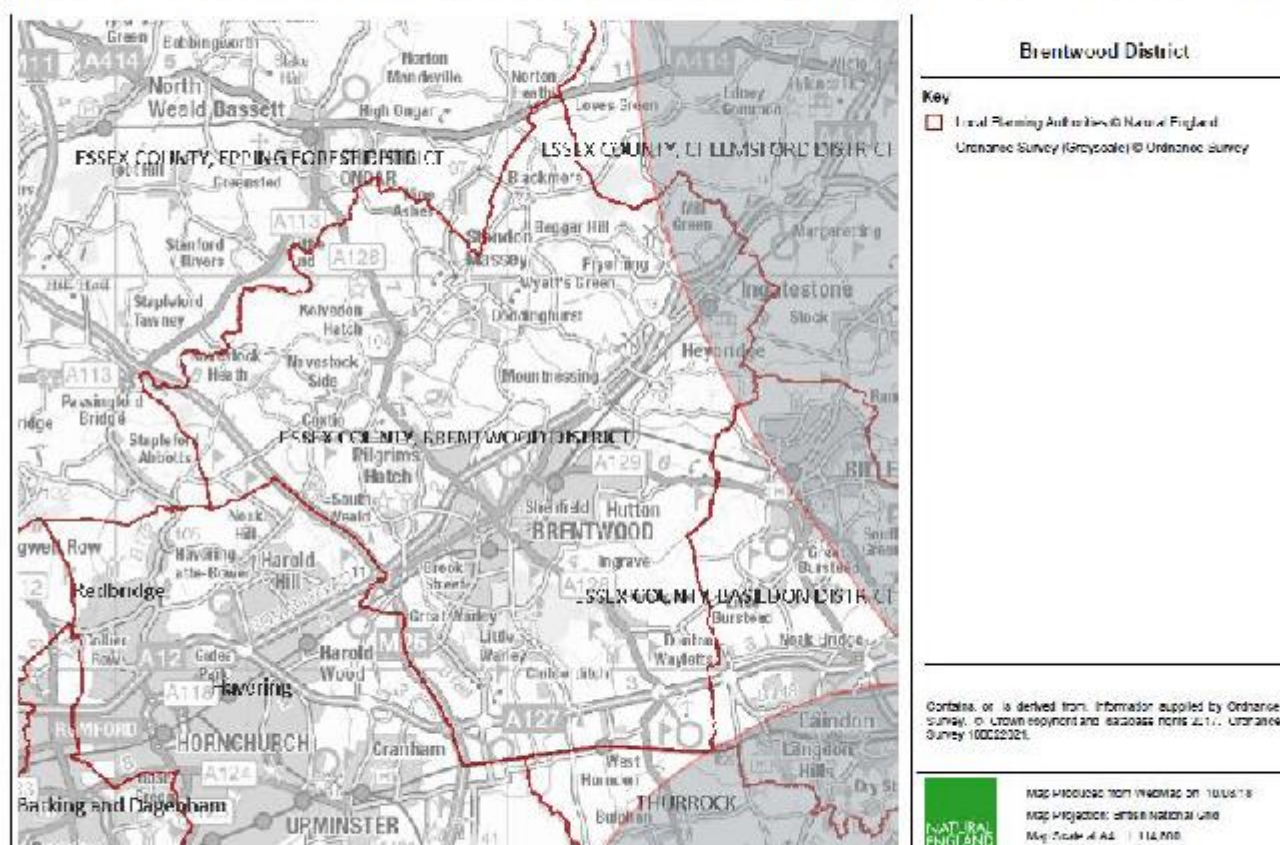




Figure A1.6

Brentwood – Relevant development within the shaded area is in scope of the RAMS (Note: the Zol clips the southeast corner of the district)



Thurrock

Key

Local Planning Authorities © Natural England
Ordnance Survey (Geopac) © Ordnance Survey

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Map produced from Wapmap on 11/06/18
Map Projected: British National Grid
Map Scale at A4: 1:130,706



Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulation Assessment (HRA) Record

Application details	
Local Planning Authority:	
Case officer:	
Application reference:	
Application description:	
Application address:	
Status of Application:	
Grid Ref:	

HRA Stage 1: screening assessment

Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a 'likely significant effect' (LSE) to a European site in terms of increased recreational disturbance

Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites?

- Essex Estuaries Special Area of Conservation (SAC)
- Hamford Water Special Protection Area (SPA) and Ramsar site
- Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Essex side only)
- Cole Estuary SPA and Ramsar site
- Blackwater Estuary SPA and Ramsar site
- Denge SPA and Ramsar site
- Crouch and Roach Estuaries SPA and Ramsar site
- Foulness Estuary SPA and Ramsar site
- Bentley and Southend Marshes SPA and Ramsar site
- Thames Estuary and Marshes SPA and Ramsar site (Essex side only)

YES

↓

NO

↓

Does the planning application fall within the following development types?

- New dwellings of 1+ units (excludes replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Student Accommodation
- Residential care homes and residential institutions (excludes nursing homes)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots

YES

↓

NO

↓

Conclude LSE. This proposal is within scope of the Essex Coast RAMS as it falls within the 'zone of influence' for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination. Therefore:

- Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites
- Check [IRZs](#) to see whether recreational disturbance is an issue for non-coastal European sites or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form.

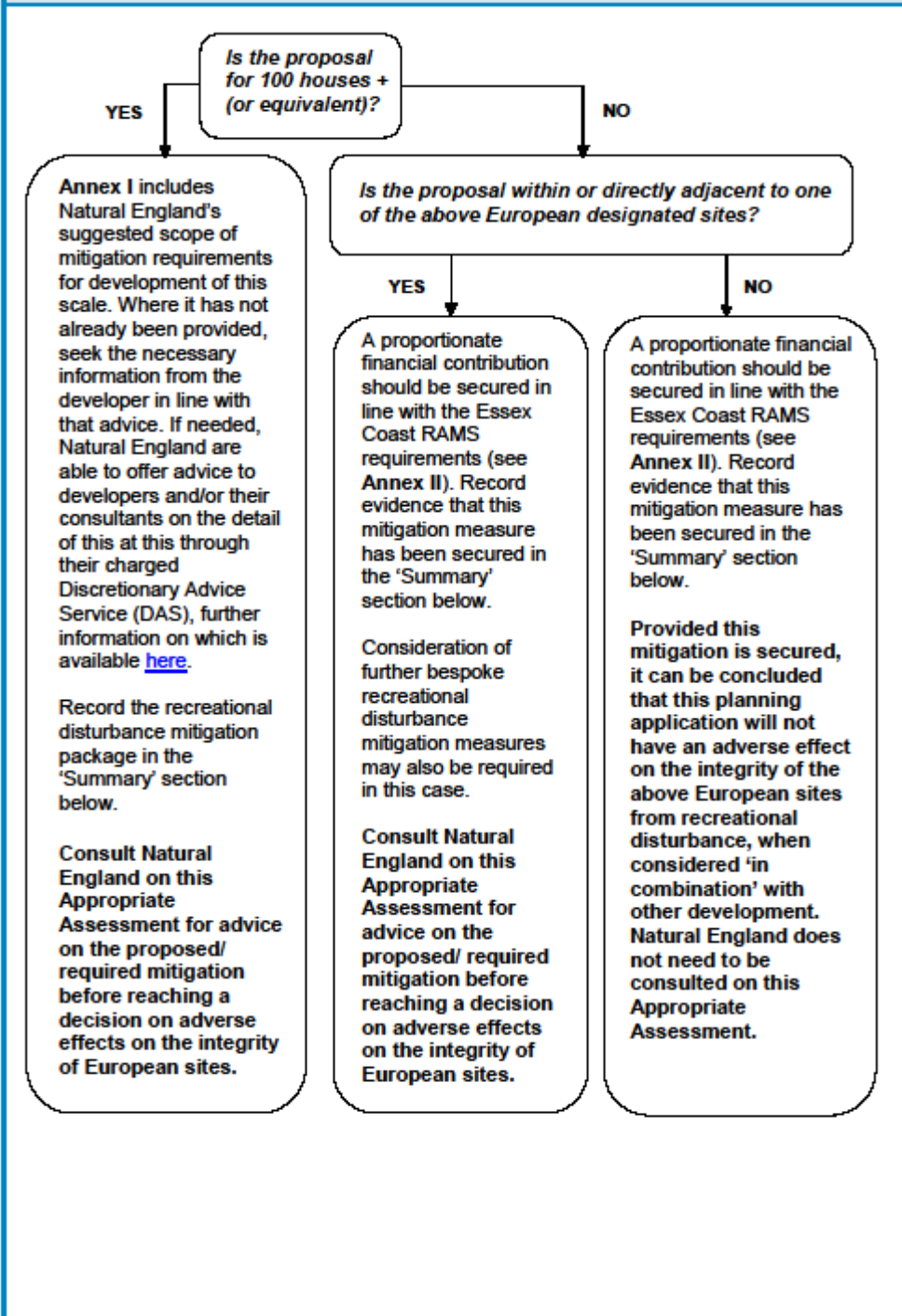
The proposal is outside the scope of the Essex Coast RAMS. However, applications involving tourist accommodation (including holiday caravans and campsites), for example, could still potentially have recreational disturbance impacts (and other impacts) on designated sites, including those listed above. In cases such as these, consult Natural England for bespoke advice before concluding no LSE.

Conclude no LSE to the above designated sites in terms of recreational disturbance:

- An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues.
- Check [NE IRZs](#) to see whether recreational disturbance is an issue for non-coastal European sites or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form.

HRA Stage 2: Appropriate Assessment

Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered





Summary of the Appropriate Assessment : To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England (where necessary)

Summary of recreational disturbance mitigation package

[INSERT]

Conclusion

*Having considered the proposed avoidance and mitigation measures above, **[INSERT LPA]** conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS.*

Having made this appropriate assessment of the implications of the plan or project for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received (where necessary), the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Local Planning Authority Case Officer comments, signed and dated:

Annex I – Natural England's recommendations for larger scale residential developments within the Essex Coast RAMS zone of influence (100 units +, or equivalent, as a guide)

Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the European sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance [here](#) can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km⁵ within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available [here](#).

However, the unique draw of the above European sites means that, even when well-designed, 'on-site' provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together 'in combination'. We therefore advise that consideration of 'off-site' measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases.

As such, in the interim period before the RAMS is adopted, a financial contribution should also be agreed with and collected from the developer, prior to commencement, on the basis that it can be used to fund strategic 'off site' measures (i.e. in and around the relevant European designated site(s)). These measures should be targeted towards increasing the relevant European site(s) resilience to recreational pressure and be in line with aspirations of the emerging RAMS. As an example in this interim period, this could include funding towards existing wardening schemes at the relevant European designated site(s). A suitable delivery mechanism for the measures must be agreed to secure them and ensure they are implemented from the first occupation of dwellings. Alternatively, we understand that it may be acceptable at the outline planning stage to include a suitably-worded planning condition which secures full adherence with the emerging Essex Coast RAMS at the Reserved Matters stage.

Once the RAMS has been adopted, a financial contribution should be secured from these developments prior to commencement.

Annex II – Natural England's recommendations for smaller scale residential developments within the Essex Coast RAMS zone of influence (0-99 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, a proportionate financial contribution in line with/to the Essex Coast RAMS should be

⁵ Taken from Jenkinson, S., (2013), *Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*



secured as a minimum to help fund strategic 'off site' measures.

As such, in the interim period before the RAMS is adopted, a financial contribution should be agreed with and collected from the developer, prior to commencement, on the basis that it can be used to fund strategic 'off site' measures (i.e. in and around the relevant European designated site(s)). These measures should be targeted towards increasing the relevant European site(s) resilience to recreational pressure and be in line with aspirations of the emerging RAMS. As an example in this interim period, this could include funding towards existing wardening schemes at the relevant European designated site(s). A suitable delivery mechanism for the measures must be agreed to secure them and ensure they are implemented from the first occupation of dwellings. Alternatively, we understand that it may be acceptable at the outline planning stage to include a suitably-worded planning condition which secures full adherence with the emerging Essex Coast RAMS at the Reserved Matters stage.

Once the RAMS has been adopted, a financial contribution should be secured from these developments prior to commencement.

Appendix 2: Visitor Survey Methodology

The survey form to be used at each site has been included within Appendix 3 of this document and contains all the proposed questions for each highlighted site.

The visitor survey methodology for these surveys has been adapted from the Visitor Survey for Brantham regeneration area, The Landscape Partnership Ltd, Oct 2015, at Natural England's recommendation.

1. The surveys for each site are to be undertaken over a three week period. Specific days will be chosen in order to cover a larger demographic.
2. The surveyors will ask a set of questions to visitors passing their designated location. Visitors who decline interviews will also be recorded. Visitors who have been previously interviewed are not interviewed again. Surveyors will be asked to note the total number of people which pass while interviews are in progress.
3. Timings and locations of the surveys will be planned so that there is suitable coverage. This is to ensure that visitors with specific habits are not missed from the survey.
4. Surveys will begin at 0730 each day, to record early visitors. The survey will continue throughout the day until 1700, with surveyors taking 30 minute breaks every 2 hours. This equates to four two hour sessions at each site.
5. Surveyors will have short breaks during the day for welfare purposes, lunch and to travel between survey locations as part of the surveyor rotation. Surveyors are asked to interview any visitors they encounter while travelling between locations.
6. The survey window would be better to include some school term time dates and Bank Holidays if this is practicable during the survey period.
7. The questionnaire can be found within Appendix 3. The questionnaire will need to be agreed with the Local Planning Authorities, as well as with assistance from Natural England before the surveying starts. The current questions cover a range of topics which may change if objectives for the survey alter.
8. Surveyors are asked to remain in position, even during rainy days, to ensure visitors during all weathers are captured.



Appendix 3: Winter visitor survey questionnaire

This is an example questionnaire for Leigh-on-Sea, specific locations and geographical features were changed for each location.

Visitor Questionnaire

This questionnaire is to help work out how much difference new residential development might make to protected sites and species in the area. In particular, people using the coast might lead to disturbance of the birds on the estuary, beaches and saltmarsh.

1. What is your main activity when using the area?

- a. Dog walking always on lead
- b. Dog walking sometimes or always off lead
- c. Exercise e.g. jogging
- d. Walking
- e. Bird/nature watching
- f. Bait digging
- g. Cycling
- h. Playing
- i. Outing with the children
- j. Wildfowling
- k. Water sports: please specify type
- l. Other (please specify)

2. How often do you come to this location?

- a. Daily
- b. Most days (180+ visits)
- c. 1 to 3 times a week (40-180 visits)
- d. 2 to 3 times per month (15-40 visits)
- e. Once a month (6-15 visits)
- f. Less than once a month (2-5 visits)
- g. Don't know
- h. First visit
- i. On holiday / day visit in area

3. Have you come from home or are you visiting / on holiday in the area? What is your postcode? (Just for making sure we understand the results properly and won't be used for anything else or given to anyone)

- a. From Home
- b. On holiday / day visit in area
- c. Town
- d. Postcode / partial postcode / town _____

4. What made you come here today rather than other places?

- a. Close to home
- b. Easy parking
- c. Free parking
- d. Good area to take the dog for a walk
- e. Space and facilities for natural play
- f. Peaceful
- g. Welcoming and safe
- h. Familiar
- i. Good choice of routes / places to walk

- j. Estuary views
- k. Wildlife
- l. Sense of wilderness
- m. Site history
- n. Other _____

5. How do you normally travel to the site?

- 7.1 On foot
- 7.2 Bicycle
- 7.3 Public transport
- 7.4 Car
- 7.5 Other, _____
- 7.6 Don't know / no answer

6. If you arrived by car, where did you park?

- a. Mayflower car park
- b. Belton Bridge car park
- c. Other formal car park
- d. Layby
- e. Roadside parking
- f. Other
- g. Not sure / Don't know

7. Refer to map. Where did you enter the site?

- a. A – Leigh Marina
- b. B – Belton Bridge / Osbourne Bros Café
- c. C – High Street / The Mayflower
- d. D – Leigh Cliffs East via bridge
- e. E – Along seafront from Chalkwell / Westcliff-on-Sea
- f. Other – specify
- g. Not sure

8. Do you normally visit at a certain time of day?

- a. Before 9am
- b. Between 9am and 12
- c. Between 12 and 3pm
- d. Between 3 – 6pm
- e. After 6pm
- f. It varies
- g. Don't know / first visit

9. How long have you spent / will you spend along the seafront today?

- a. Less than 1 hour
- b. 1 – 2 hours
- c. 2 – 3 hours
- d. More than 3 hours

10. Do you plan your visit in relation to the tide?

- a. Yes
- b. No

11. Is there a time of year when you tend to visit more often?

- a. No, all year round
- b. Spring (Mar-May)
- c. Summer (Jun-Aug)
- d. Autumn (Sept-Nov)
- e. Winter (Dec-Feb)



- f. Don't know
- g. Only visited once

12. What would make you want to visit a new park for recreation if created in the area (if needed to relieve pressure on protected sites)?

- a. New paths
- b. Room for running around
- c. Dogs off lead area
- d. Play equipment
- e. Shelter from wind
- f. Sculptures
- g. Attractive landscaping
- h. Cycling routes
- i. Wildlife
- j. Free parking
- k. Views over the estuary
- l. Anything else? specify:

13. Are you aware that the river and shore is very important for wildlife, particularly water birds for most of the year?

- a. Yes
- b. No

14. If you indicated yes to the above question, can you detail the designation / designations?

15. Group size

- a. Number of people_____
- b. Number of dogs on lead_____
- c. Number of dogs off lead_____
- d. Number of pushchair / wheelchair/ buggy

Interview time (24hr clock):
Interviewer:

Appendix 4: Winter Visitor Survey Results 2018/19

Table A4.1: Survey dates and location

Survey Location	Weekday	Weekend
Leigh-on-Sea – SE&BM	07.02.18	28.02.18
Gunners Park – SE&BM	12.02.18	04.02.18
Burnham-on-Crouch – C&R	06.02.18	28.01.18
North Fambridge – C&R	12.02.18	11.02.18
Northey Island – BW	16.02.18	11.02.18
Tollesbury Wick – BW	23.02.18	25.02.18
St Peters Chapel – D	22.02.18	18.02.18
	08.03.18	10.03.18
Coalhouse Fort – T	06.02.18	04.02.18
Thurrock Thames EWT – T	13.02.18	10.02.18
Cudmore Grove – C	22.02.18	25.02.18
Wivenhoe Barrier – C	01.03.18	04.03.18

Table A4.2: Number of survey responses per Habitats site 2018/19

SPA	Site	Weekday	Weekend	Total
Benfleet and Southend Marshes	<i>Gunners Park</i>	34	85	119
	<i>Cinder Path</i>	71	143	214
	Total	105	228	333
Crouch and Roach Estuaries	<i>Burnham-on-Crouch</i>	60	43	103
	<i>Blues House Farm</i>	15	25	40
	Total	75	68	143



Blackwater Estuary	<i>Northey Island</i>	10	14	24
	<i>Tollesbury</i>	10	39	49
	Total	20	53	73
Dengie	<i>St. Peters Chapel 1</i>	17	37	54
	<i>St. Peters Chapel 2</i>	7	16	23
	Total	24	53	77
Thames Estuary and Marshes	<i>Coalhouse Fort</i>	10	23	33
	<i>Thameside Nature Park</i>	32	17	49
	Total	42	40	82
Colne Estuary	<i>Cudmore Grove</i>	23	29	52
	<i>Wivenhoe Barrier</i>	33	38	71
	Total	56	67	123

Table A4.3: Passers-by and water activity per survey location for 2018/19

SPA	Site	Weekday		Weekend		Total	
		Passers by	Water activity	Passers by	Water activity	Passers by	Water activity
Benfleet and Southend Marshes	<i>Gunners Park</i>	78	0	127	1	205	1
	<i>Cinder Path</i>	181	6	434	2	615	8
	Total	259	6	561	3	820	9
Crouch and Roach Estuaries	<i>Burnham-on-Crouch</i>			317	22	317	22
	<i>North Fambridge</i>			15	1	15	1
	Total			332	23	332	23
Blackwater Estuary	<i>Northey Island</i>	3	0	3	0	6	0
	<i>Tollesbury</i>	21*	0	1	10	22	10

	Total	24	0	4	10	28	10
Dengie	<i>St. Peters Chapel 1</i>	4	2	8	0	12	0
	<i>St. Peters Chapel 2</i>	4	0			4	0
	Total	8	2	8	0	16	0
Thames Estuary and Marshes	<i>Coalhouse Fort</i>	19	17	0	7	19	24
	<i>Thameside Nature Park</i>			46*	7	46	7
	Total	19	17	46	14	65	31
Colne Estuary	<i>Cudmore Grove</i>	4	0	15	0	19	0
	<i>Wivenhoe Barrier</i>	18	0	21	0	39	0
	Total	22	0	36	0	58	0
* Tollesbury 10 in walking group / Thameside Nature Park 15 in walking group							



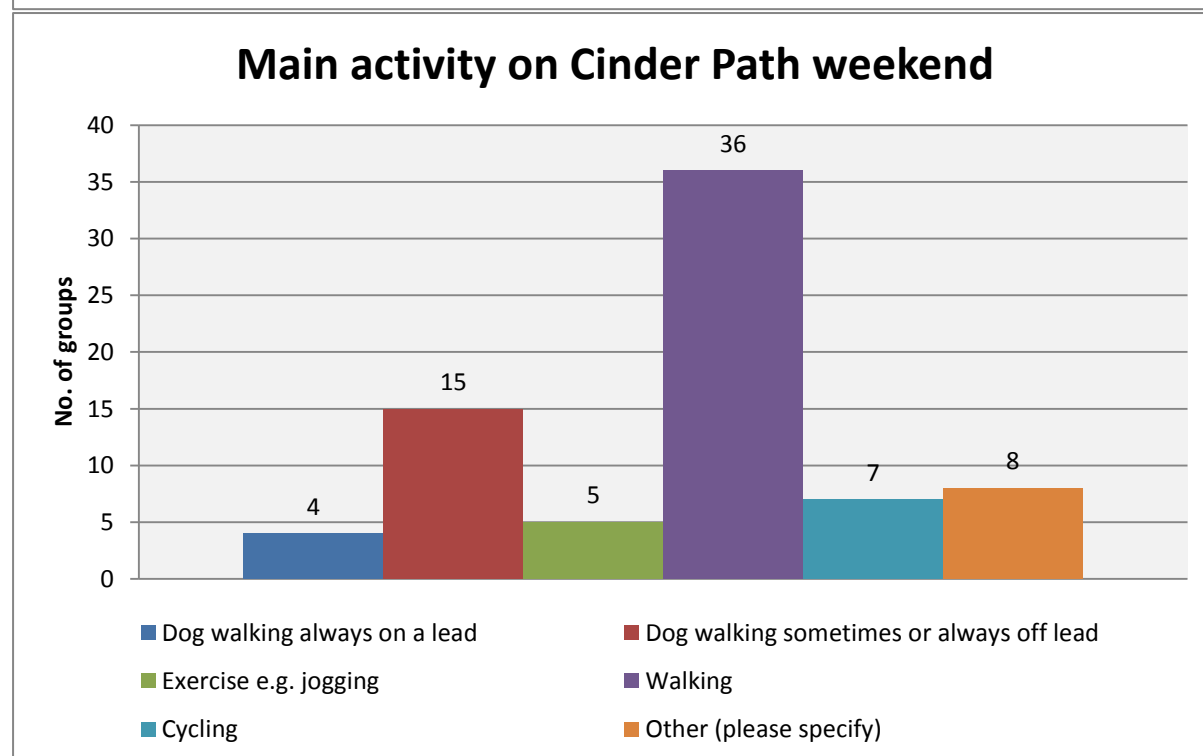
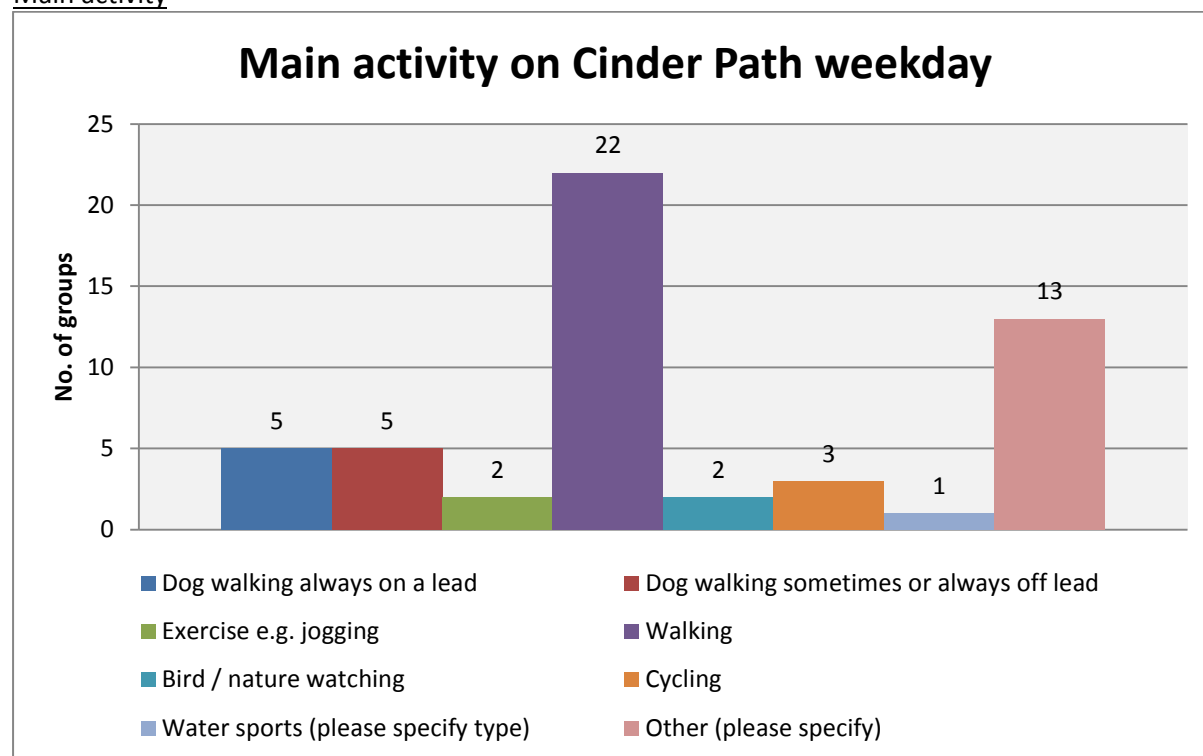
Appendix 5: Summer visitor surveys at the Blackwater Estuary and Benfleet & Southend Marshes

Southend summer survey results

Number of passers-by

Location	Weekday	Weekend	Total
Cinder Path	72	179	251
<u>Two Tree Island</u>	72	99	171
<u>Total</u>	144	278	422

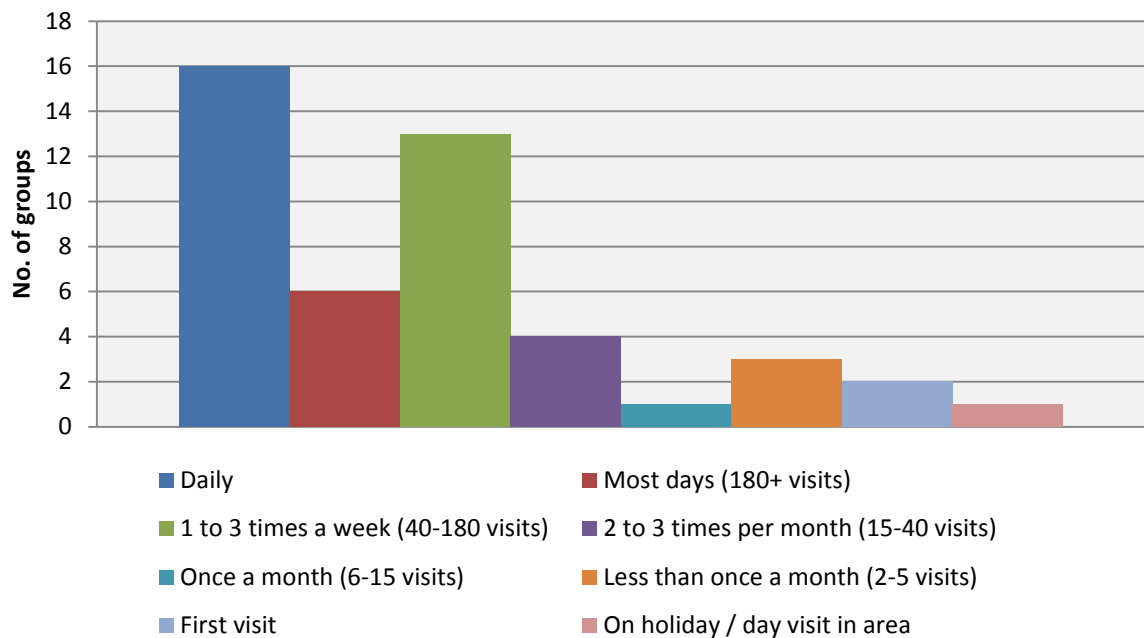
Cinder Path
Main activity



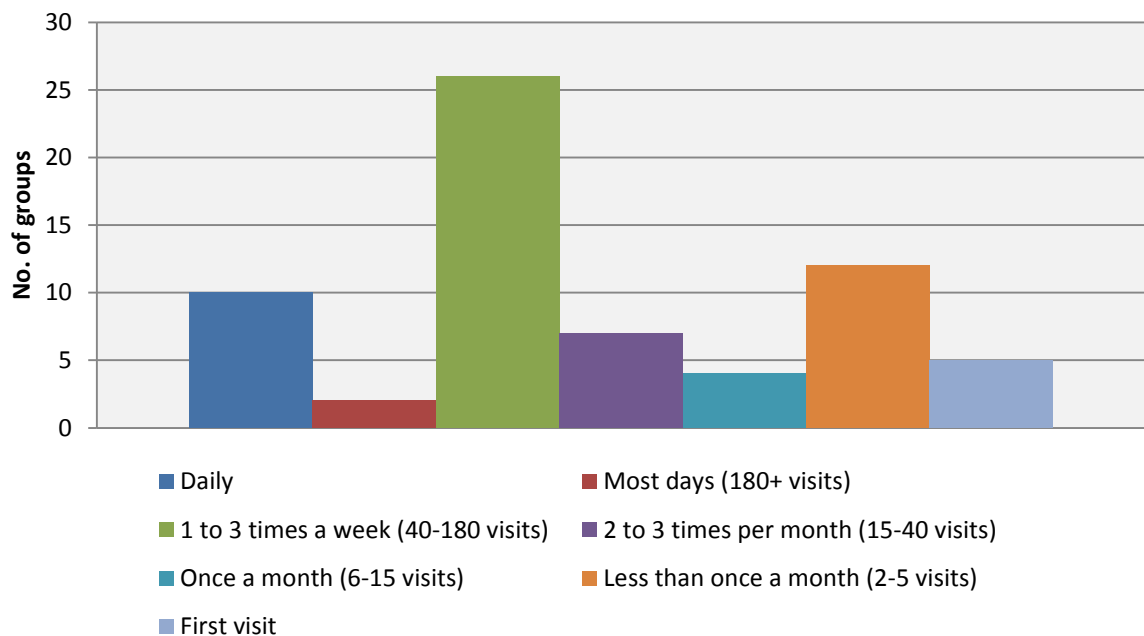


Visit frequency

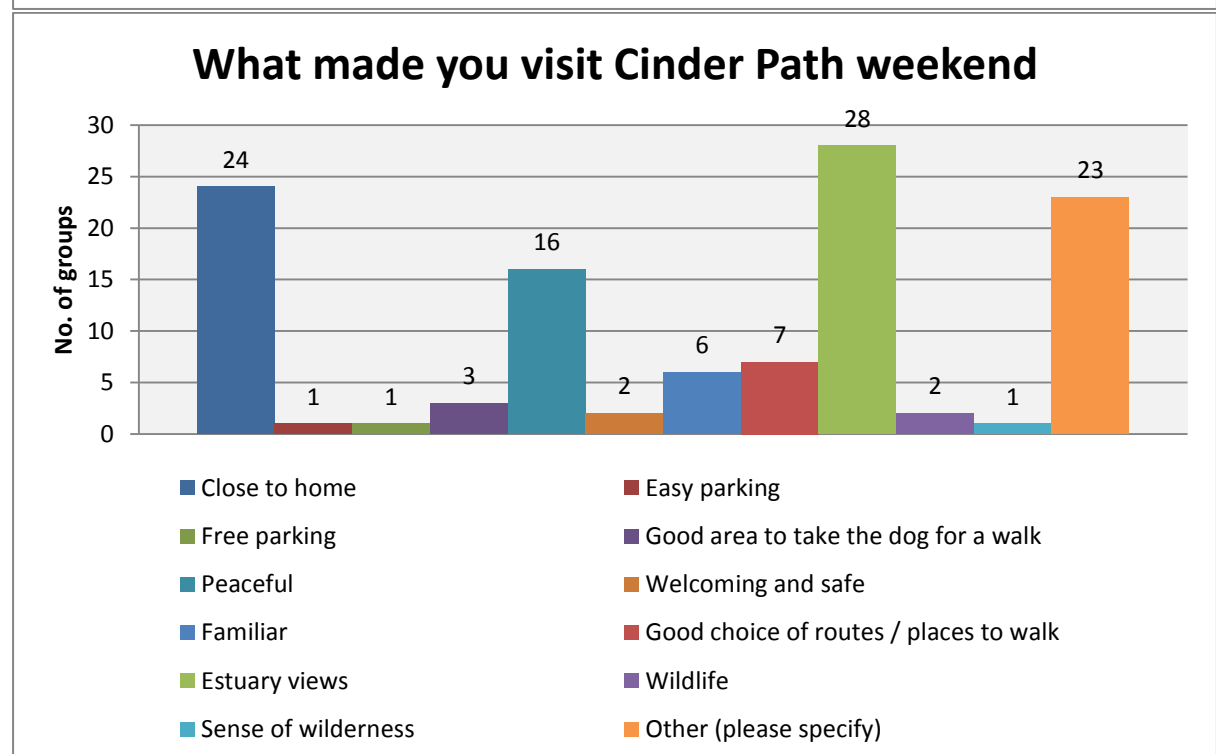
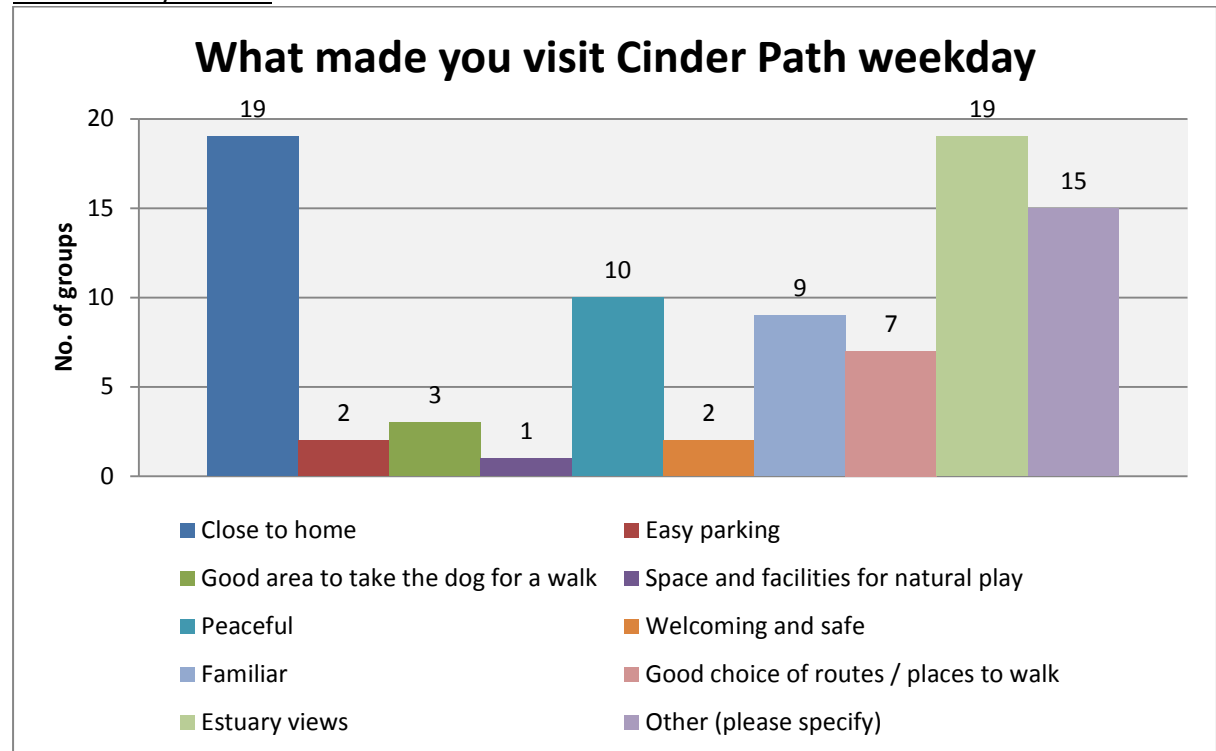
Visit frequency to Cinder Path weekday



Visit frequency to Cinder Path weekend



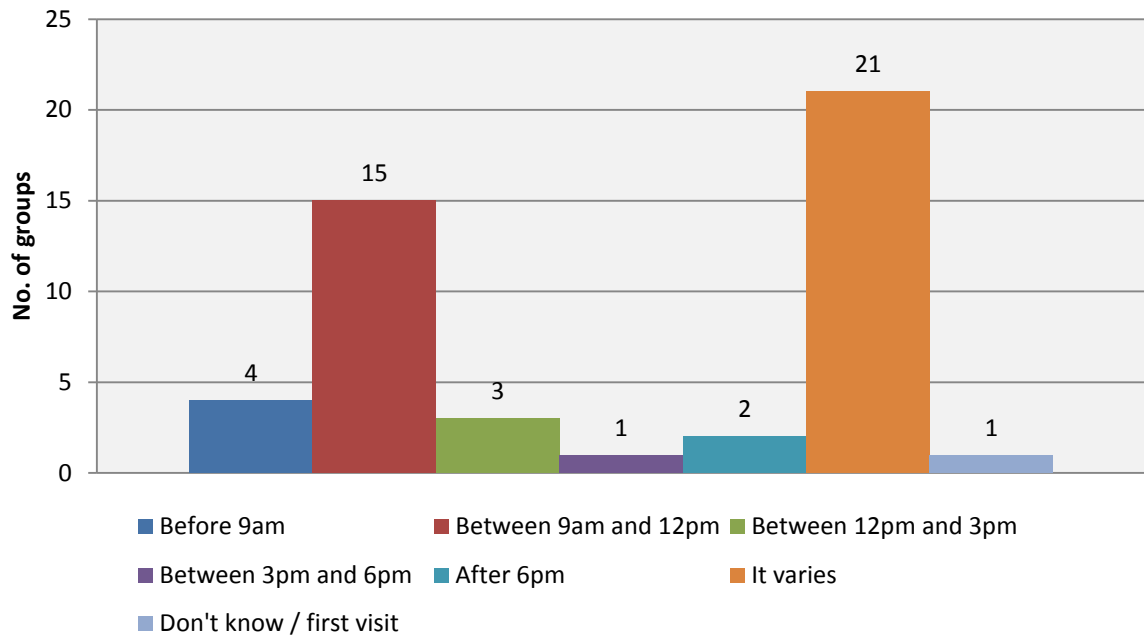
What made you visit?



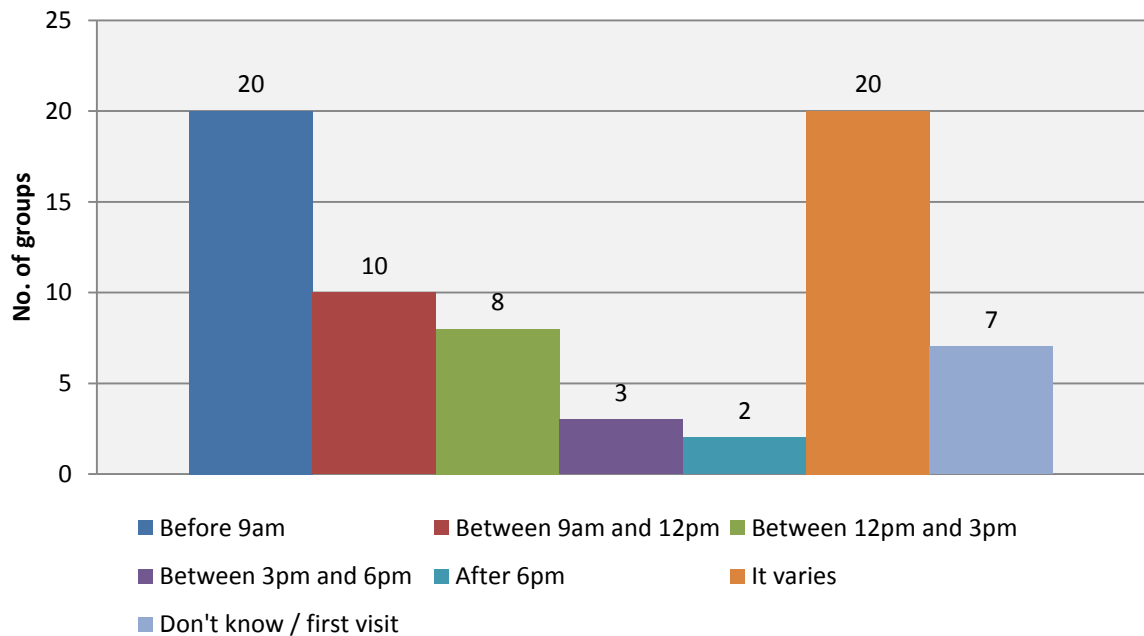


Visiting time

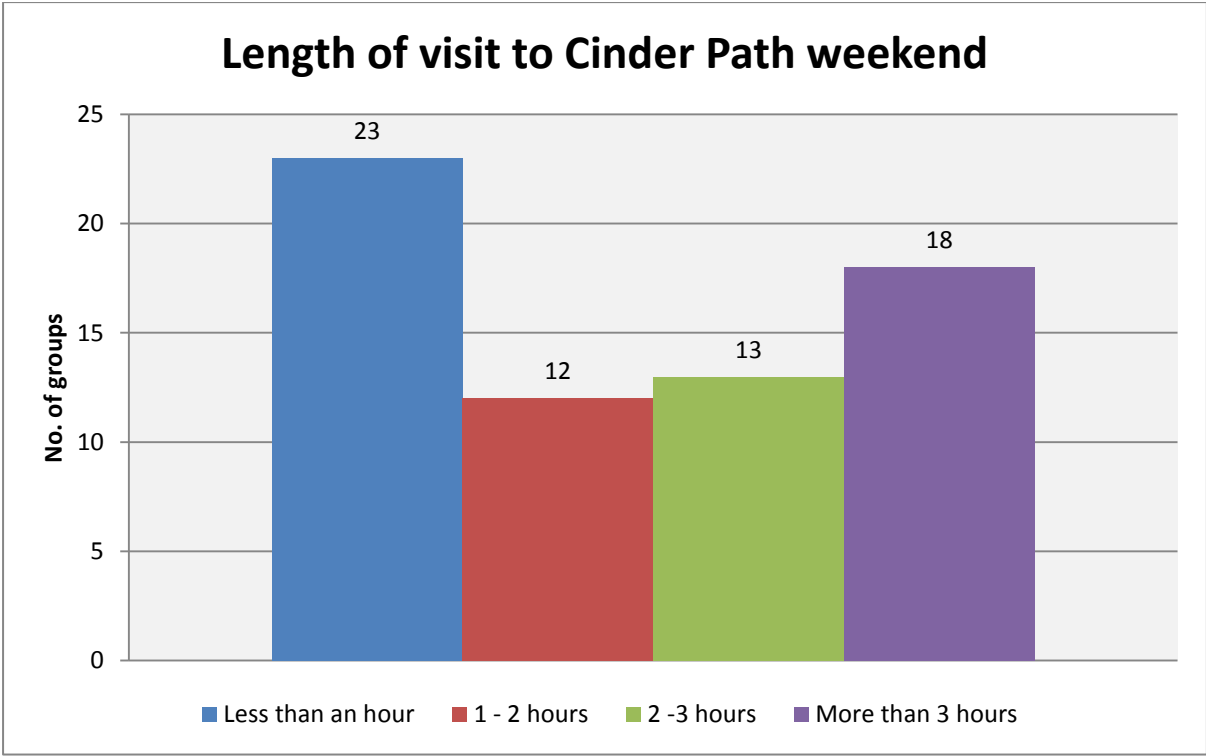
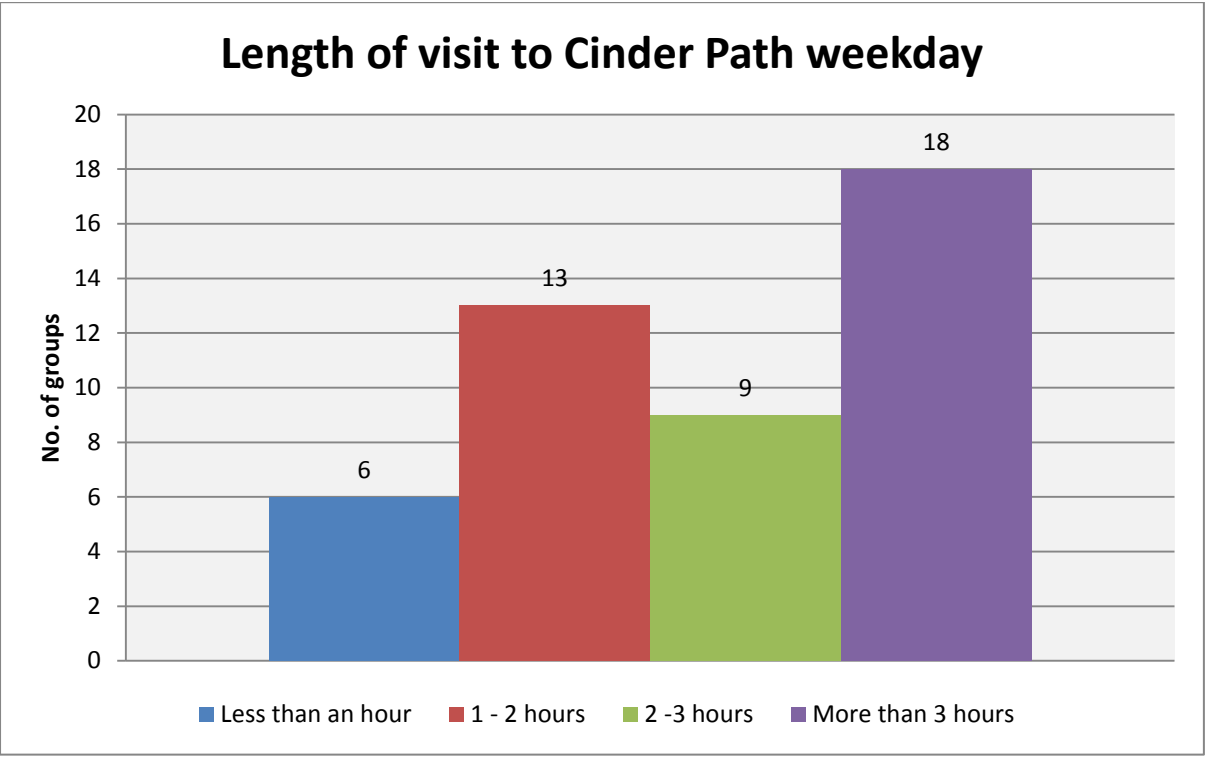
Visiting time to Cinder Path weekday



Visiting time to Cinder Path weekend



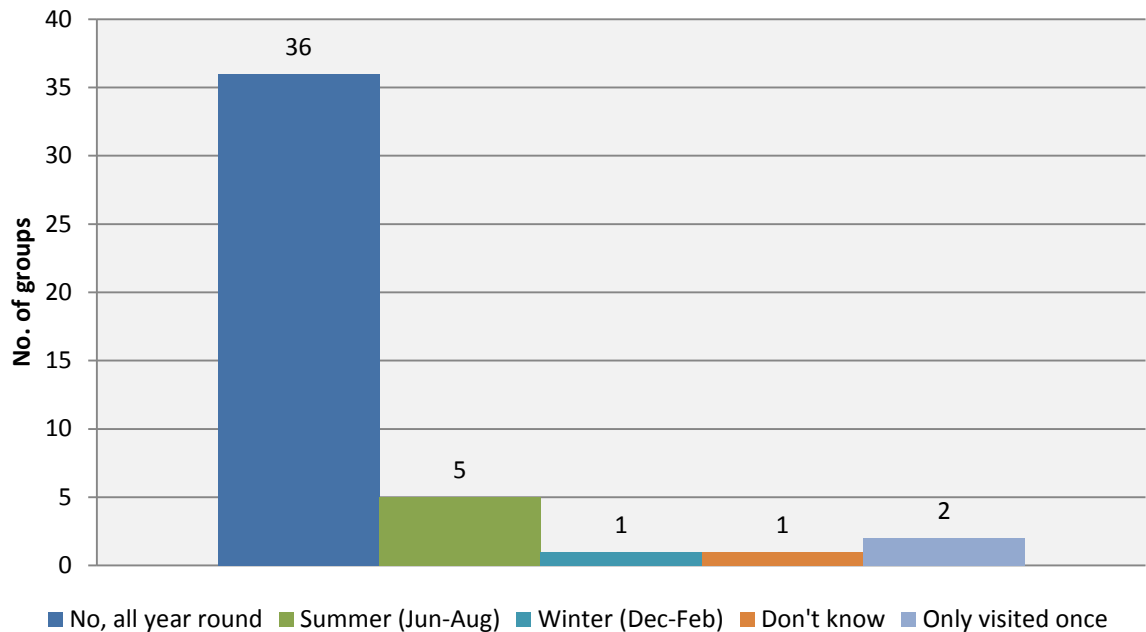
Length of visit



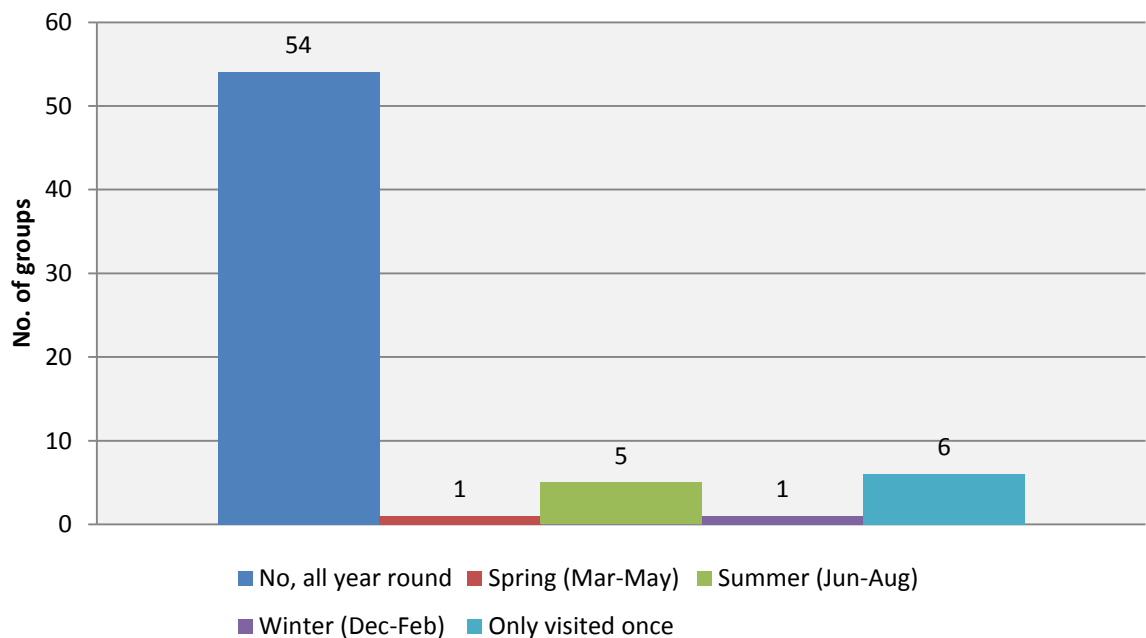


Seasonal visiting

Seasonal visiting to Cinder Path weekday

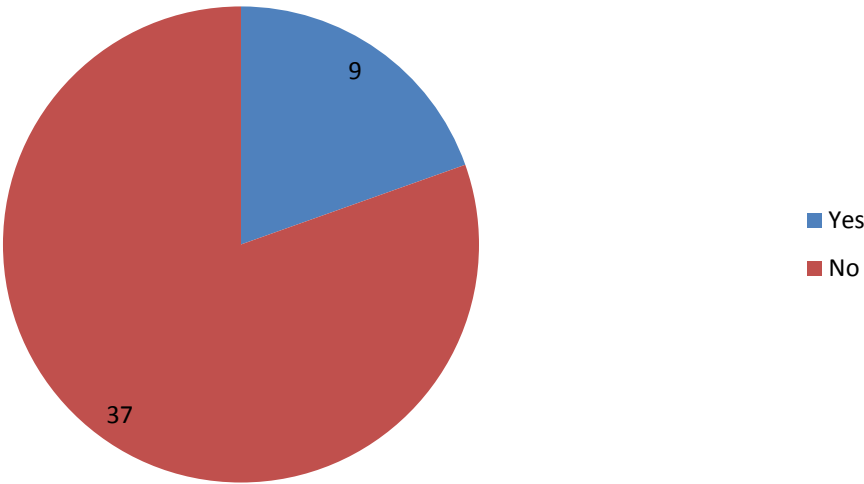


Seasonal visiting to Cinder Path weekend

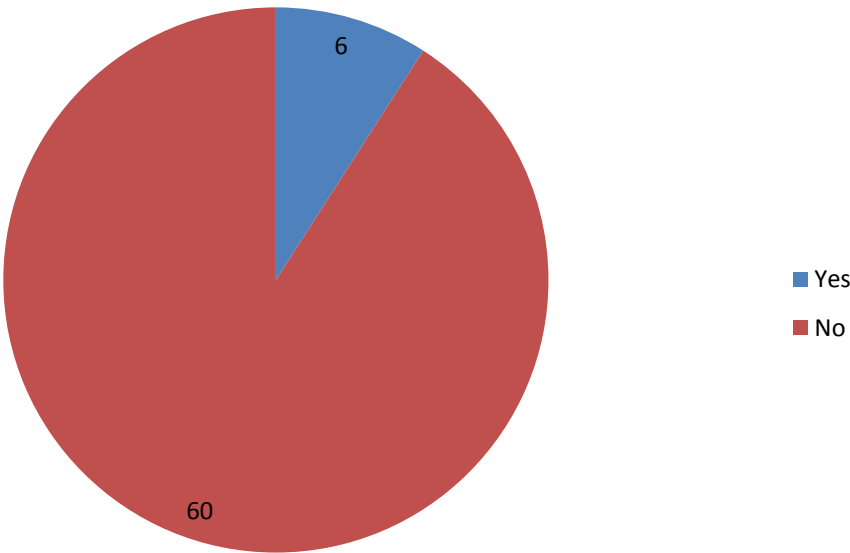


Plan visit in relation to the tide?

Plan weekday visit to Cinder Path in relation to tide?



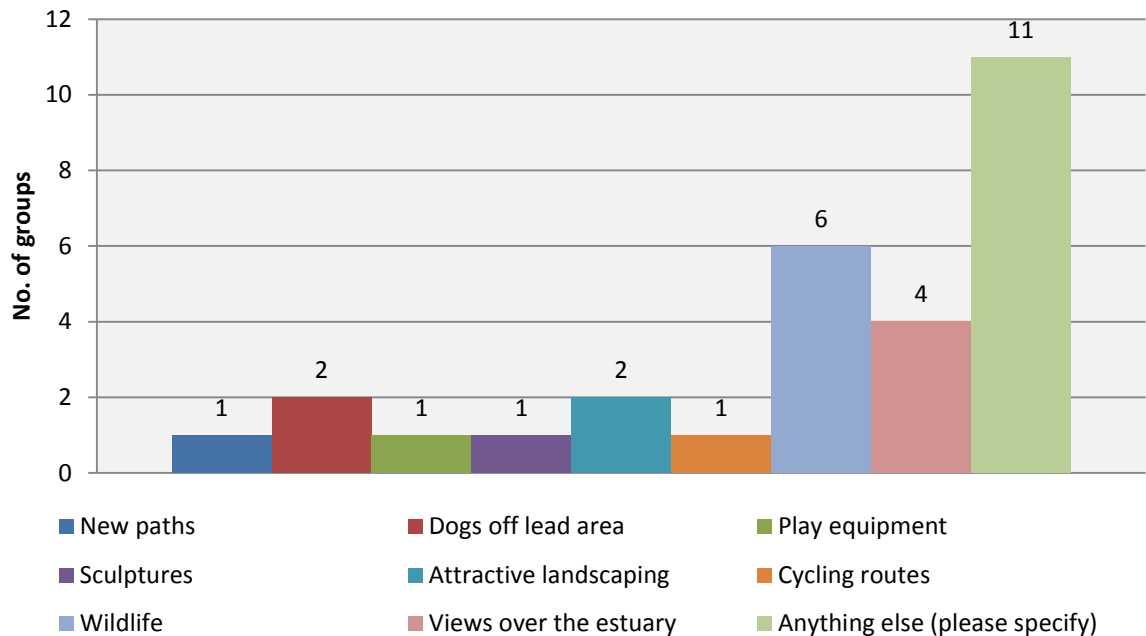
Plan weekend visit to Cinder Path in relation to tide?



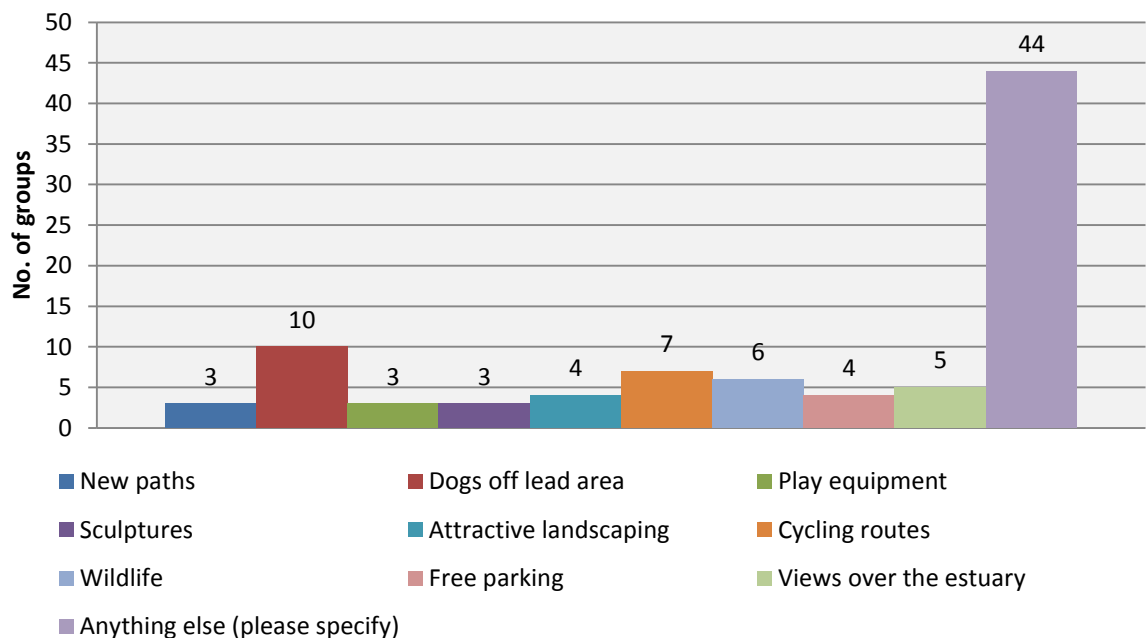


New park design

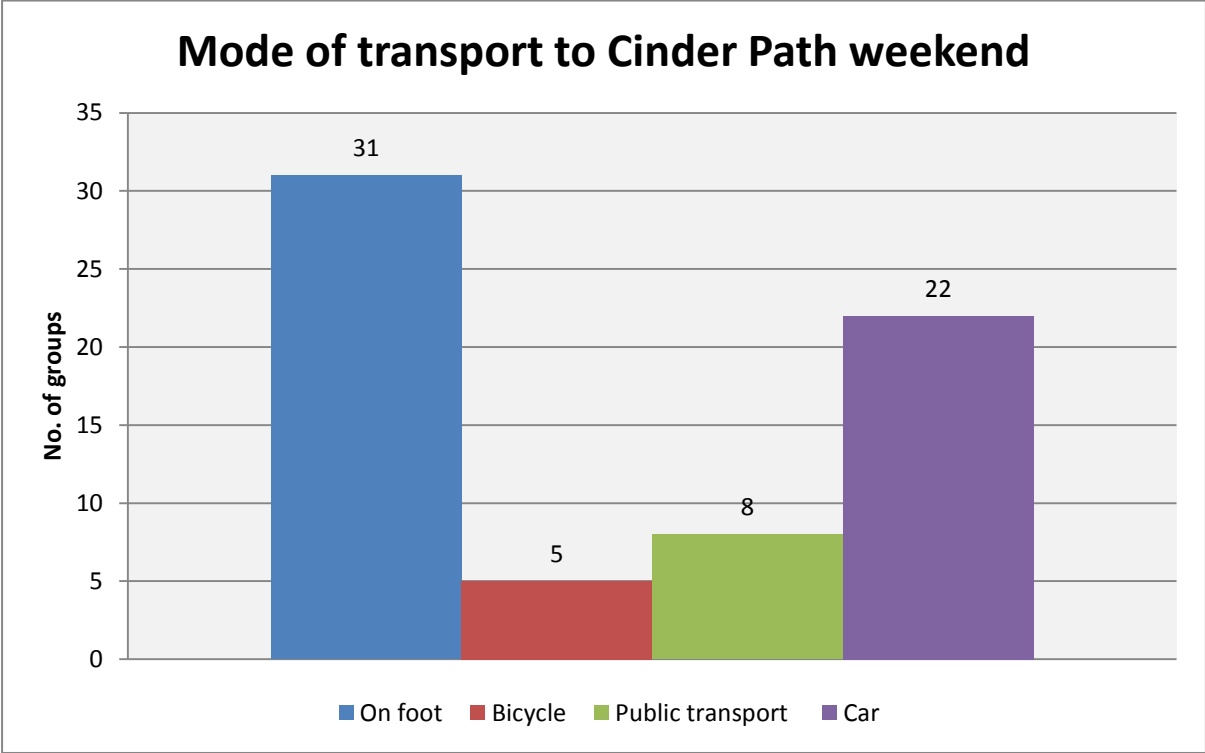
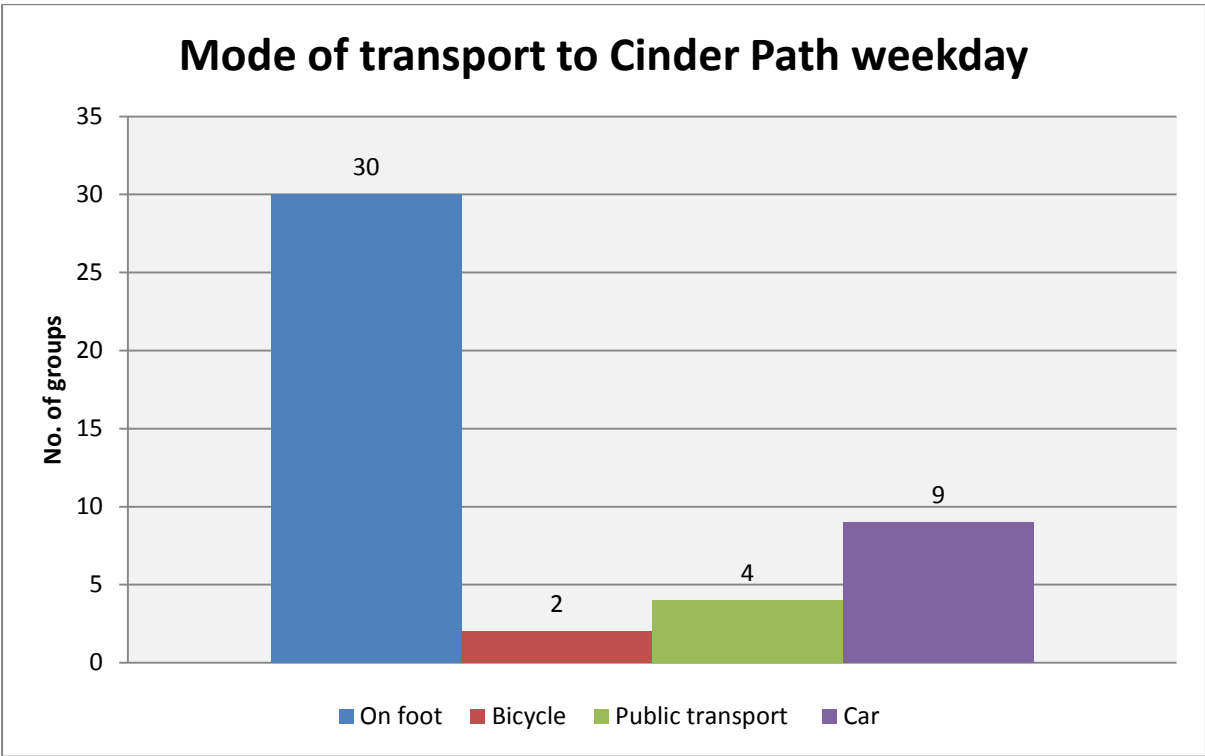
New park facilities Cinder Path weekday



New park facilities Cinder Path weekend



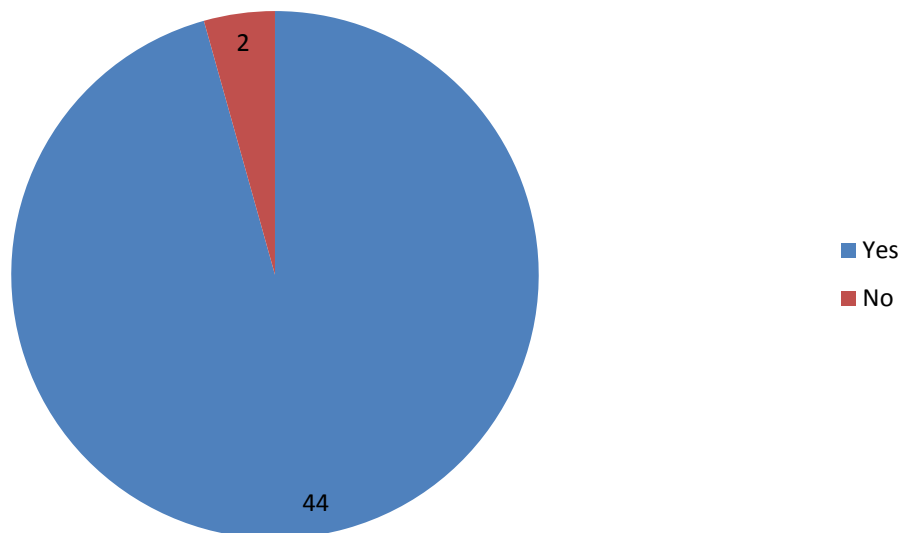
Mode of transport



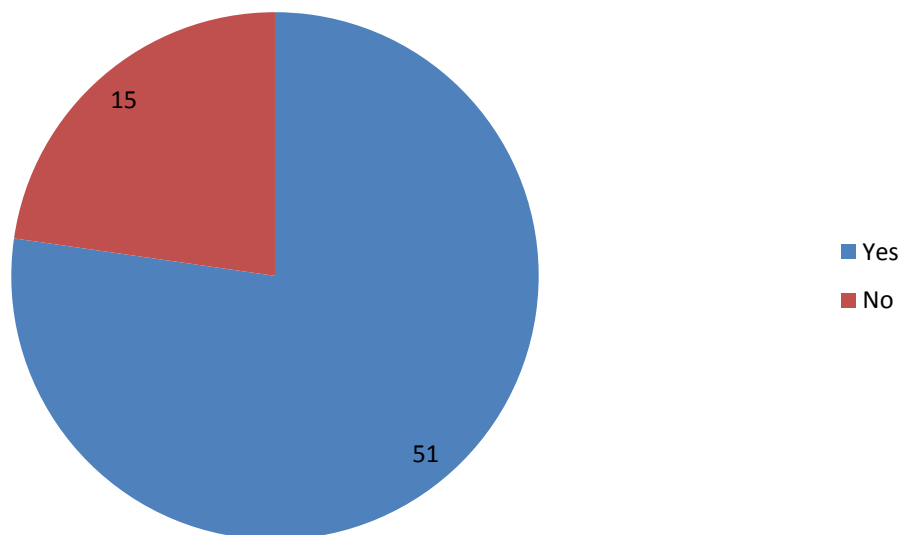
Aware of habitat importance

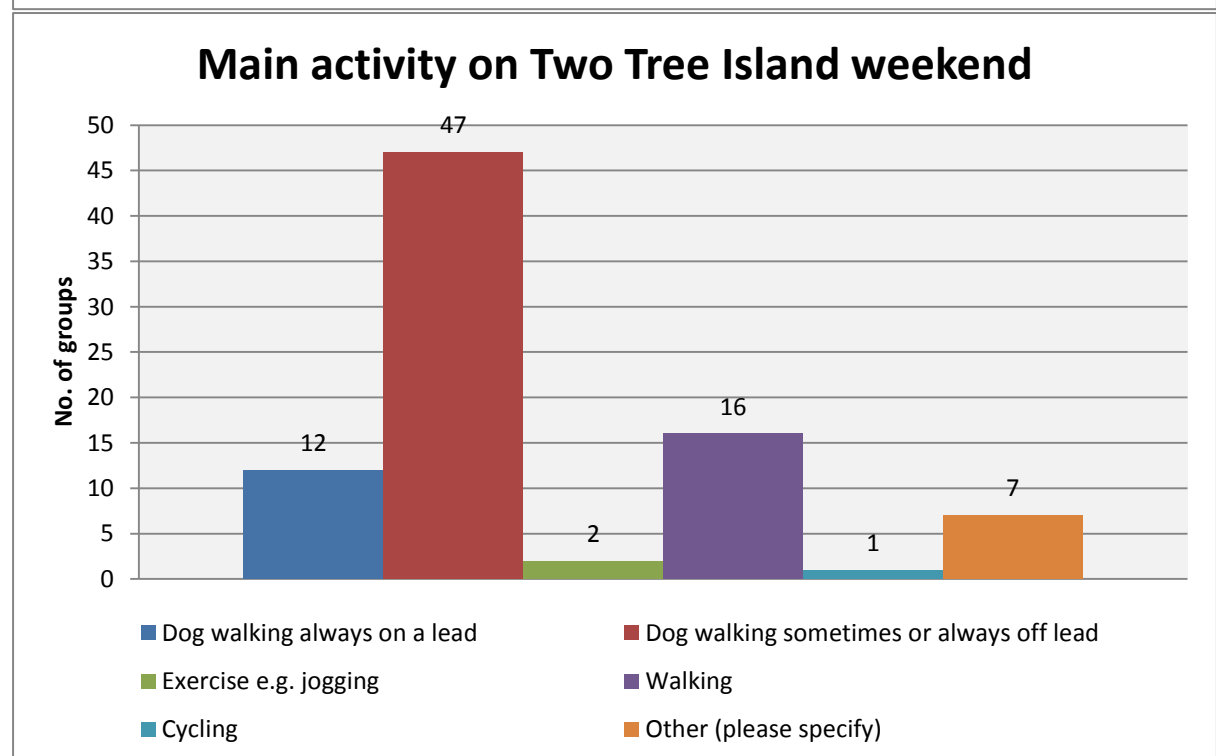
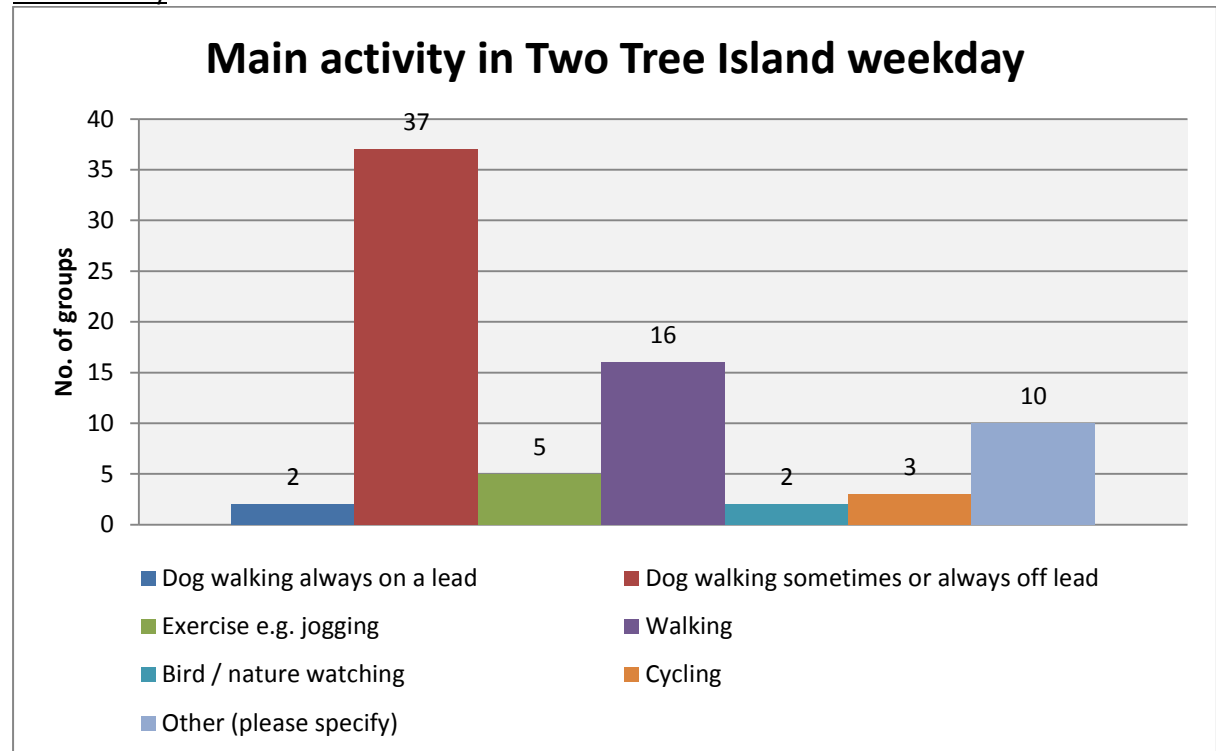


Aware of habitat importance? weekday



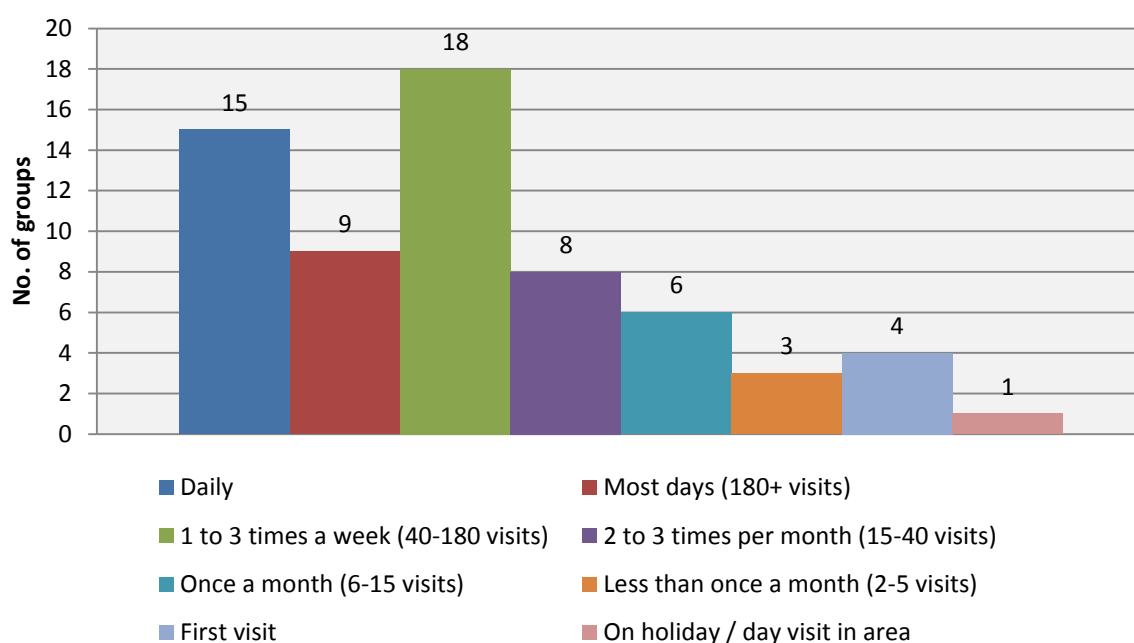
Aware of habitat importance? weekend



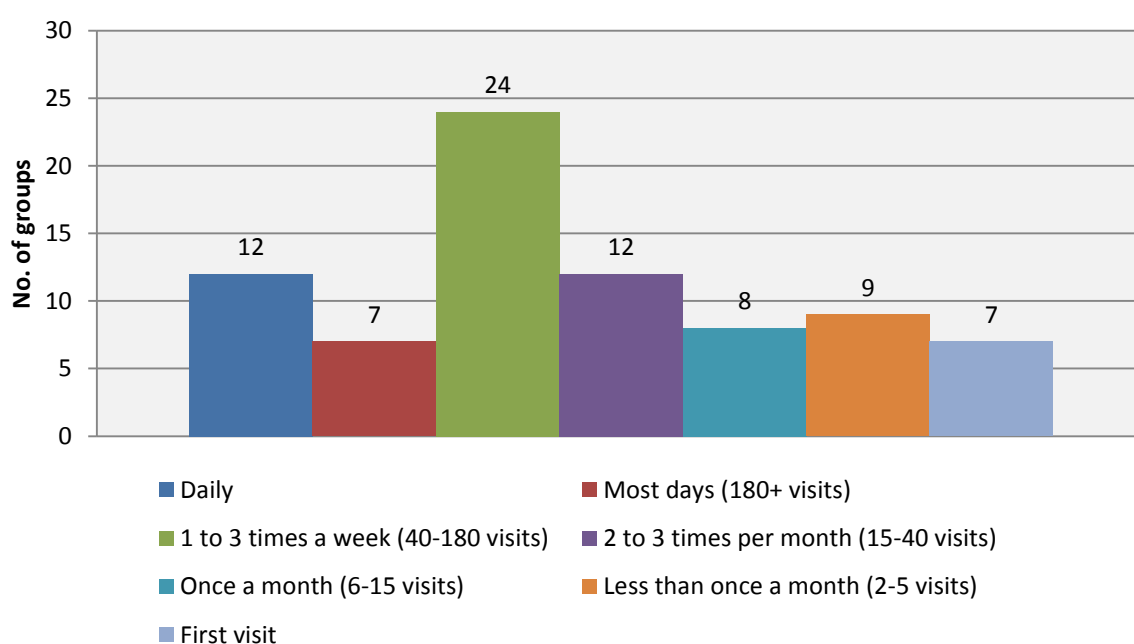
Two Tree IslandMain activityVisit frequency



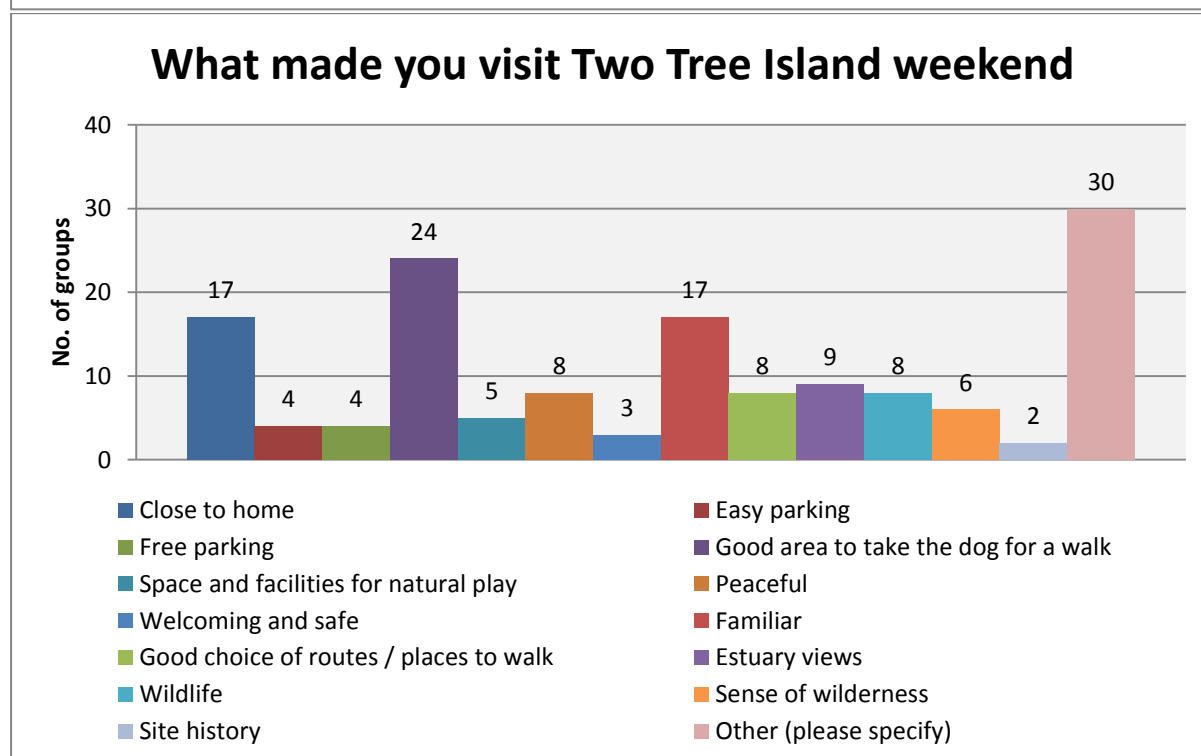
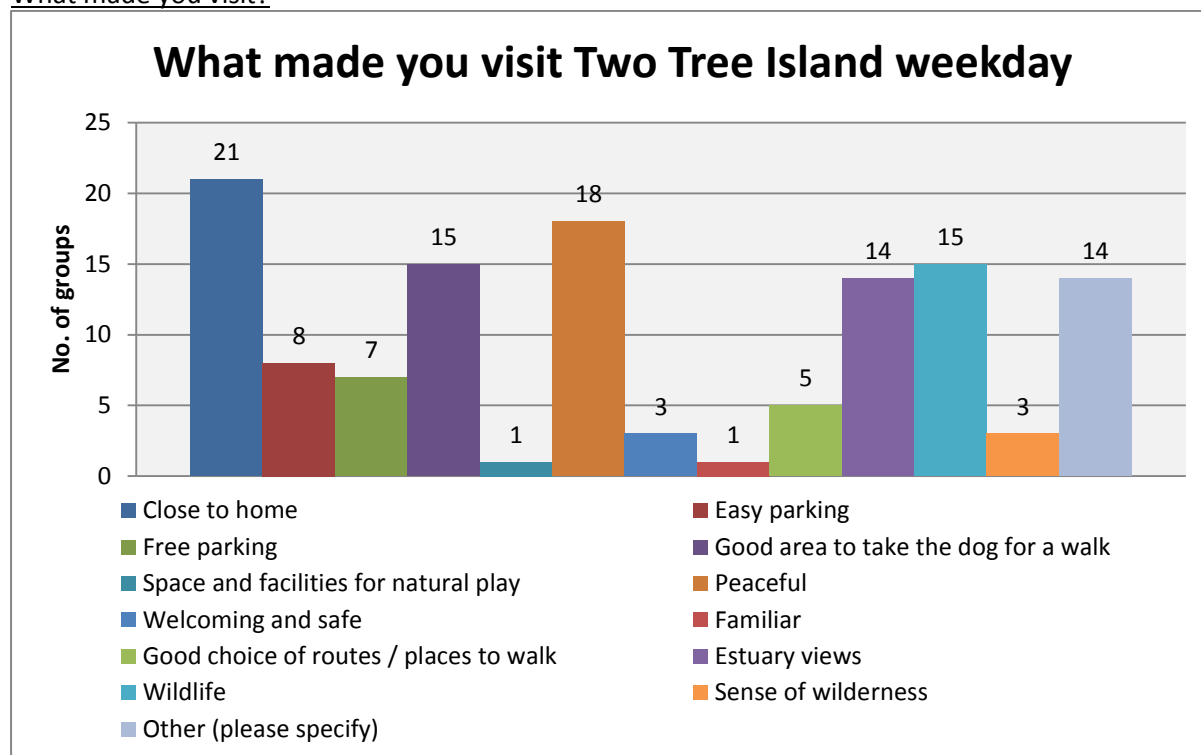
Visit frequency to Tow Tree Island weekday



Visit frequency to Two Tree Island weekend



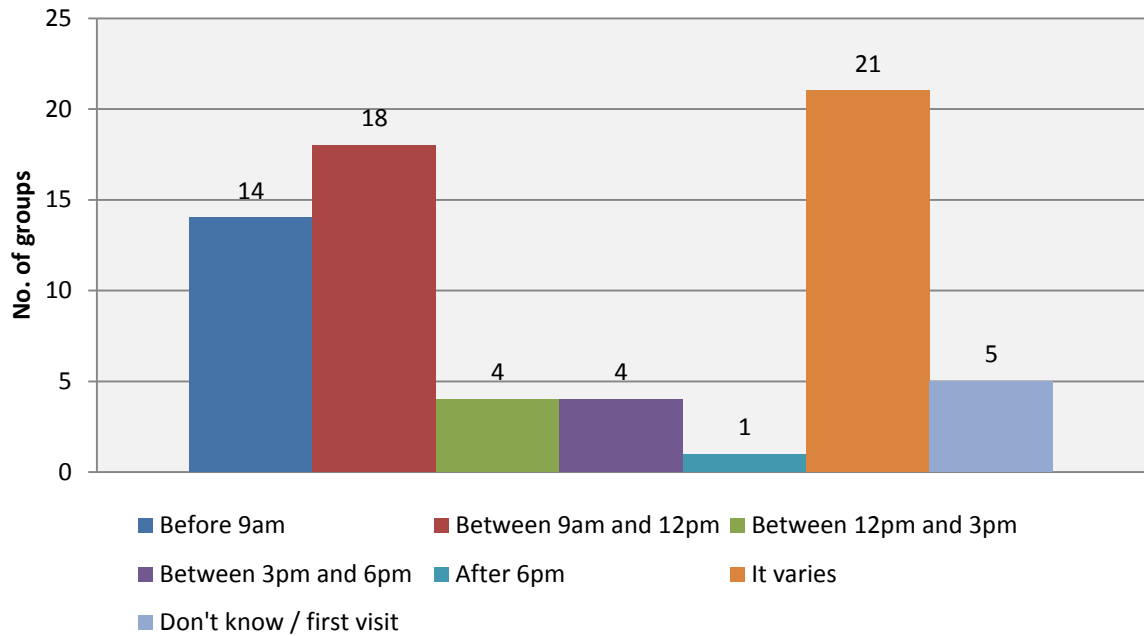
What made you visit?



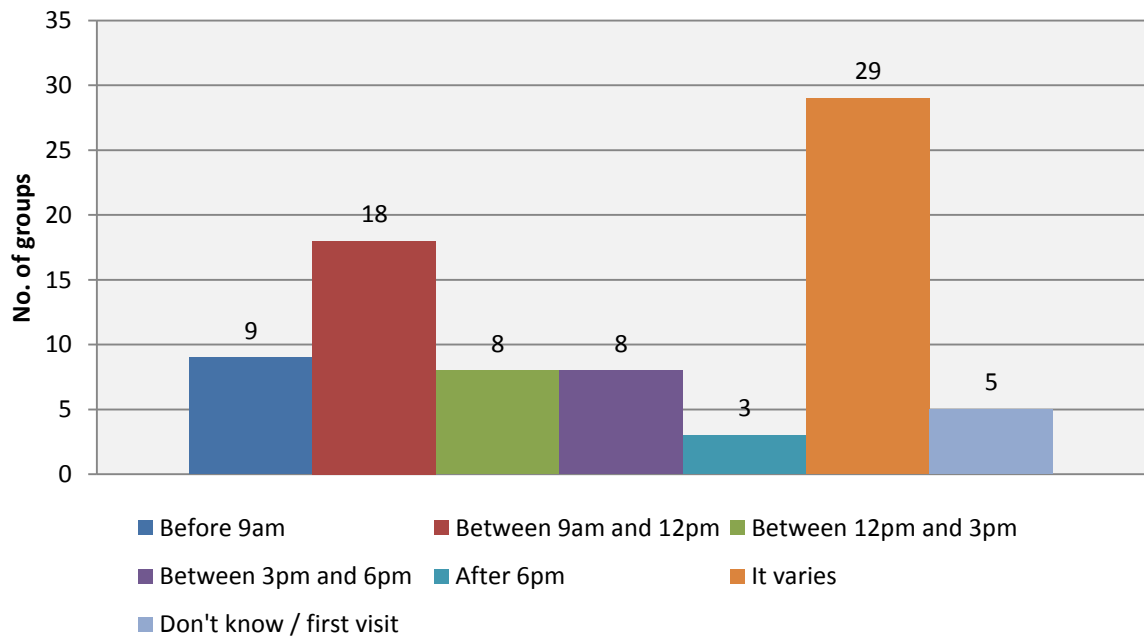


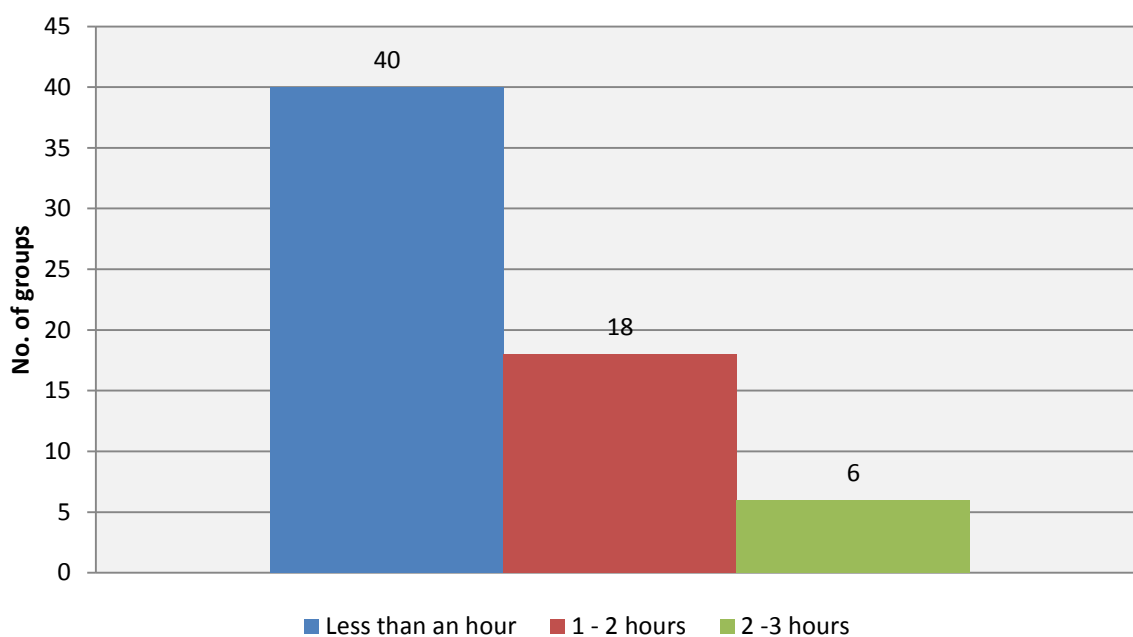
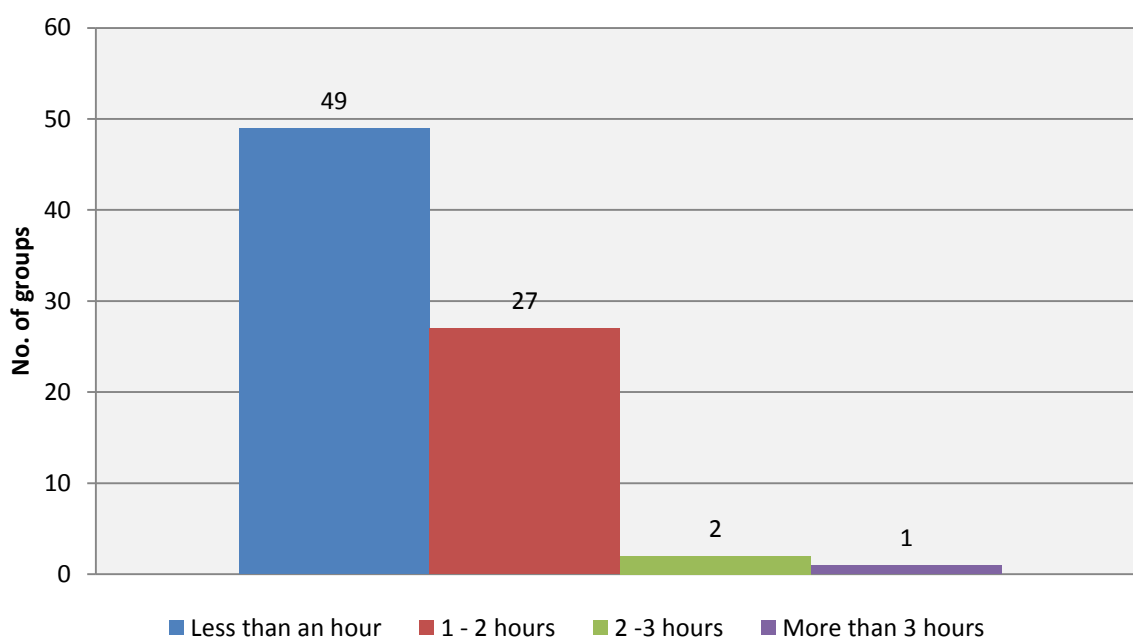
Visiting time

Visiting time to Two Tree Island weekday



Visiting time to Two Tree Island weekend

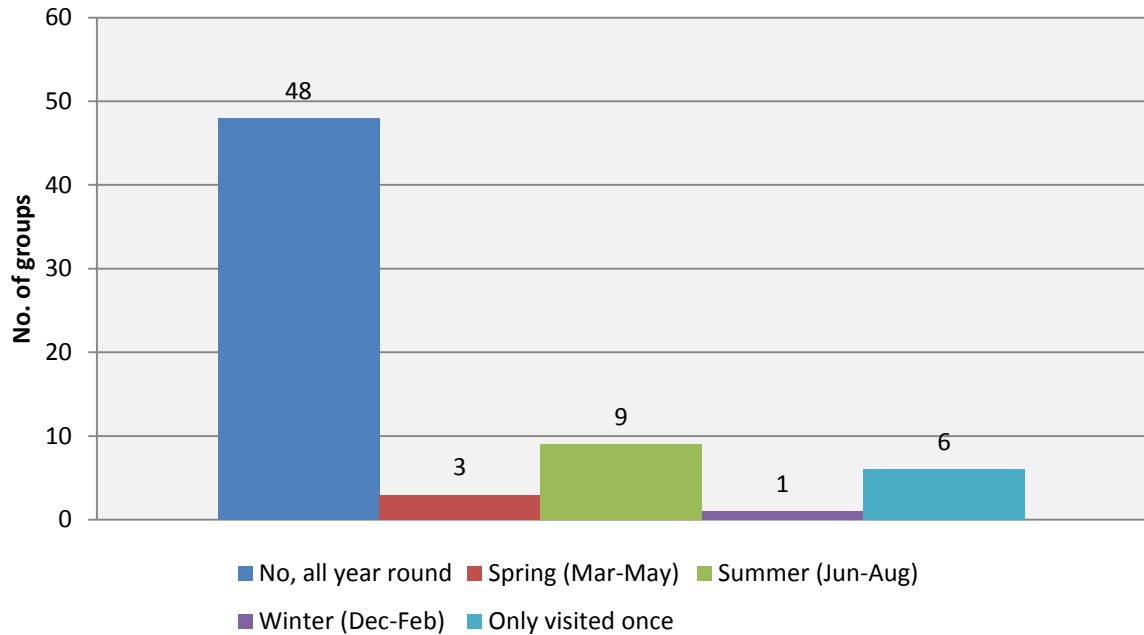


Length of visit**Length of visit to Two Tree Island weekday****Length of visit to Two Tree Island weekend**

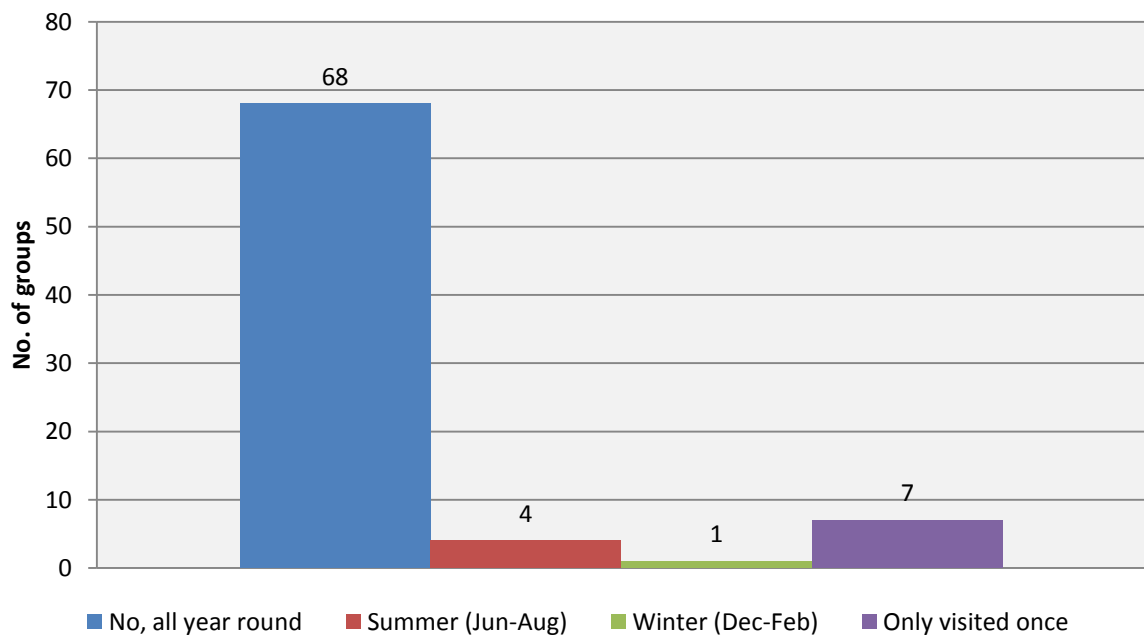


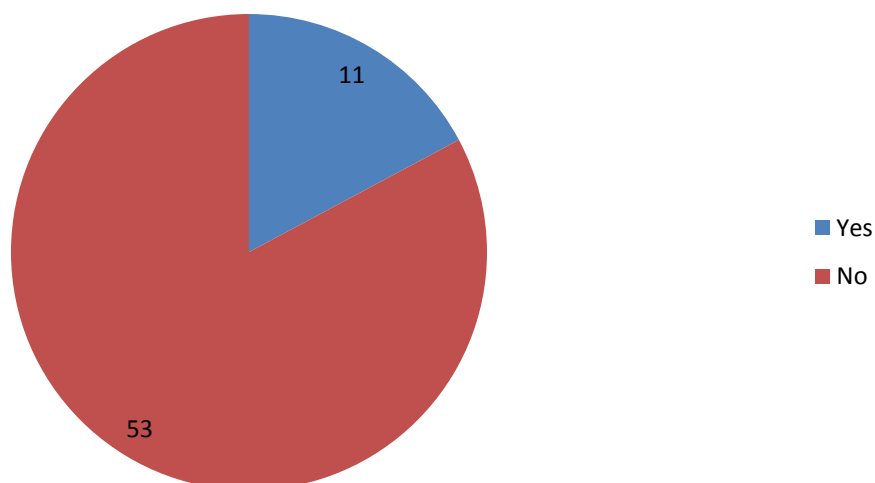
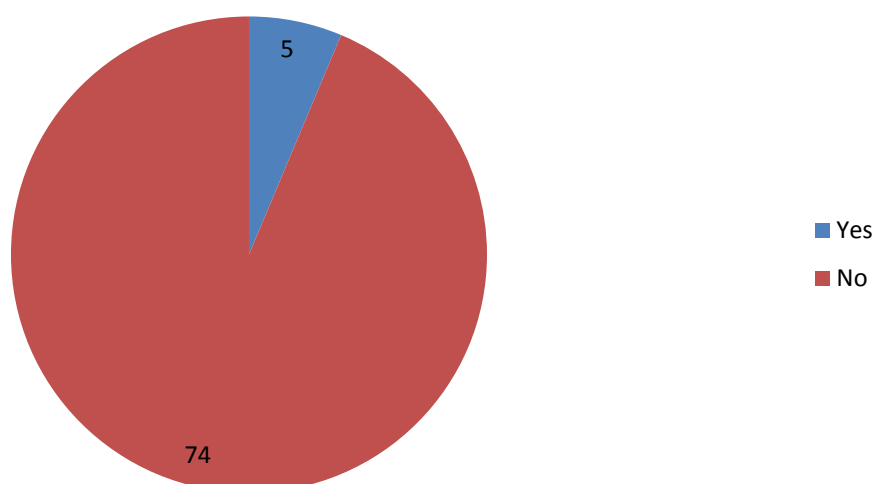
Seasonal visiting

Seasonal visiting to Two Tree Island weekday



Seasonal visiting to Two Tree Island weekend

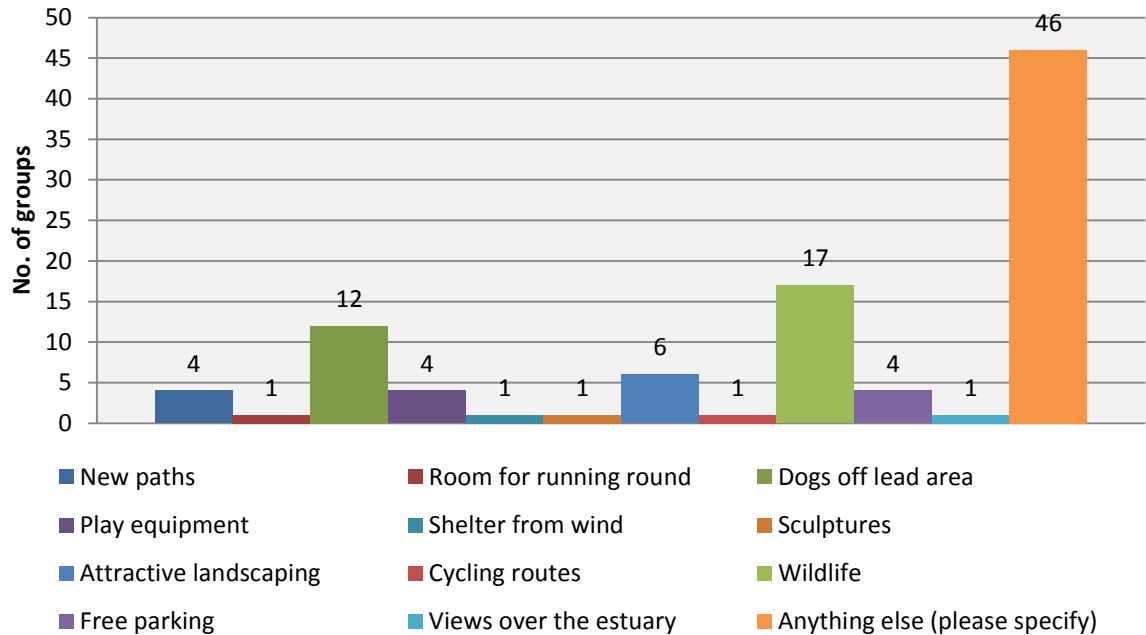


Plan visit in relation to the tide?**Plan weekday visit to Two Tree Island in relation to the tide?****Plan weekend visit to Two Tree Island in relation to the tide?**

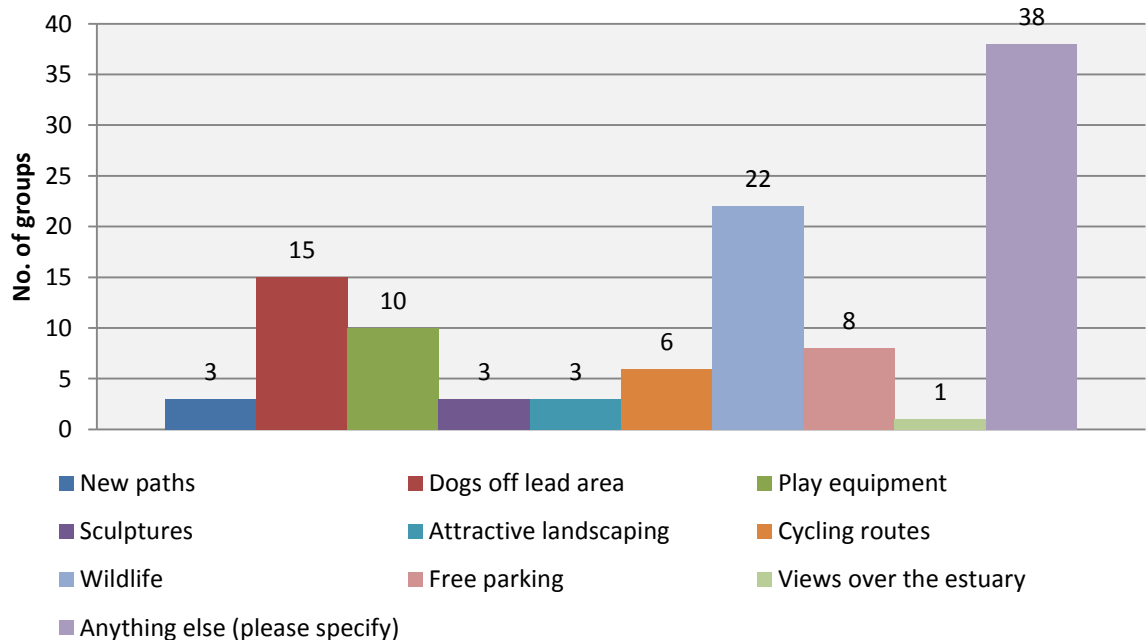


New park design

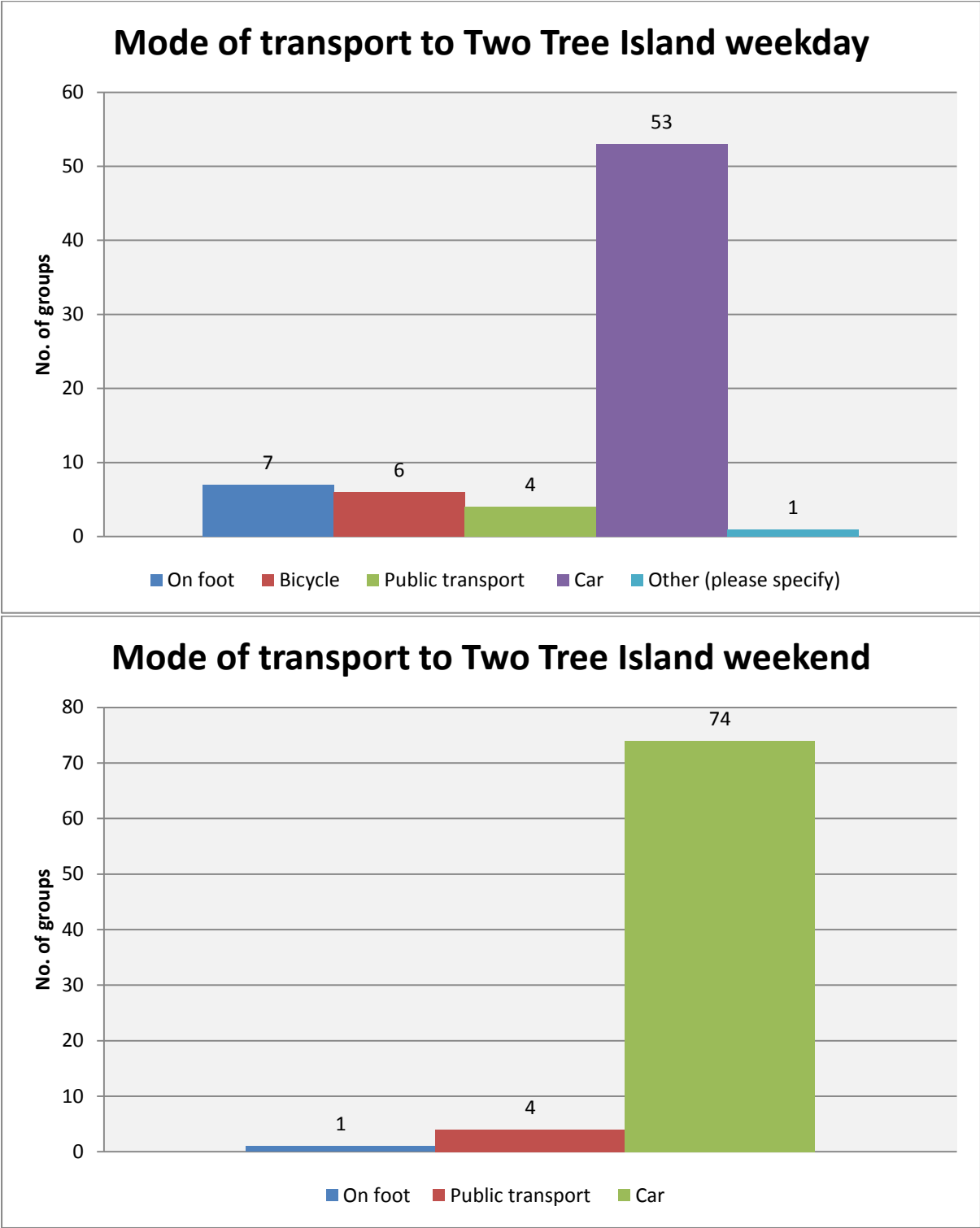
New park facilities Two Tree Island weekday

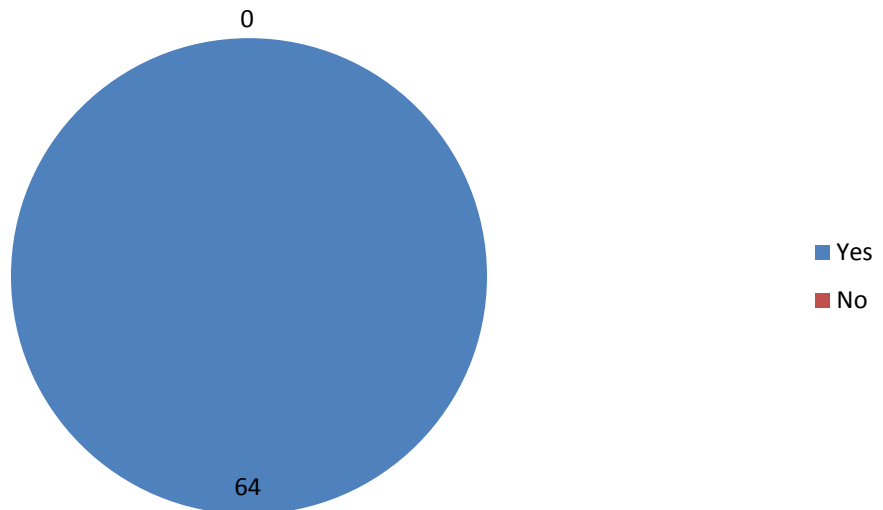
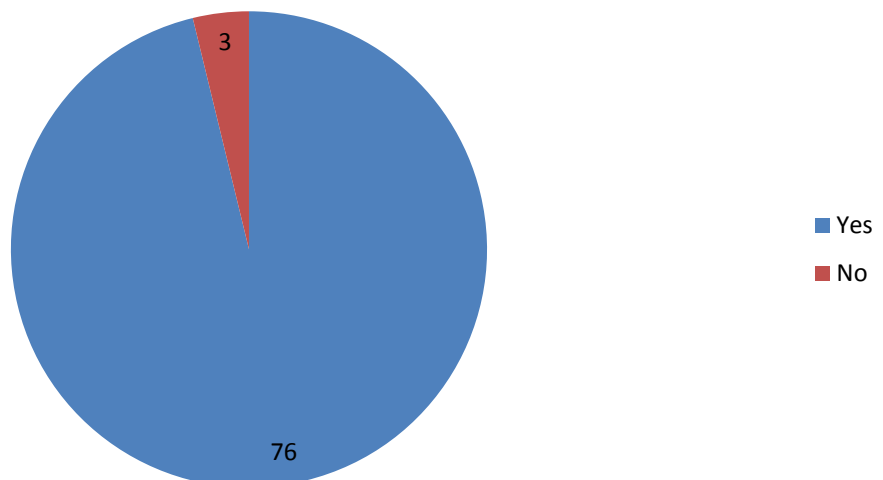


New park facilities Two Tree Island weekend



Mode of transport



Aware of habitat importance**Aware of habitat importance? Two Tree Island
weekday****Aware of habitat importance? Two Tree Island
weekend**

Appendix 6: Summer Survey Results

Table A6.1: Number of survey responses per survey site

SPA	Site	Weekday	Weekend	Total
Blackwater Estuary	Bradwell Marina	7	19	26
	Tollesbury Wick	16	38	54
	Total	23	57	80

Table A6.2: Passers-by and water activity per survey site

SPA	Site	Weekday		Weekend		Total	
		Passers-by	Water activity	Passers-by	Water activity	Passers-by	Water activity
Blackwater Estuary	Bradwell Marina	17 *	15	13	71	30	86
	Tollesbury Wick	0	7	20	25	20	32
	Total	17	22	33	96	50	118

* includes 12 cyclists

Table A6.3: Dates of summer surveys

Survey site	Weekday	Weekend
Bradwell Marina	24.05.2018	20.05.2018
Tollesbury Wick	31.05.2018	06.06.2018

Type of disturbance and bird responses

Response types

- No Response: no change in behaviour recorded at all
- Alert: birds become alert, changing behaviour (i.e. stopping feeding or standing alert if roosting)
- Walk/Swim: moving away from the source of disturbance without taking flight
- Minor Flight: short flights of less than 50m
- Major Flight: birds flushed and flying more than 50m



- Mobbing: applies to situations where birds believed to be nesting were repeatedly alarm calling and/or mobbing or undertaking distraction displays, suggesting that the disturbance was around the nest and/or chicks.

The tables below are the questionnaire results from the sites listed. The questionnaires were recorded both on a weekday and weekend.

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Table A6.4: Bradwell Marina weekday

Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Passers by	17 (includes 12 cyclists)	0						
Cycling	12	0						
Motorboat	5	0						
Sailing boat	10	0						
Quad bike	1	0						

Table A6.5: Bradwell Marina weekend

Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Passers by	9	0						
Jogging	1	0						



Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Cycling	4	0						
Jet ski	10	1					1	
Speed boat	4	0						
Kayaking	2	0						
Sailing boat	21	2				2		
Motorboat	34	11			4	6	1	

Table A6.6: Tollesbury Wick weekday

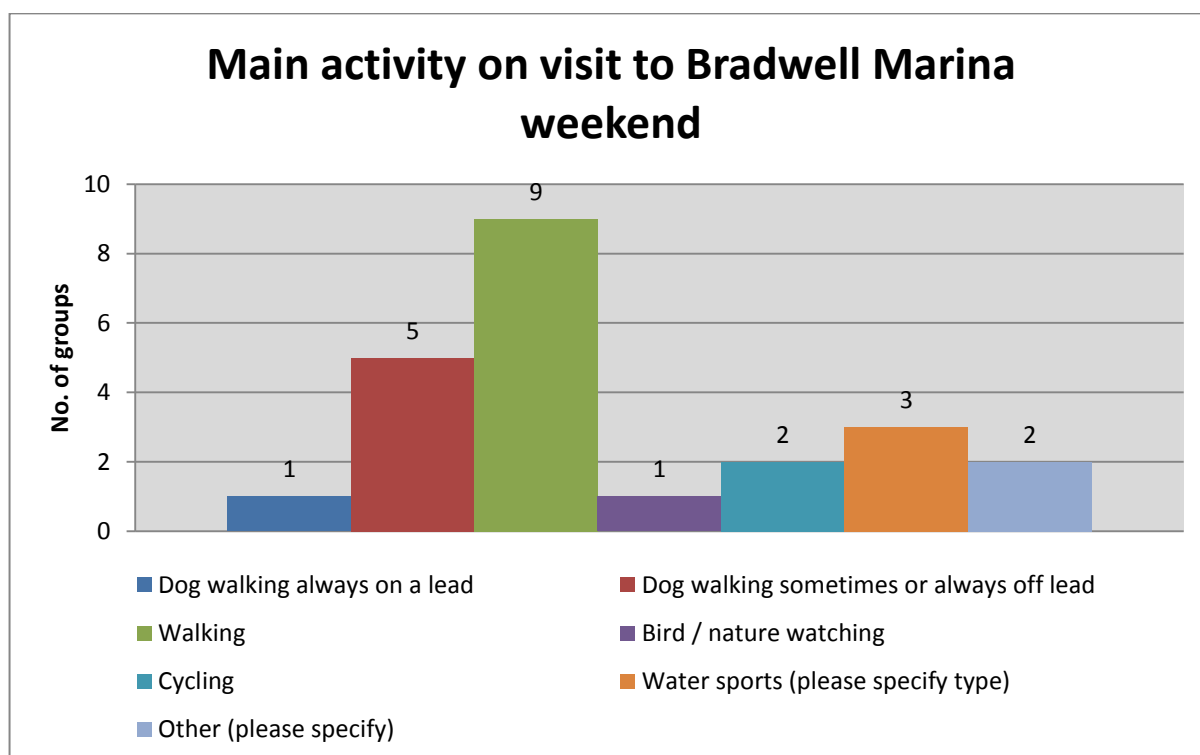
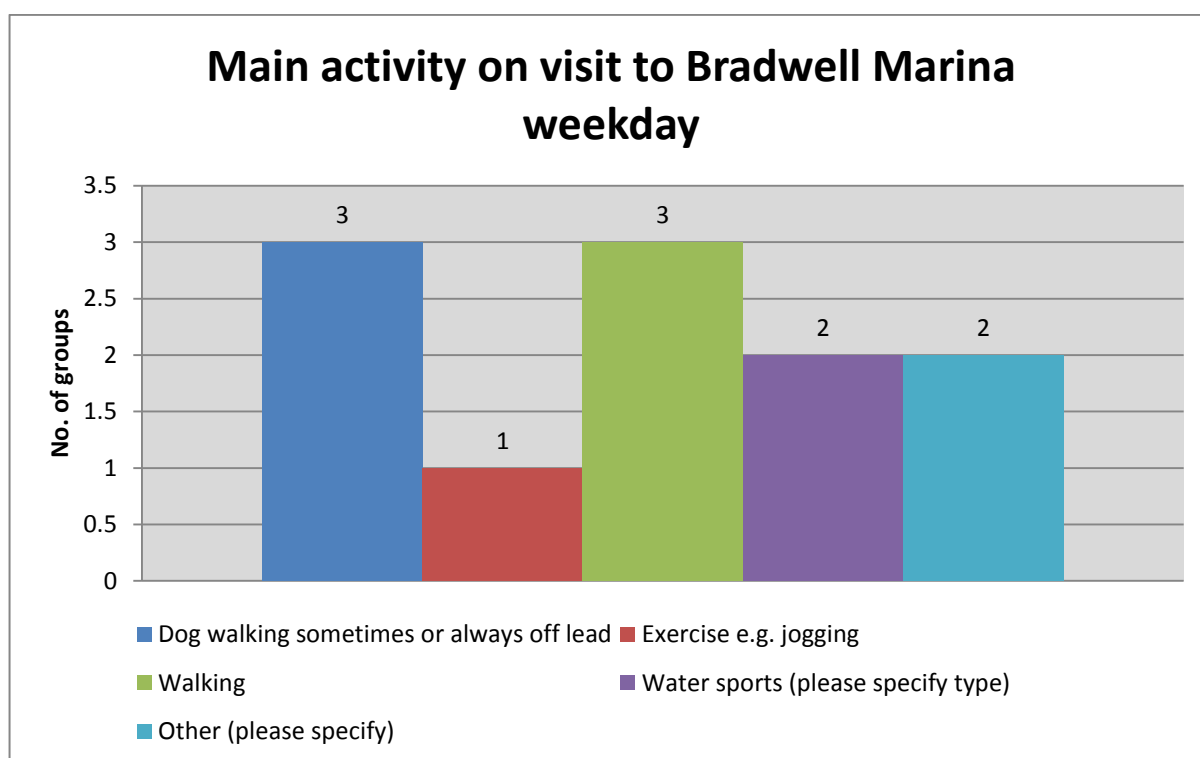
Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Sailing boat	7	0						
Passers by	0	0						

Table A6.7: Tollesbury Wick weekend

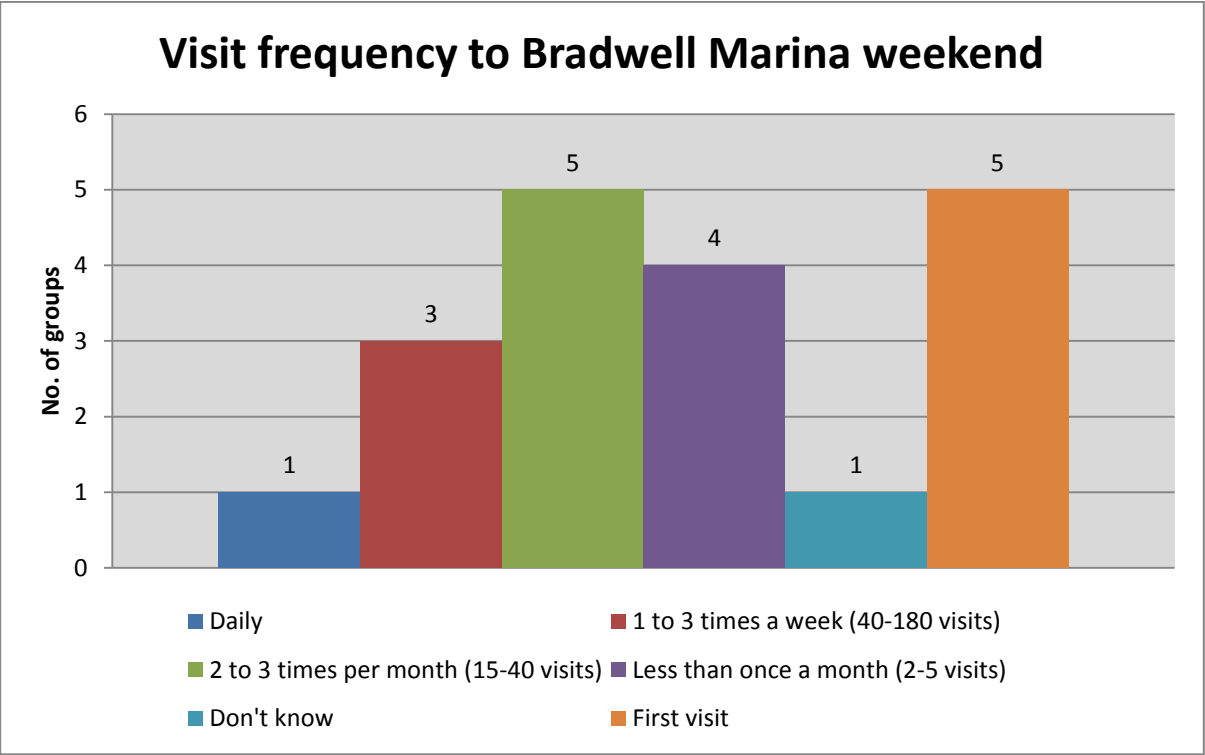
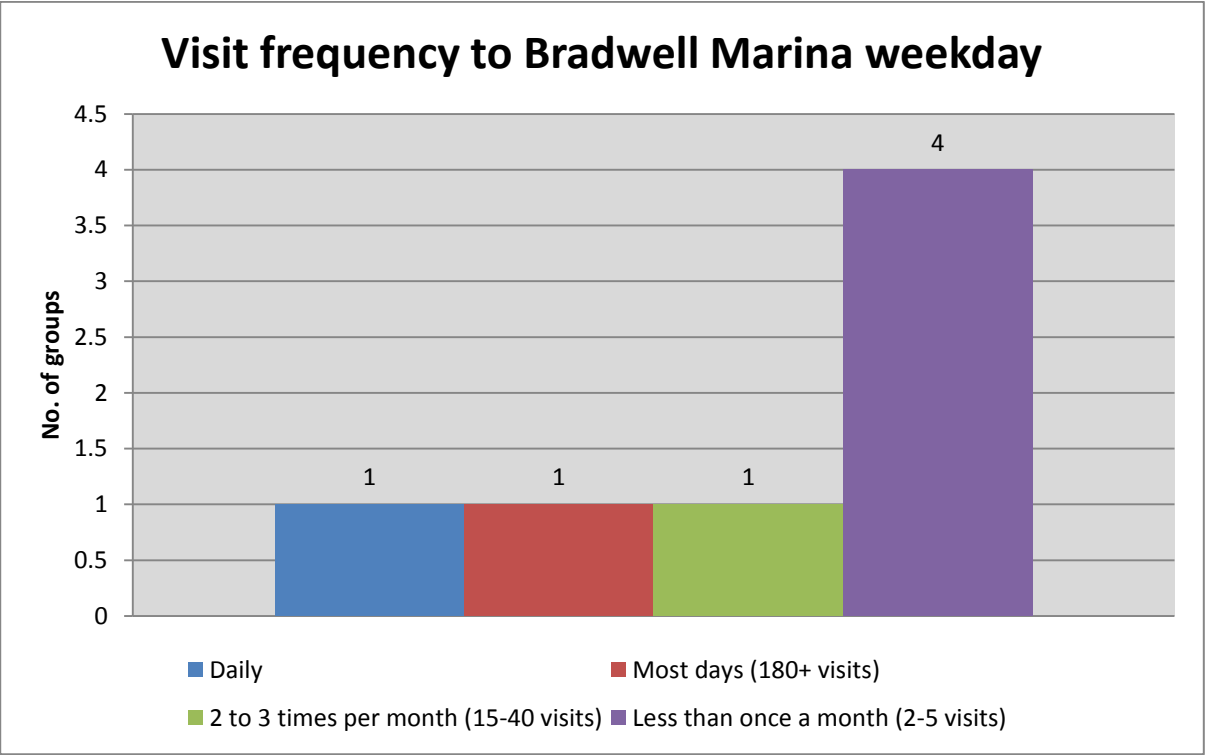
Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Yacht	14	0						
Motorboats	8	0						
Kayaks	3	0						
Passers by	20	0						

Bradwell Marina

Figures A6.1- A6.2: Graphs showing results for main activity

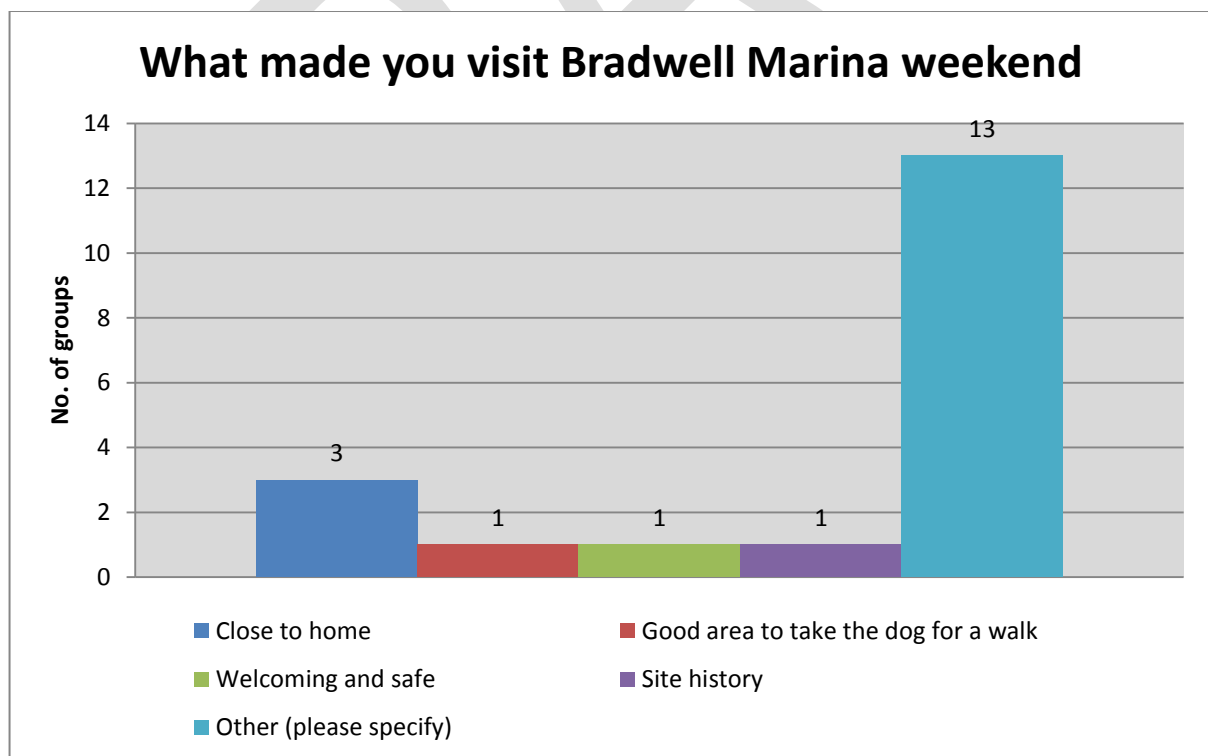
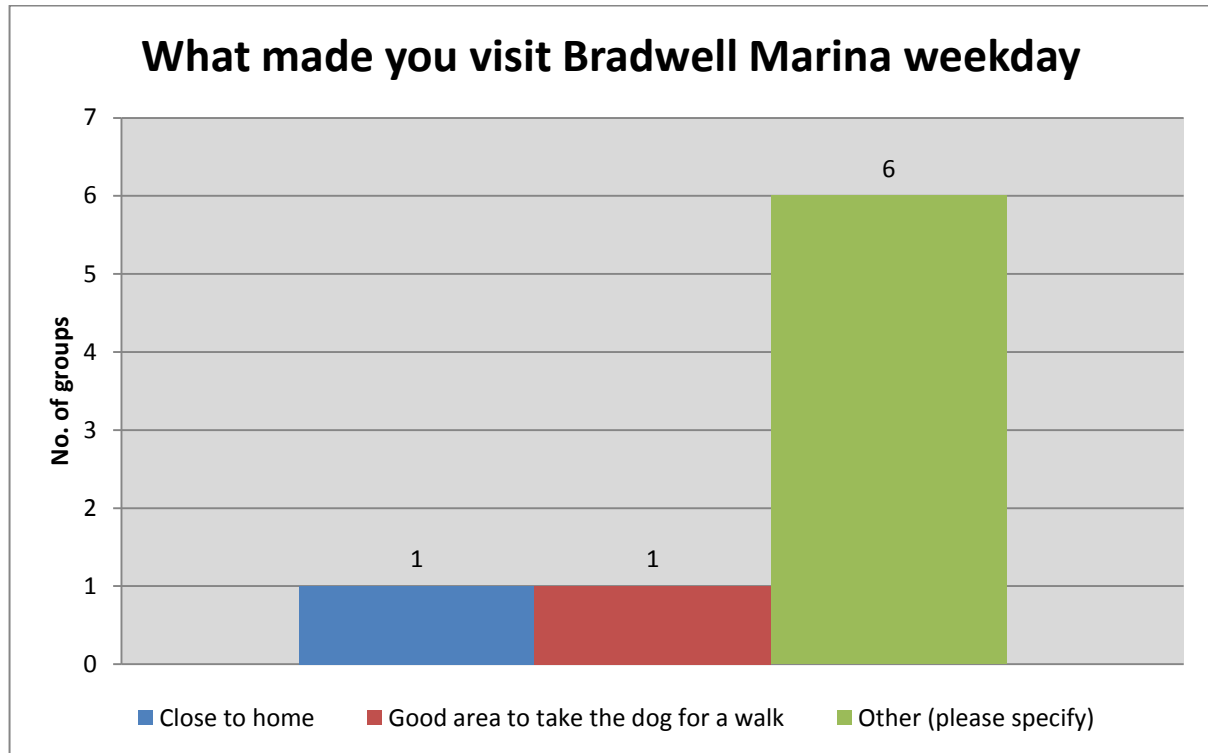


Figures A6.3- A6.4: Graphs showing results for visit frequency

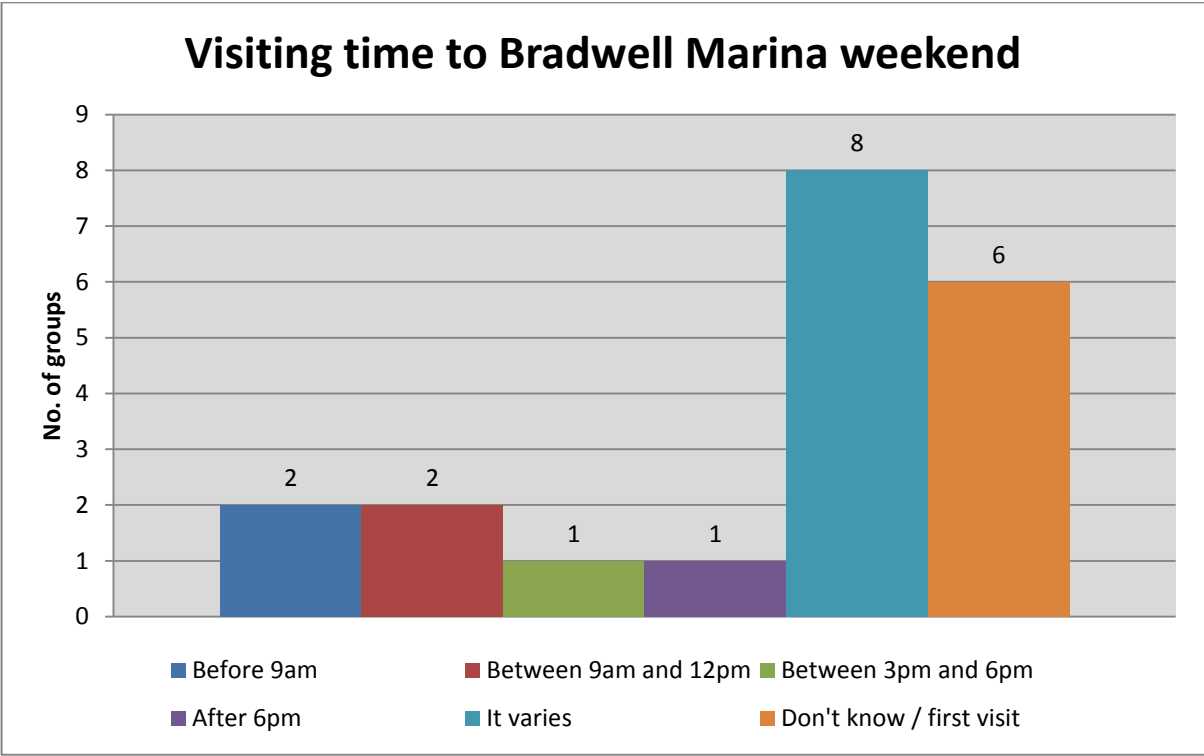
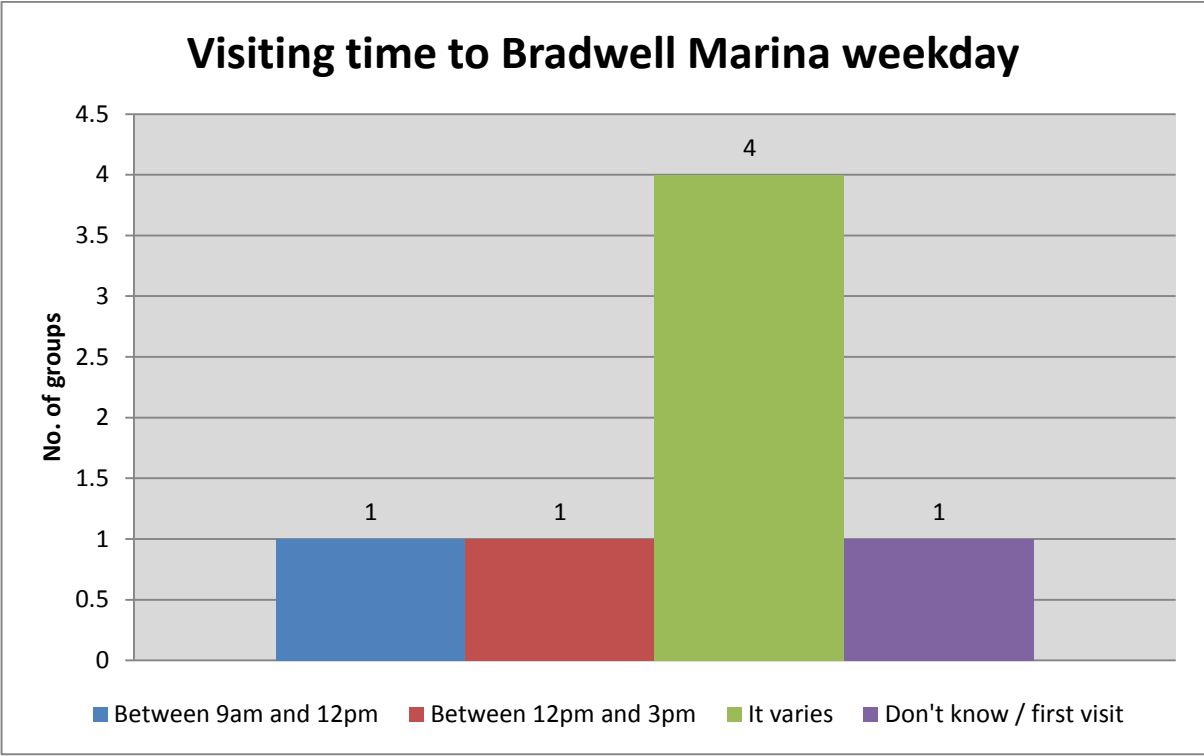




Figures A6.5- A6.6: Graphs showing results for question 'What made you visit?'

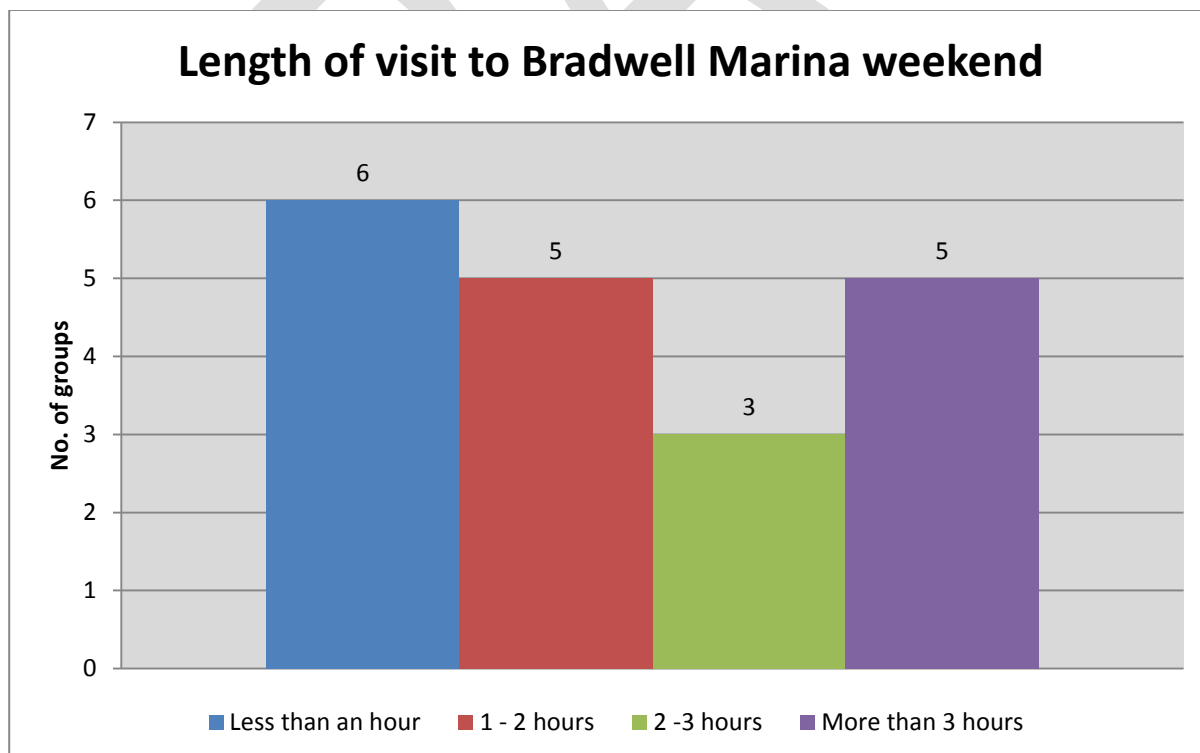
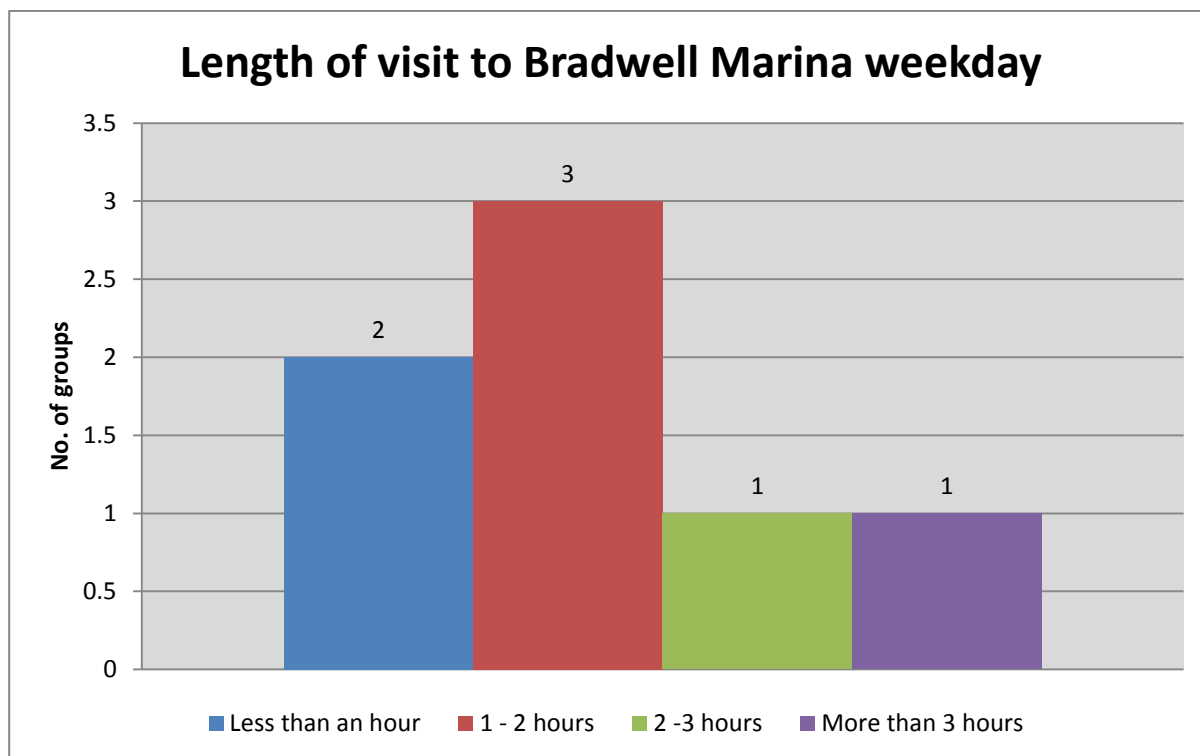


Figures A6.7- A6.8: Graphs showing results for visiting time

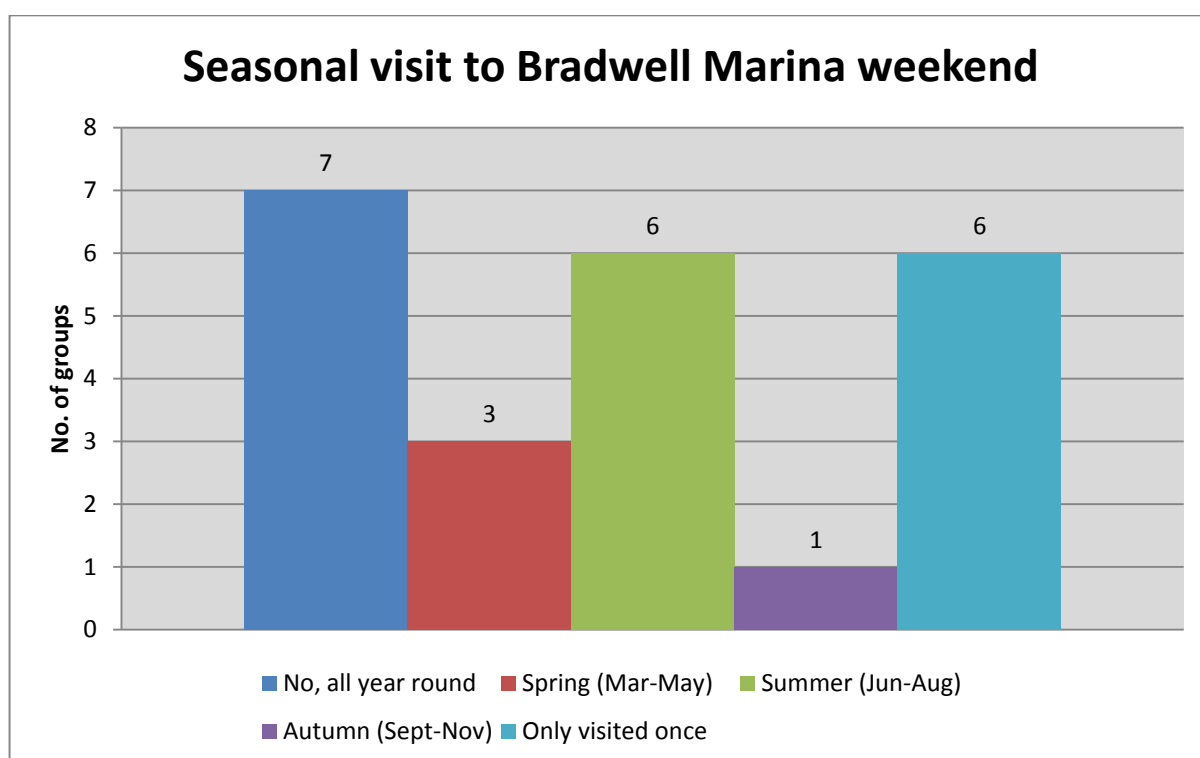
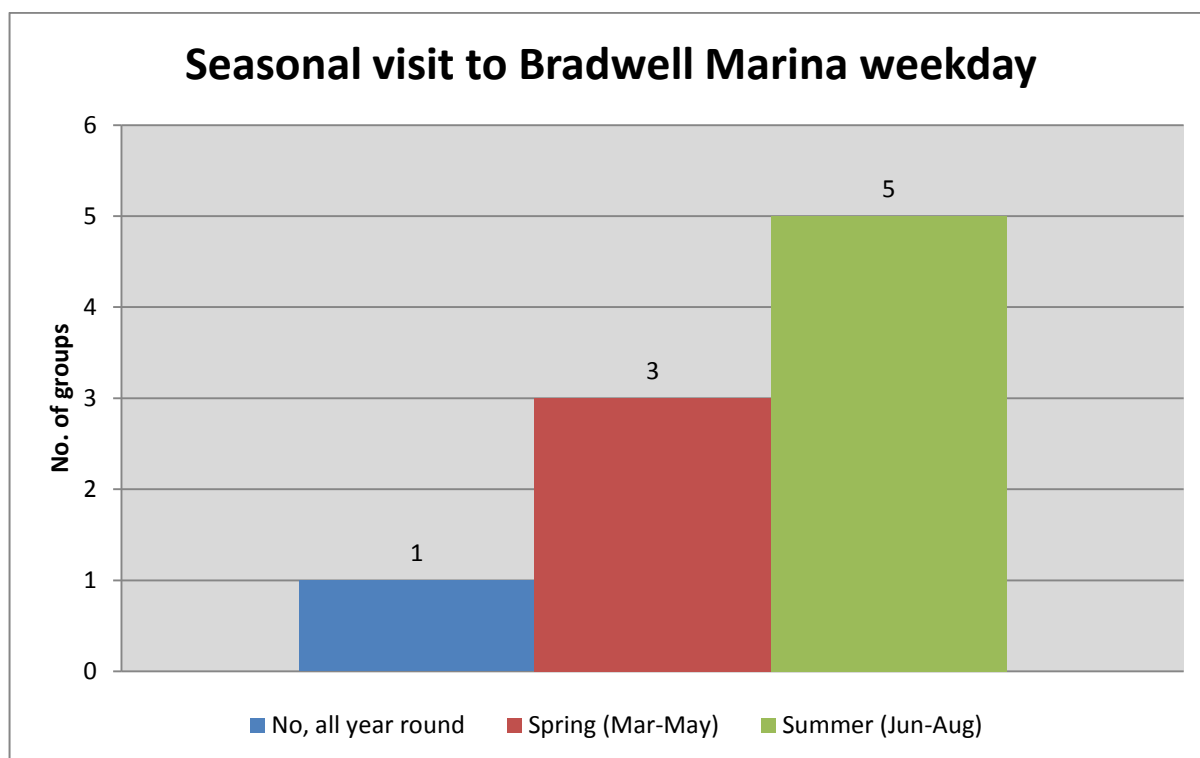




Figures A6.9- A6.10: Graphs showing results for length of visit



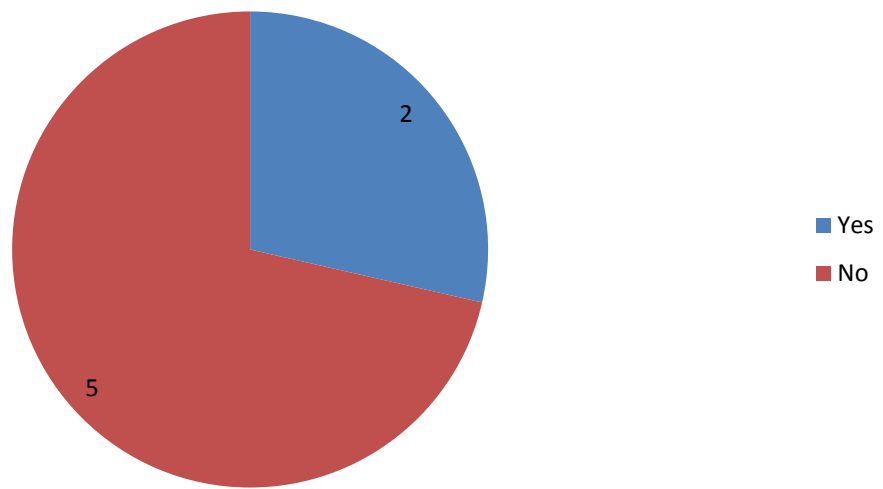
Figures A6.11- A6.12: Graphs showing results for seasonal visiting



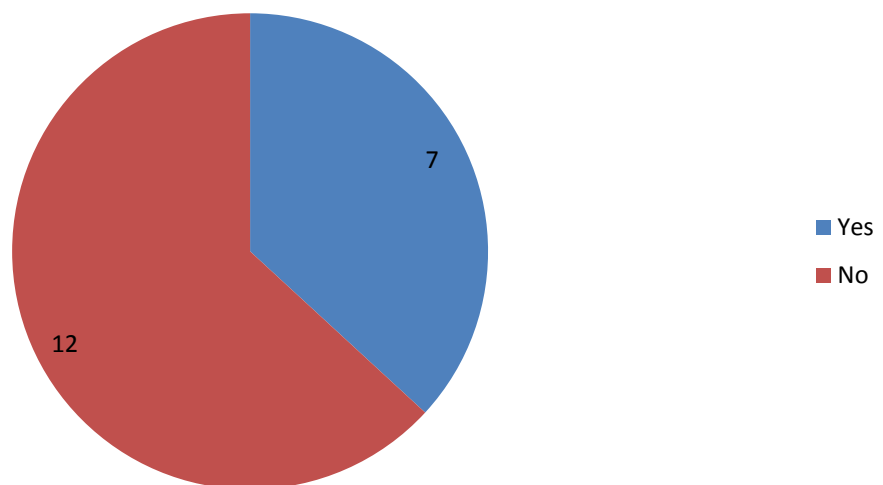


Figures A6.13- A6.14: Graphs showing results for question 'Plan visit in relation to the tide?'

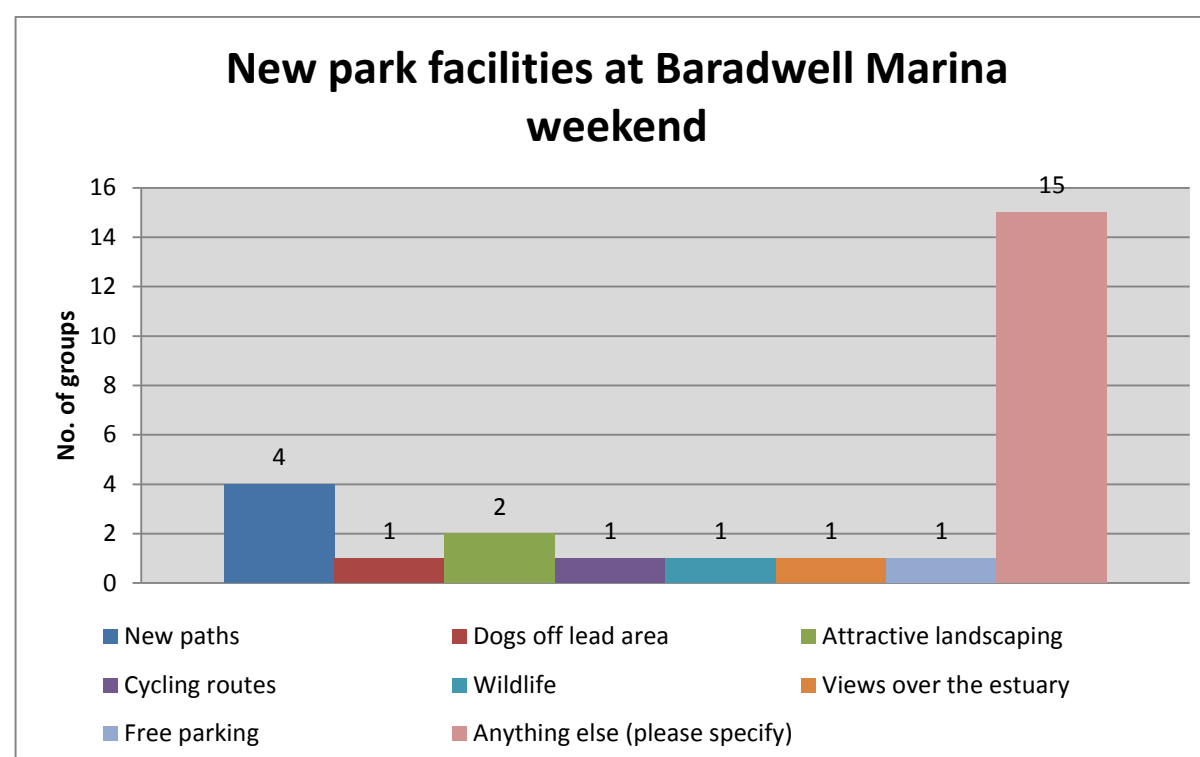
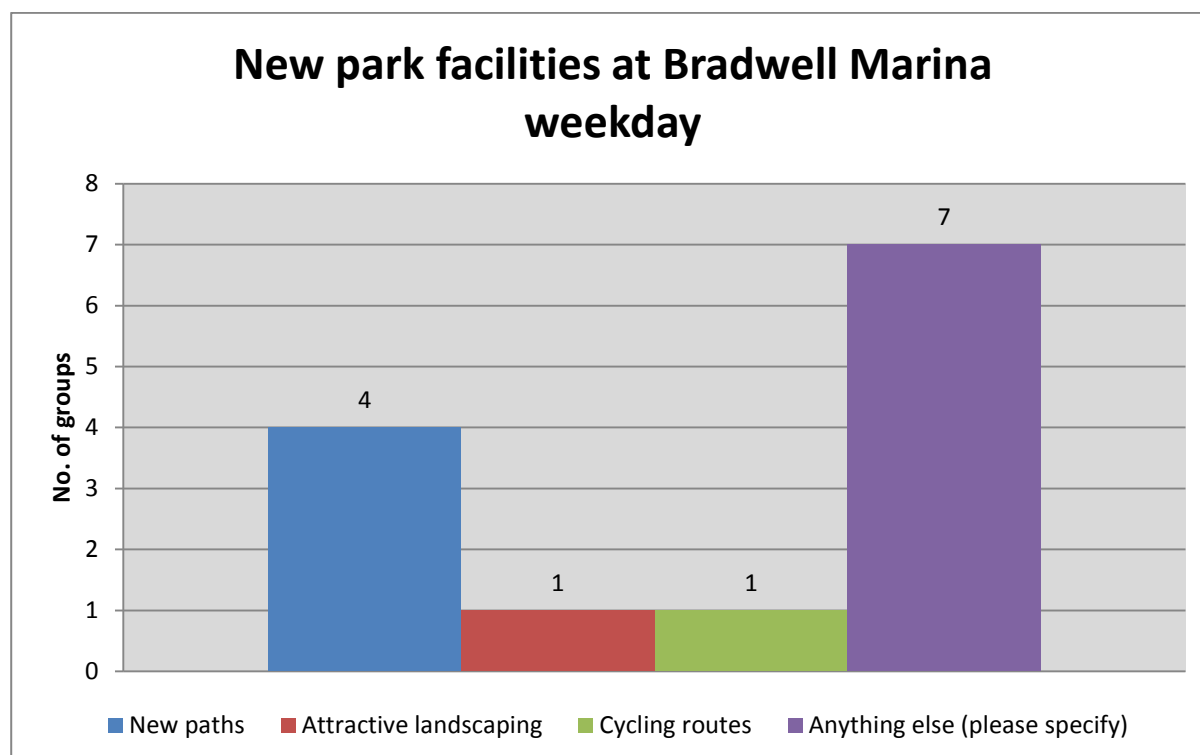
Plan weekday visit to Bradwell Marina in relation to tide?



Plan weekend visit to Bradwell Marina in relation to tide?

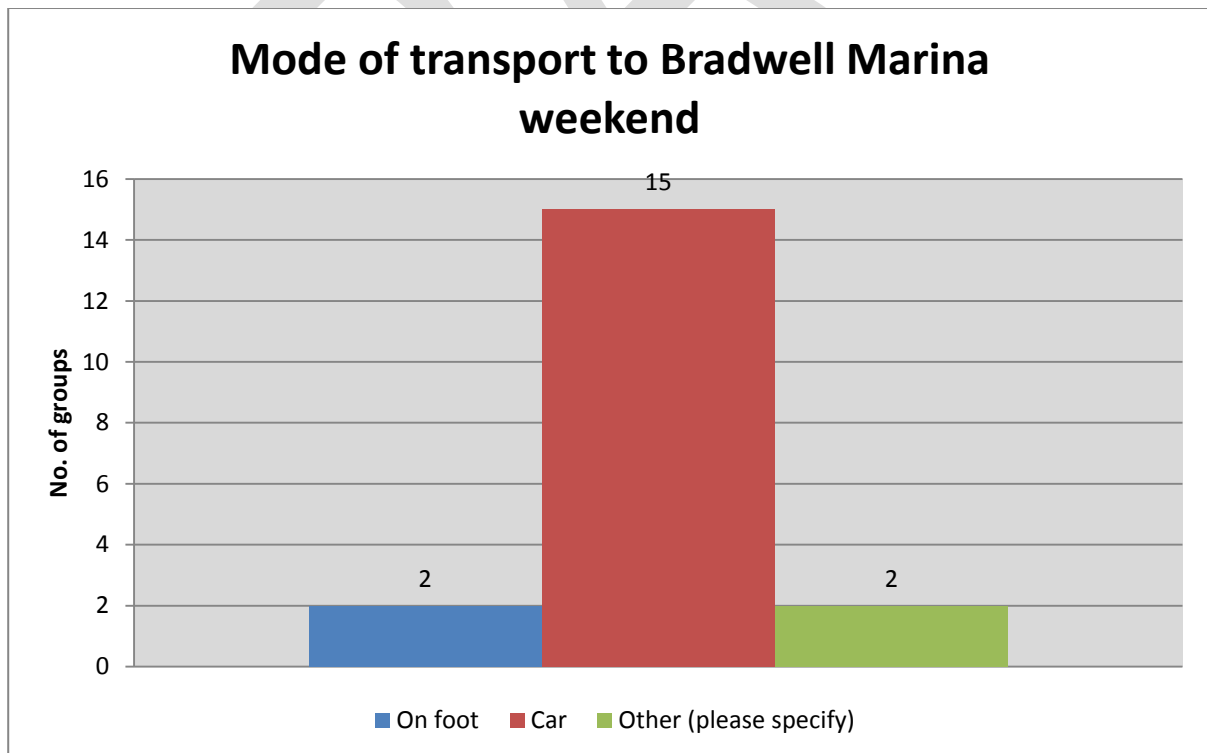
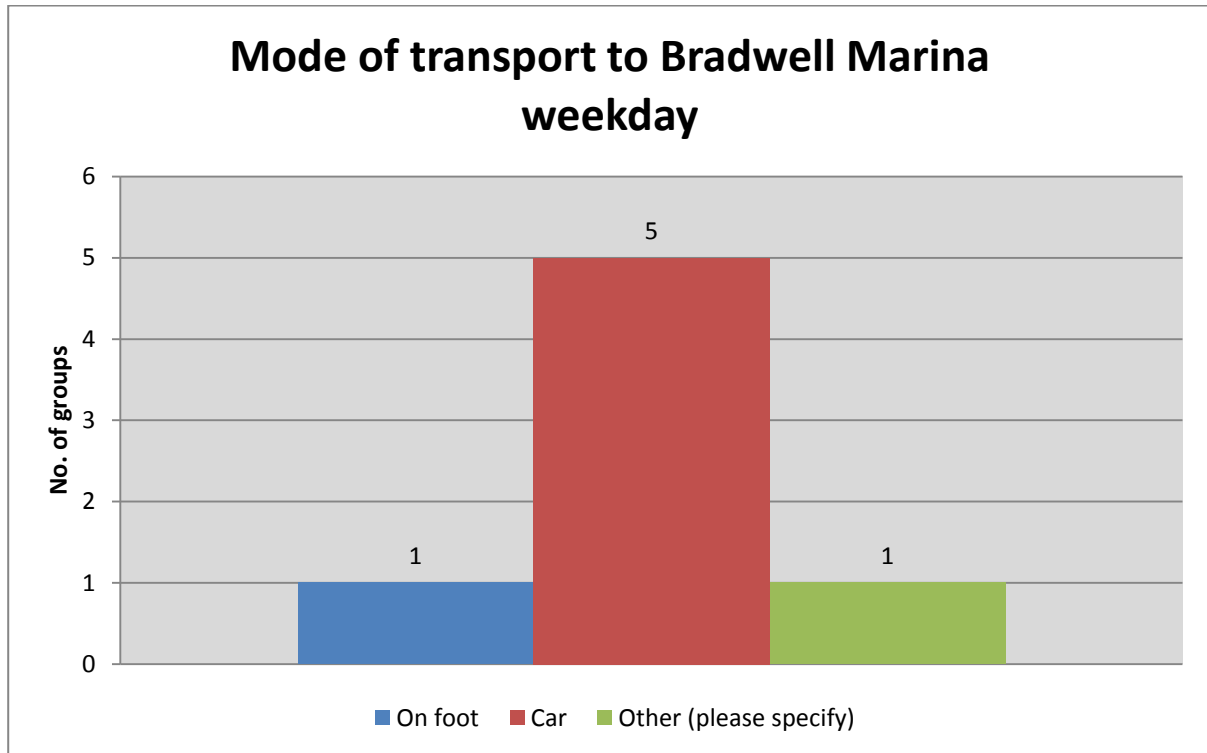


Figures A6.15- A6.16: Graphs showing results for new park design

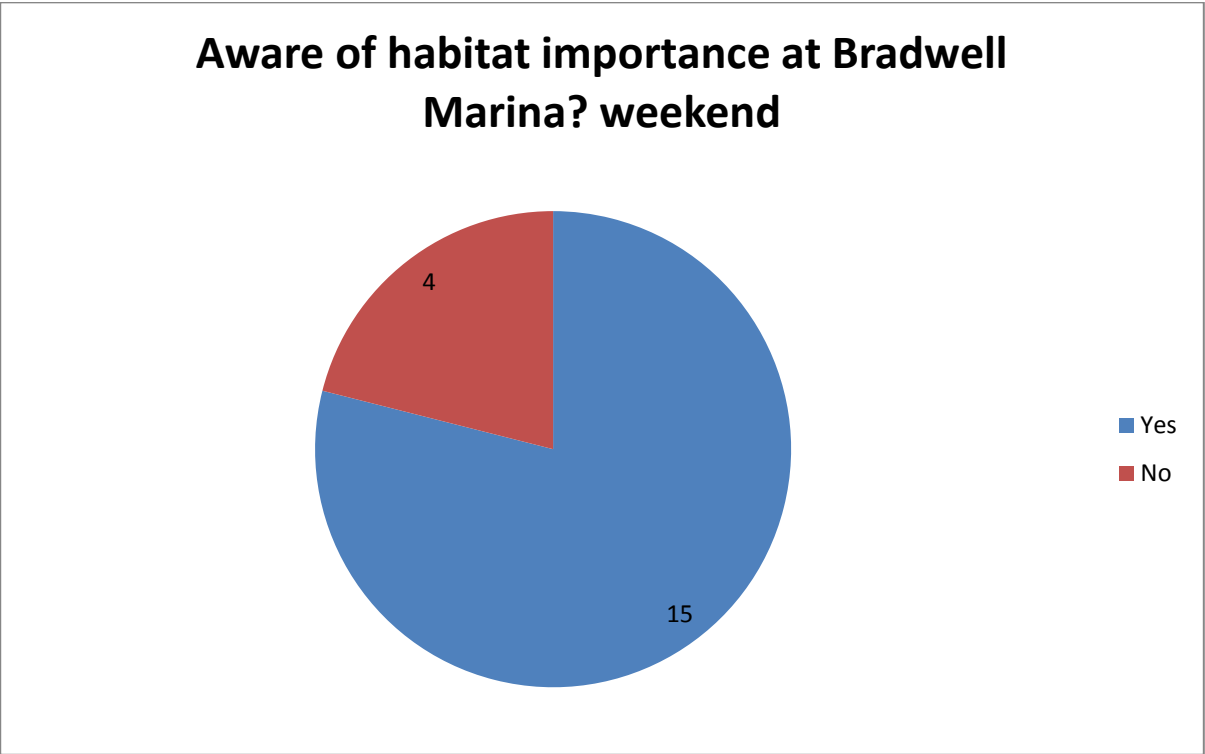
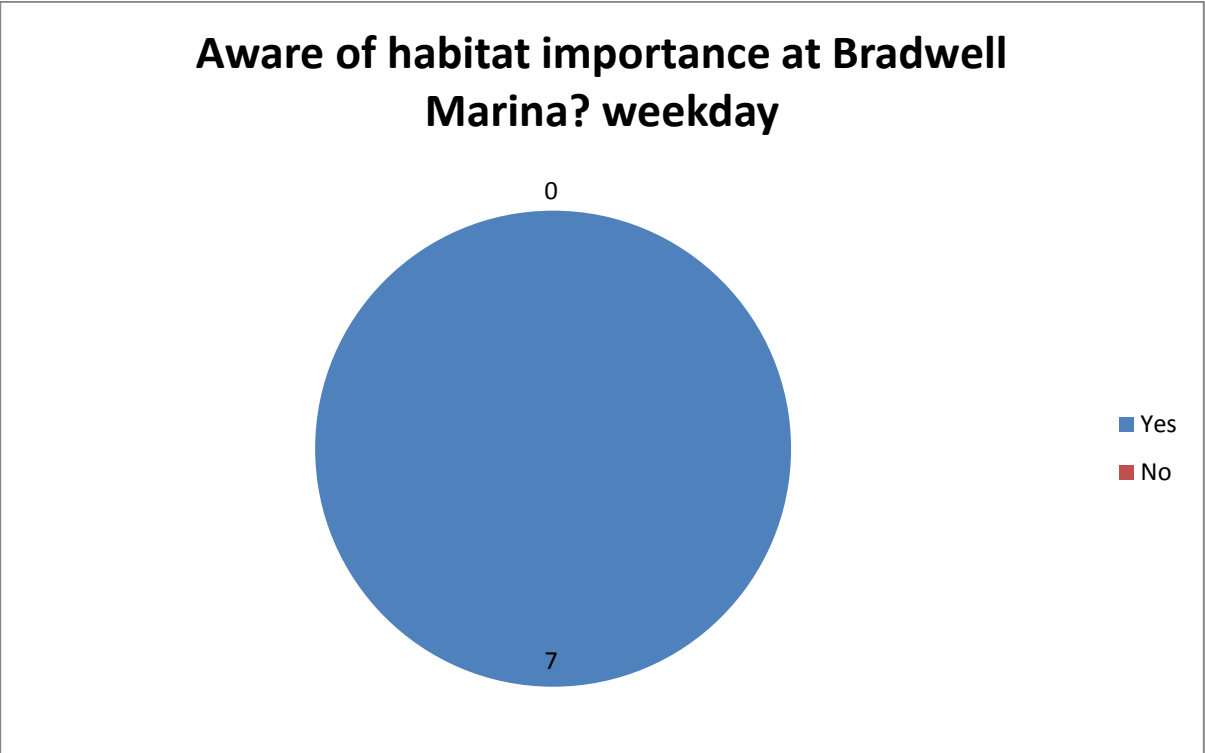




Figures A6.17- A6.18: Graphs showing results for mode of transport



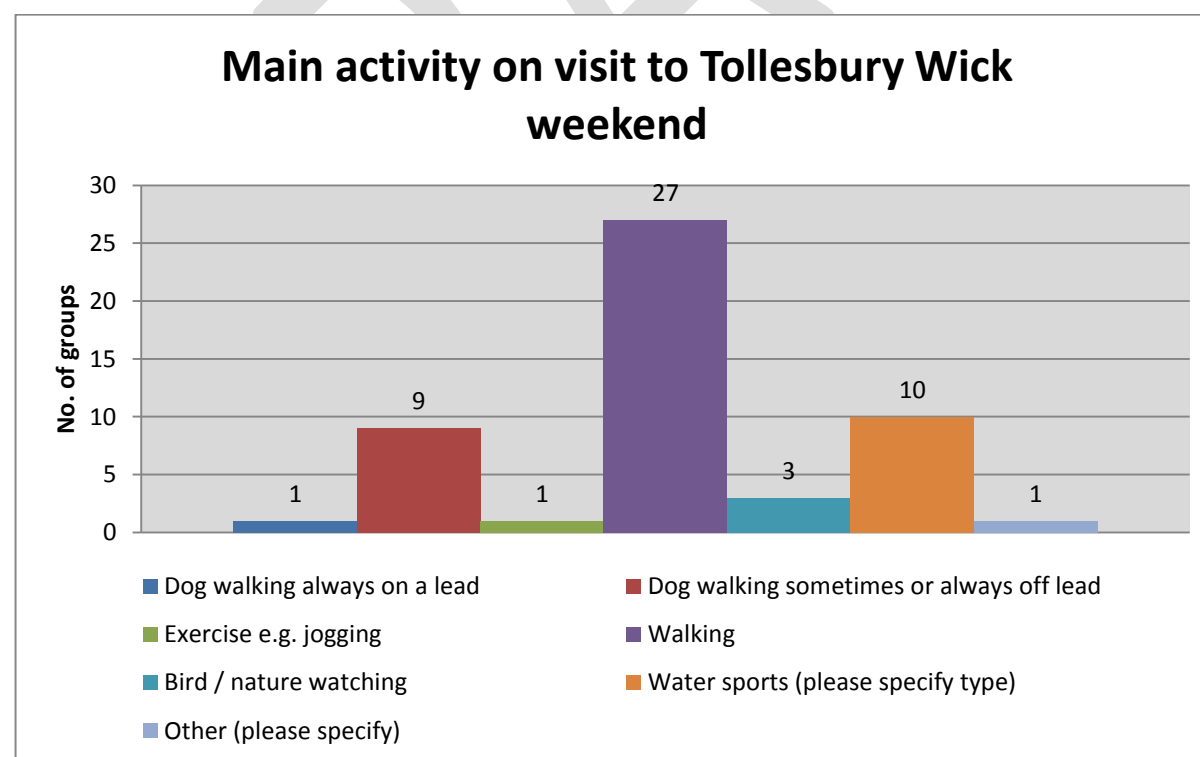
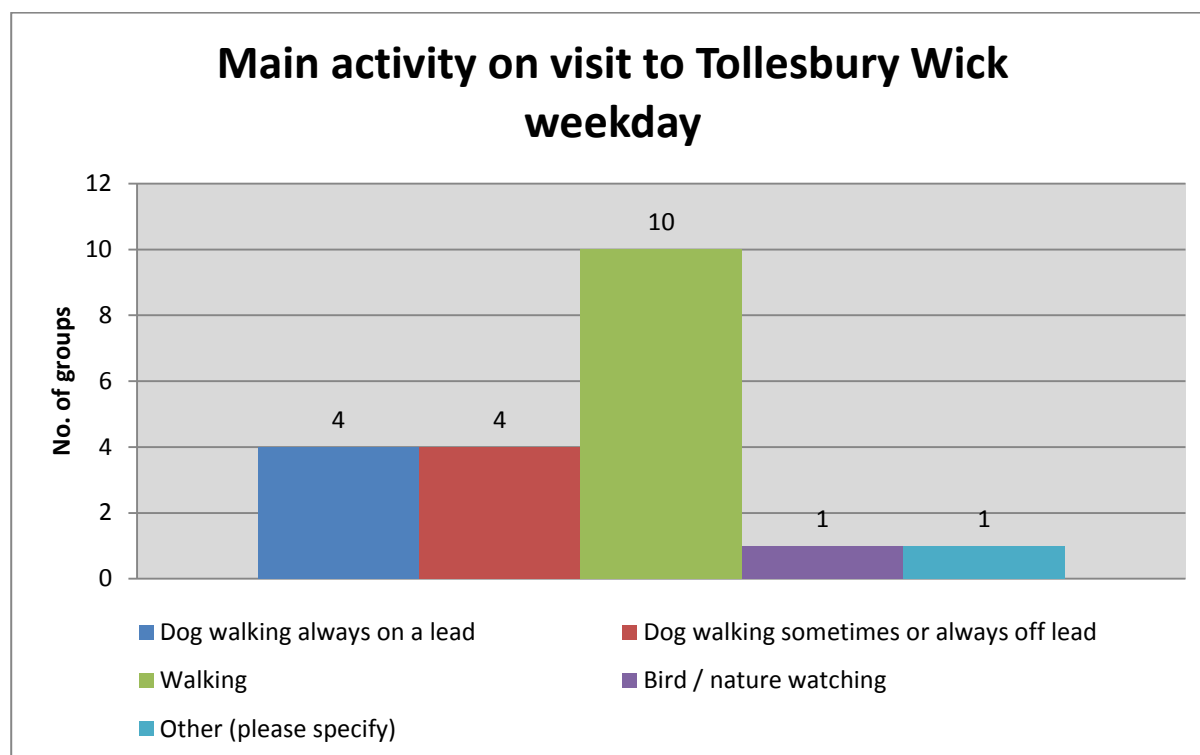
Figures A6.19- A6.20: Graphs showing results for awareness of habitat importance



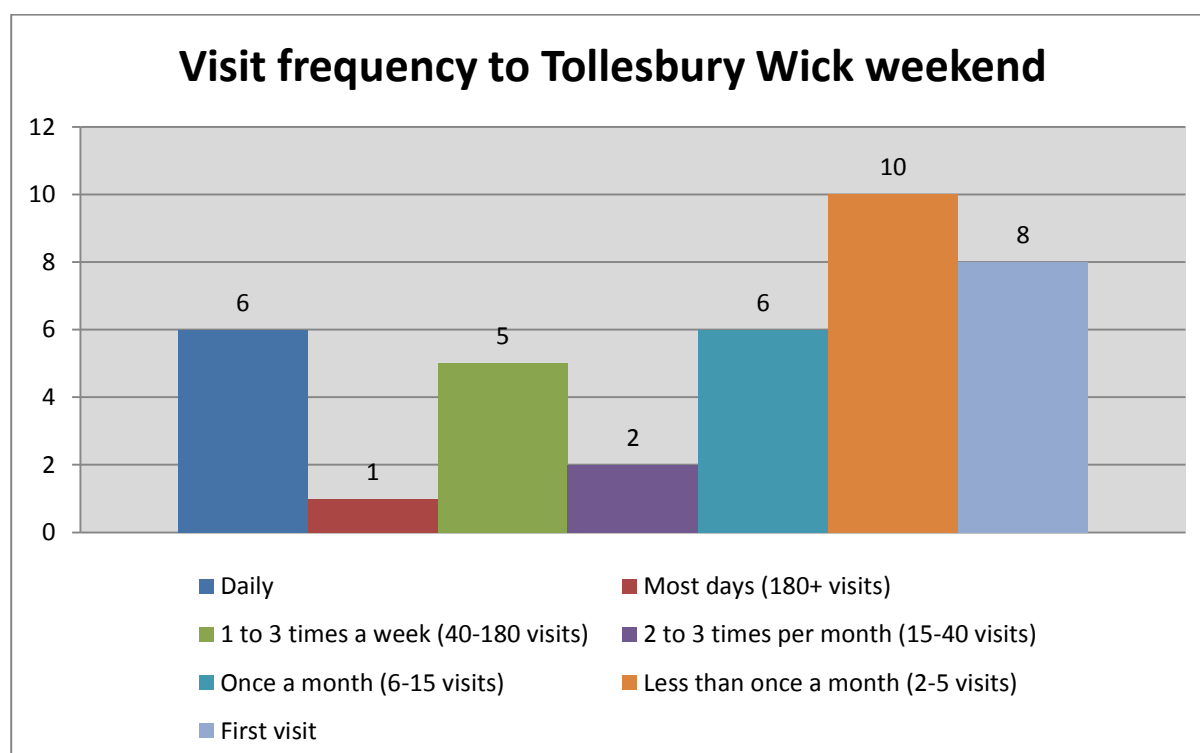
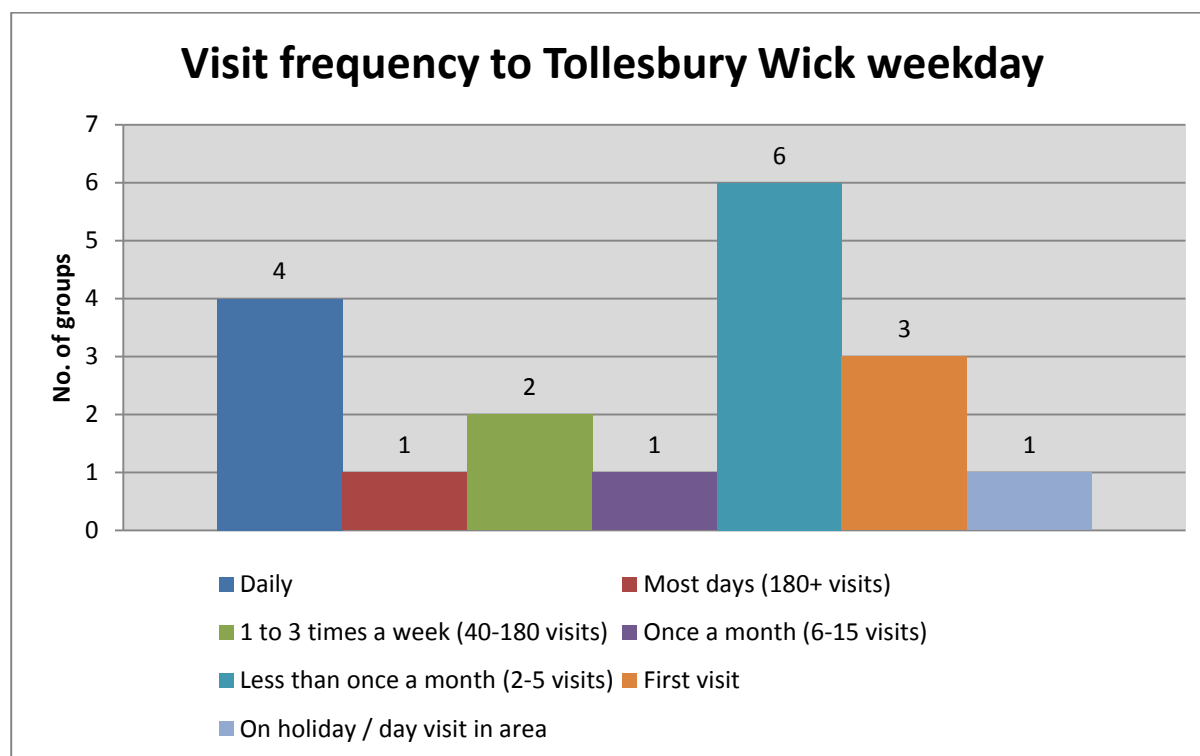


Tollesbury Wick

Figures A6.21-A6.22: Graphs showing results for main activity

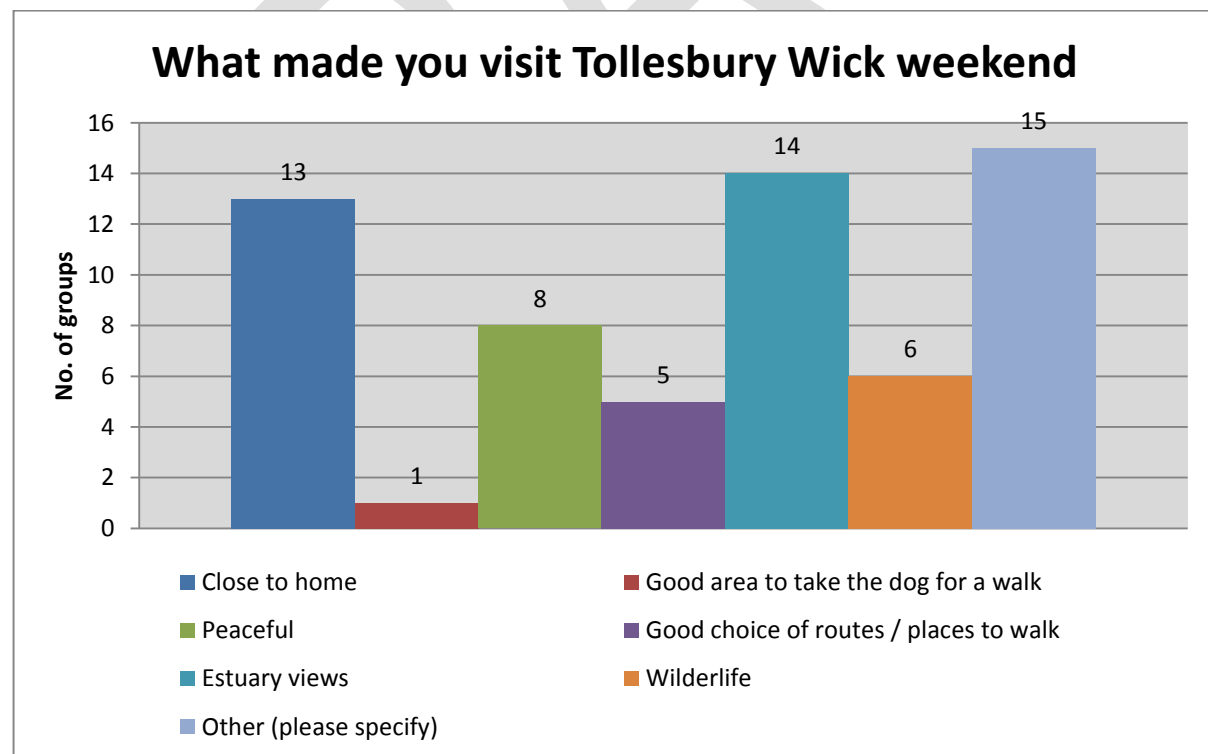
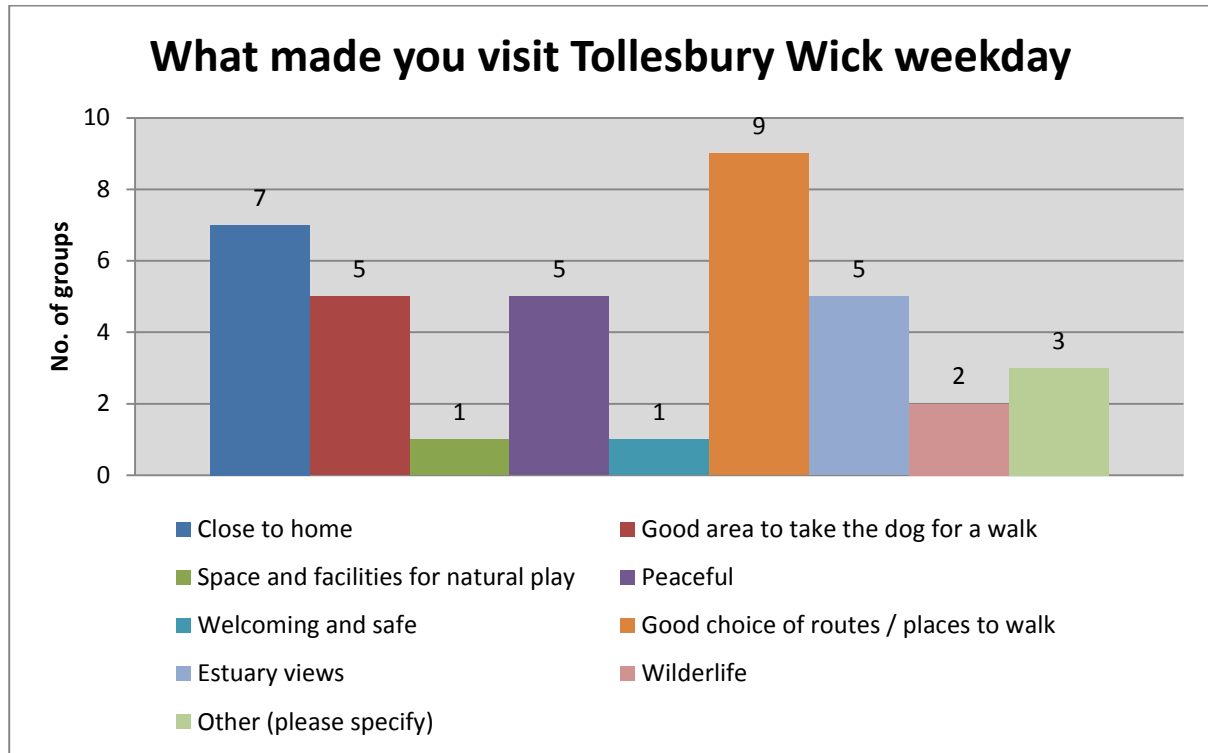


Figures A6.23- A6.24: Graphs showing results for visit frequency

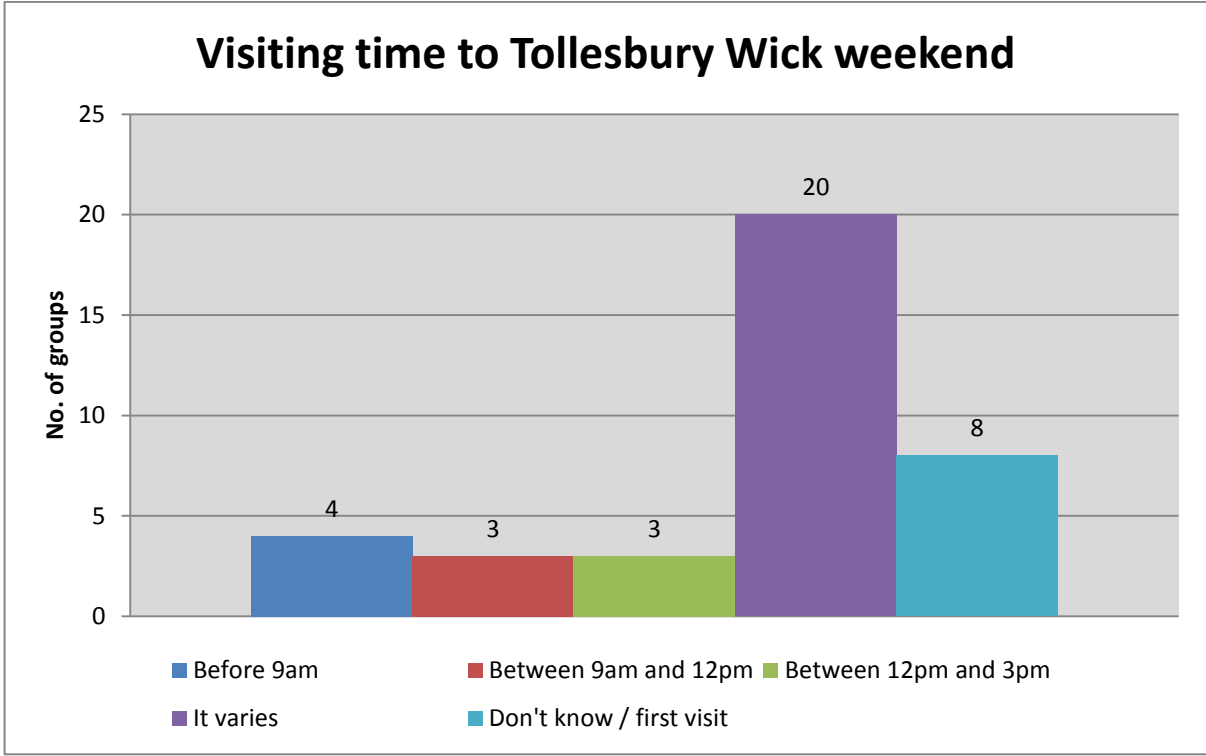
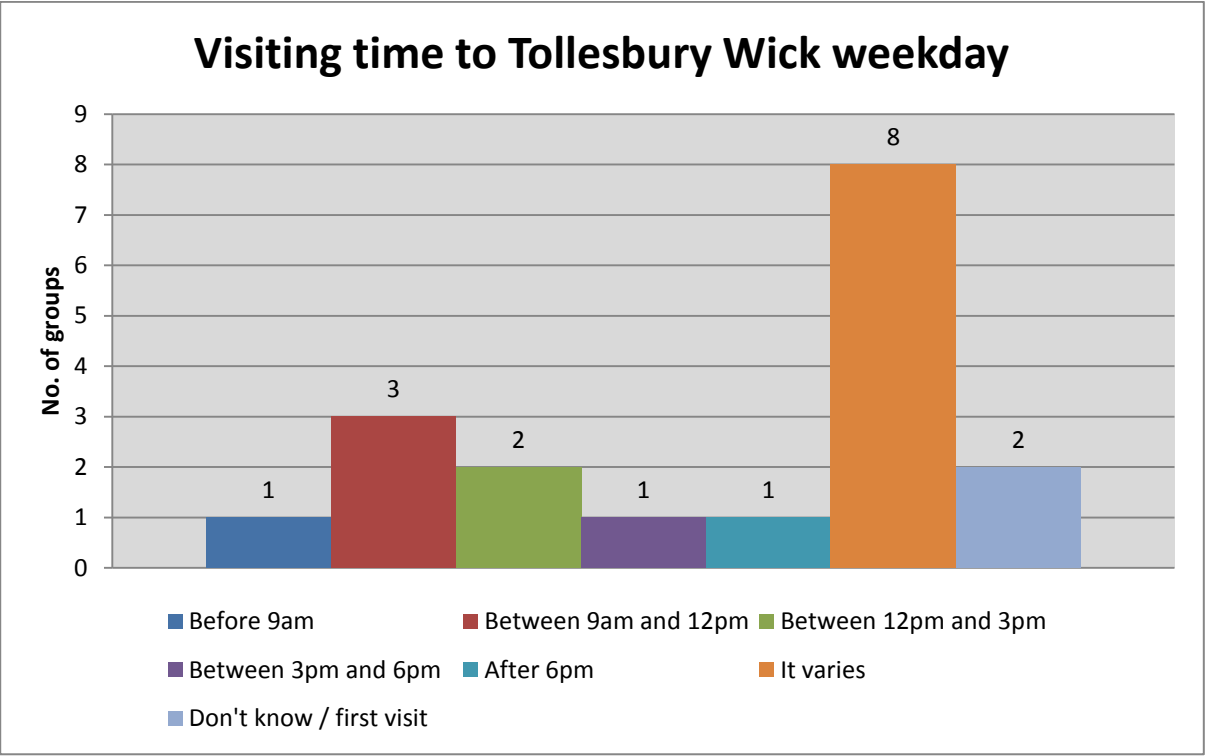




Figures A6.25- A6.26: Graphs showing results for question 'What made you visit?'

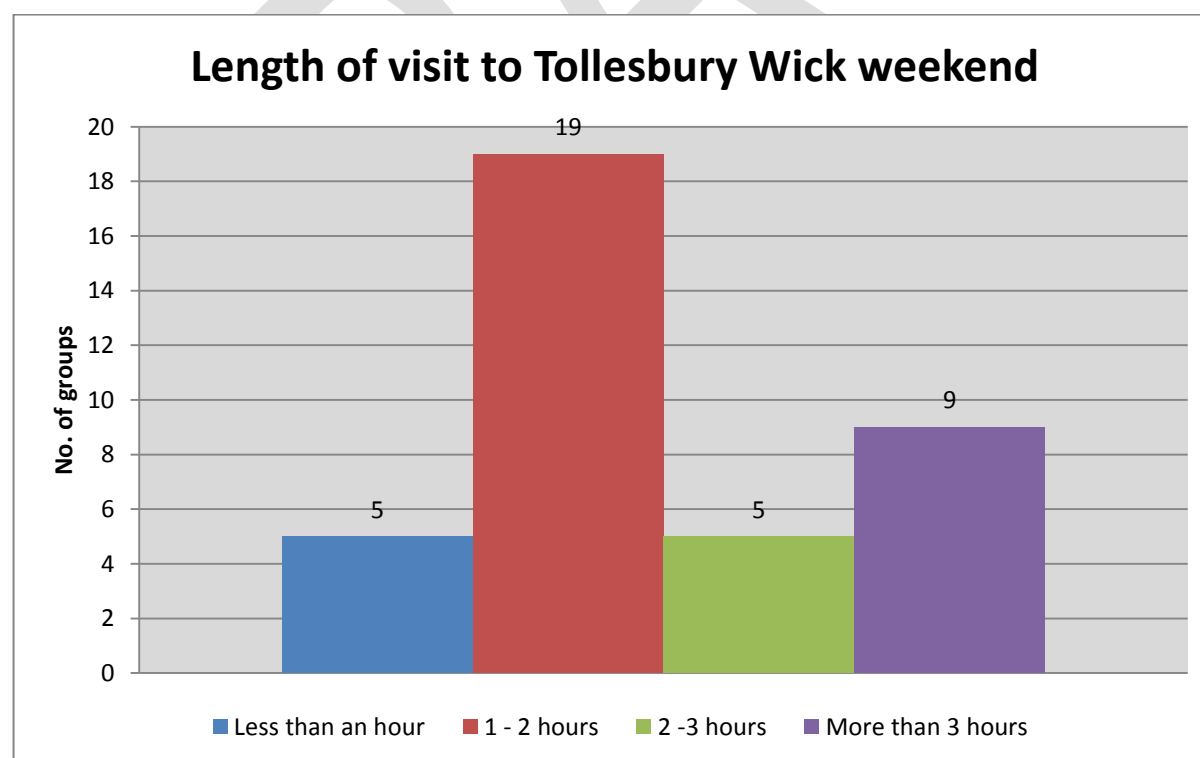
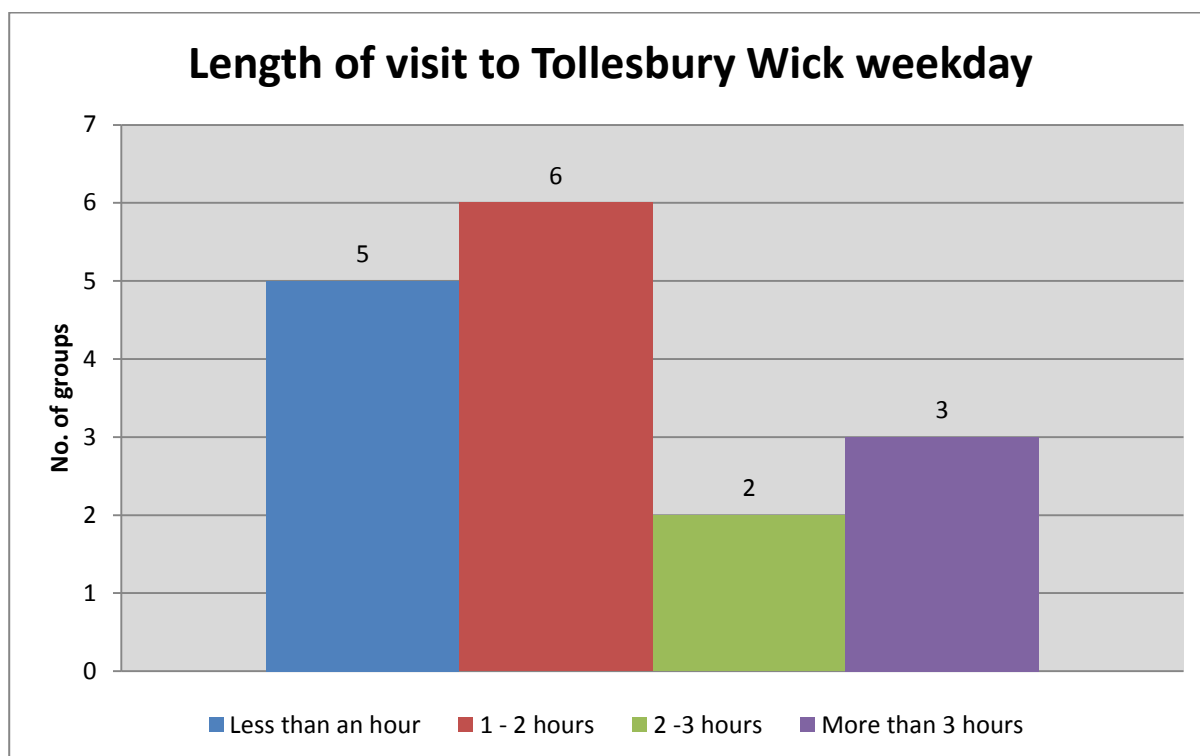


Figures A6.27- A6.28: Graphs showing results for visiting time

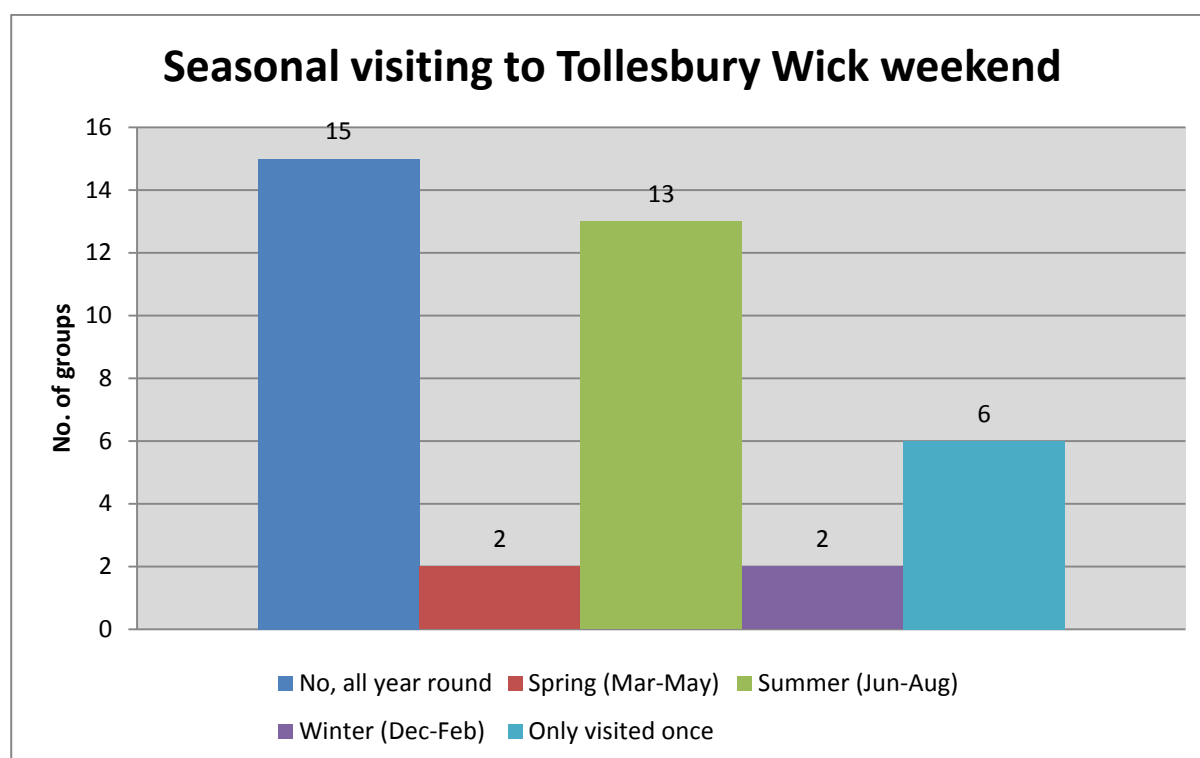
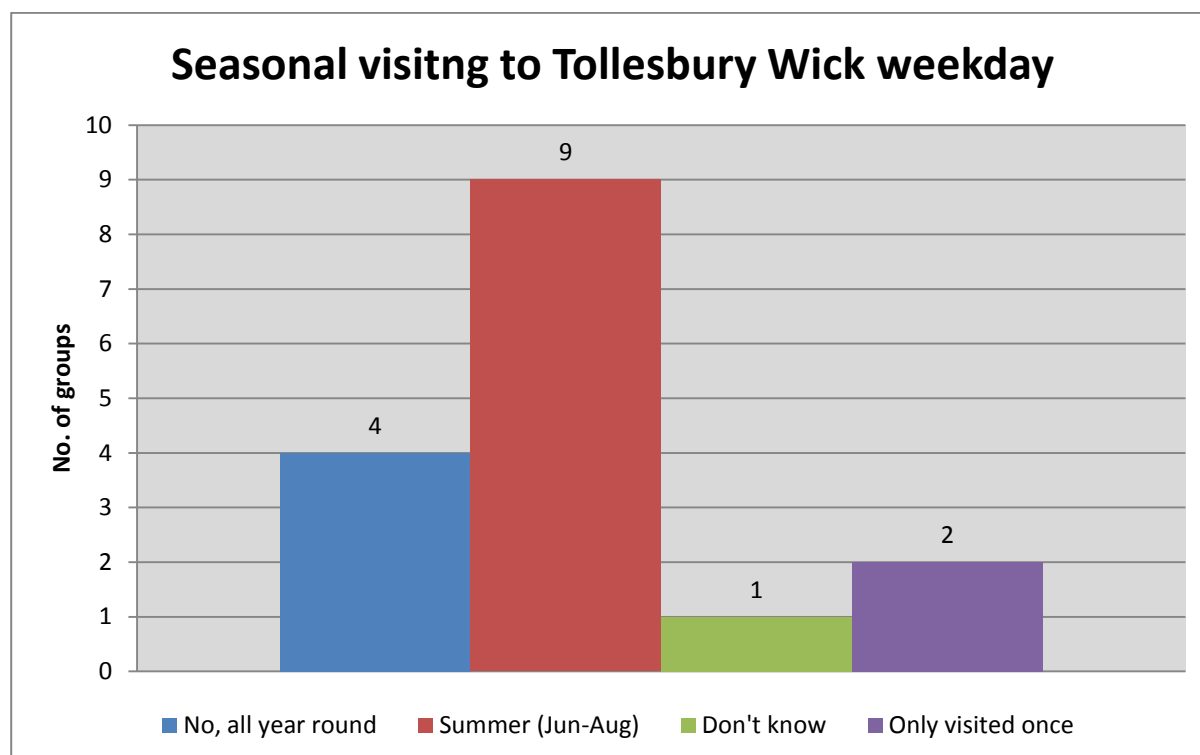




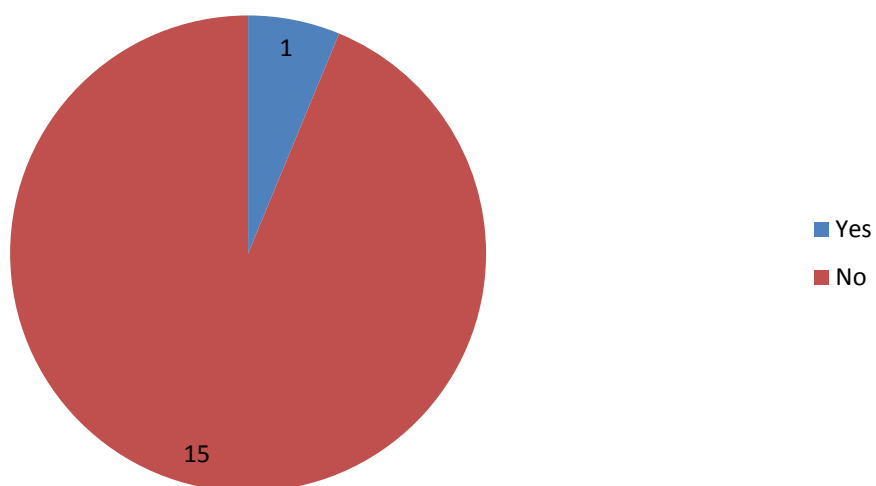
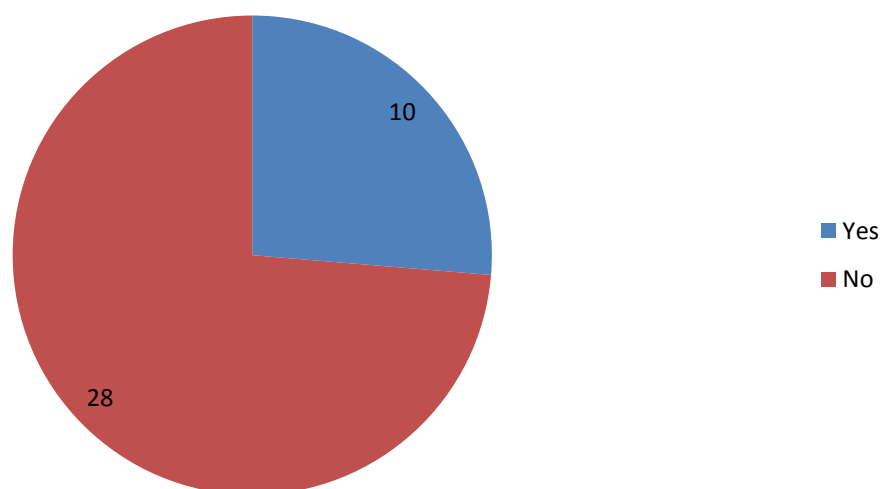
Figures A6.29- A6.30: Graphs showing results for length of visit



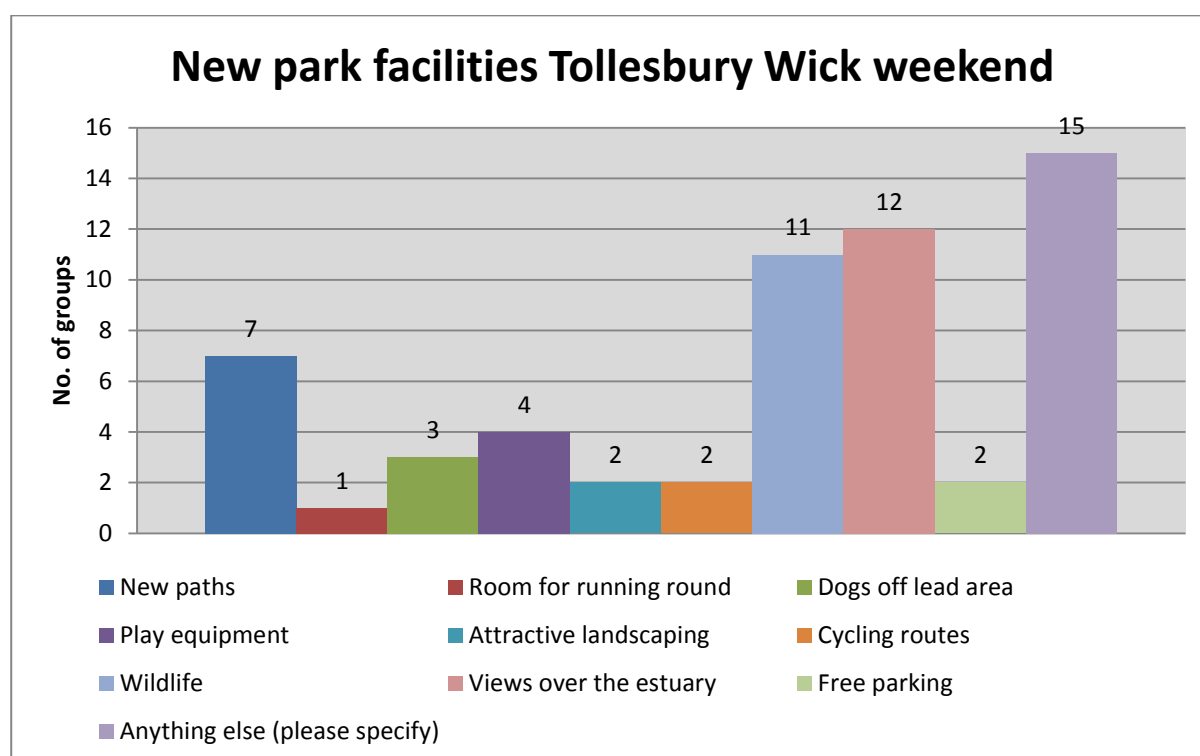
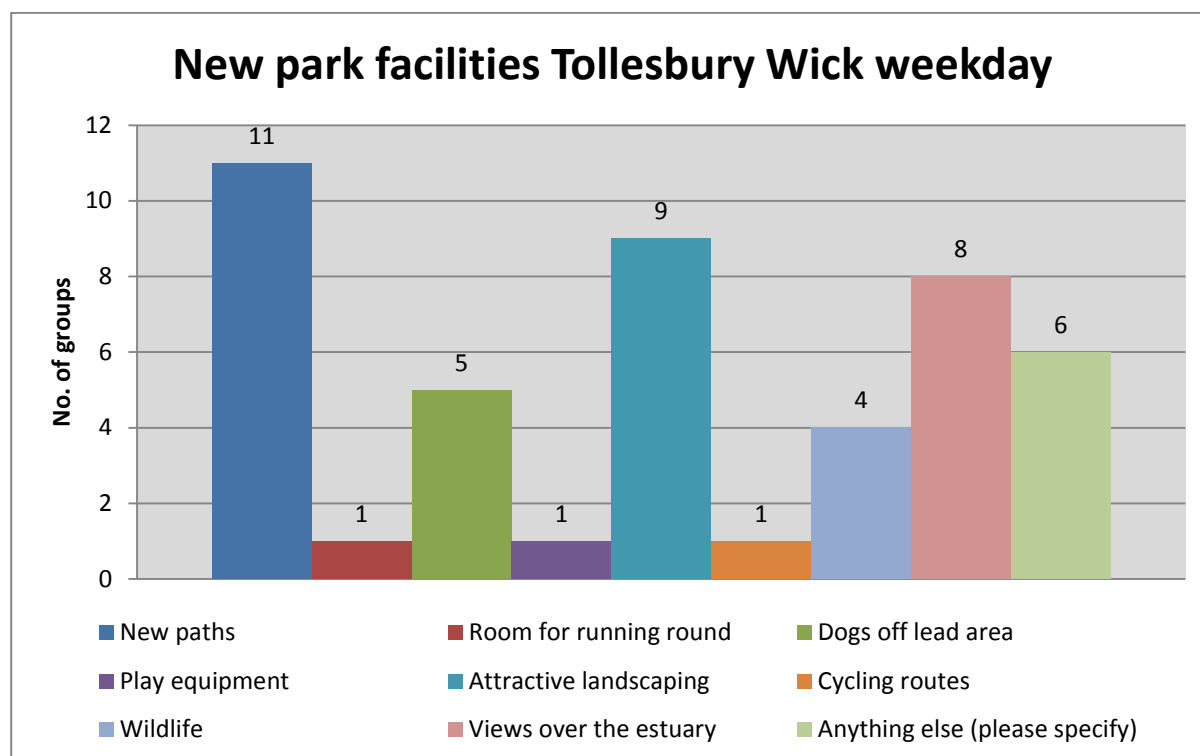
Figures A6.31- A6.32: Graphs showing results for seasonal visiting



Figures A6.33- A6.34: Graphs showing results to question 'Plan visit in relation to the tide?'

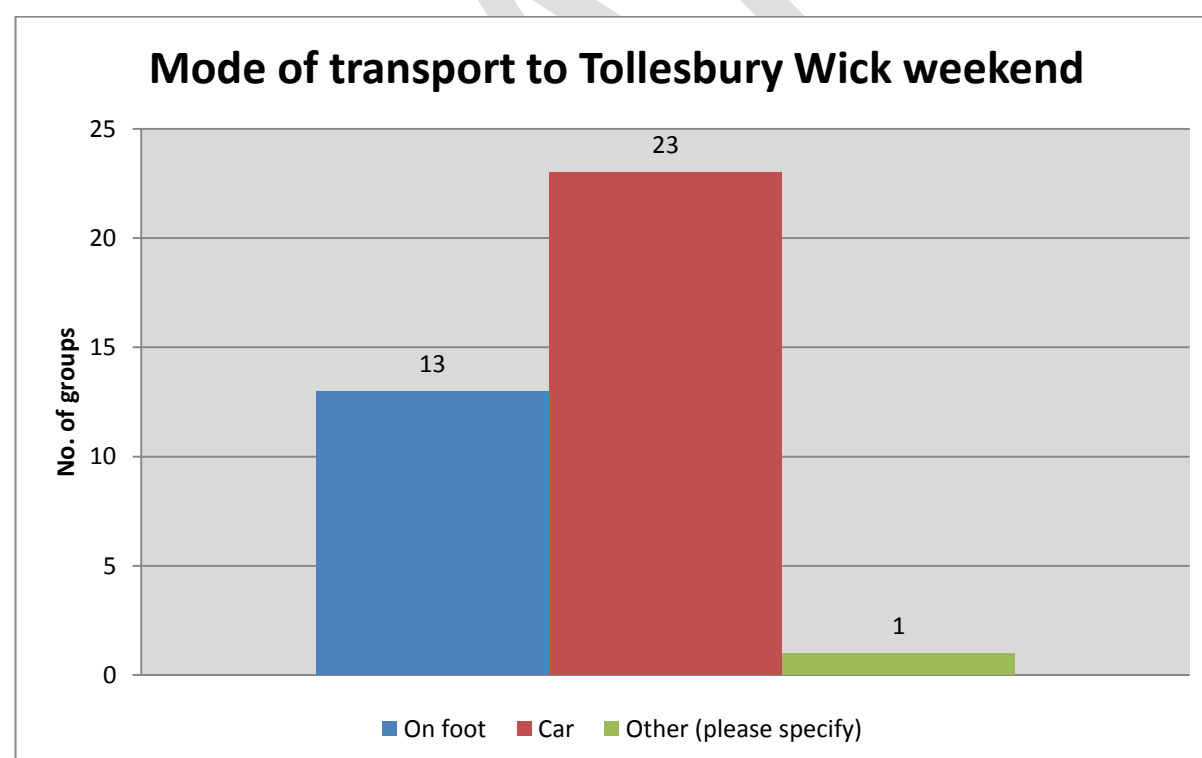
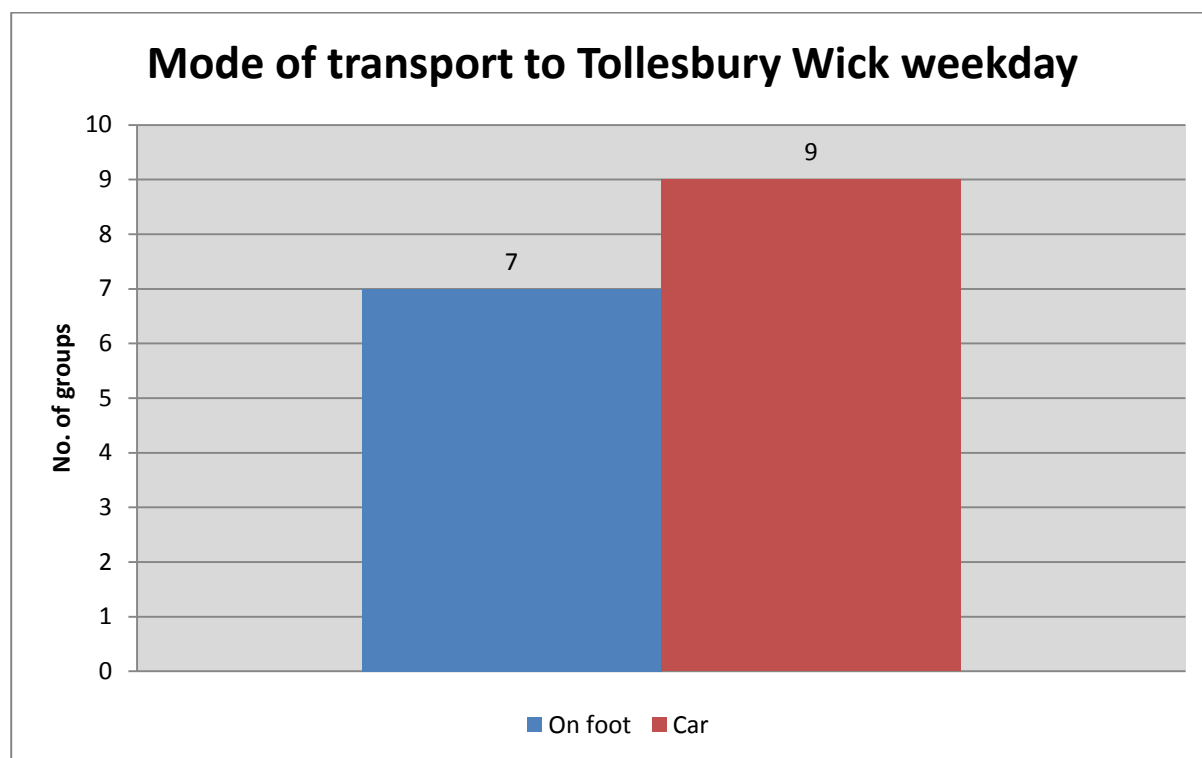
Plan weekday visit to Tollesbury Wick in relation to tide?**Plan weekend visit to Tollesbury Wick in relation to tide?**

Figures: A6.35- A6.36: Graphs showing results for new park design

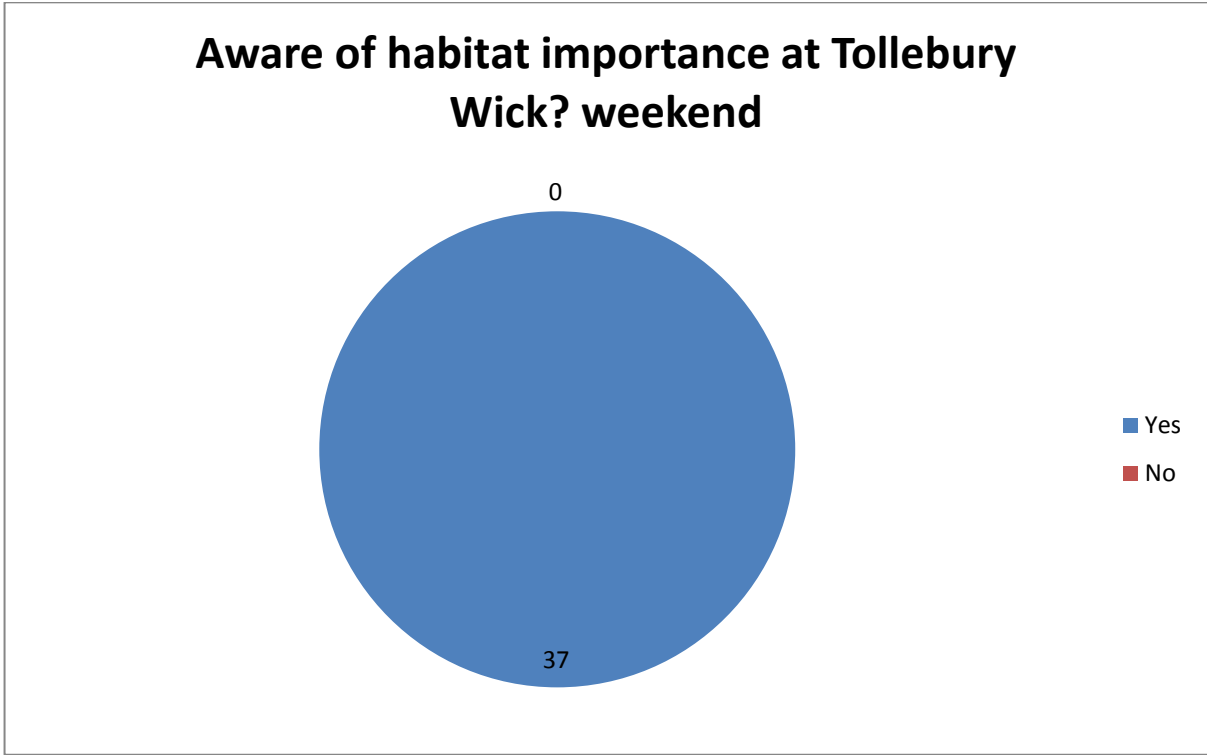
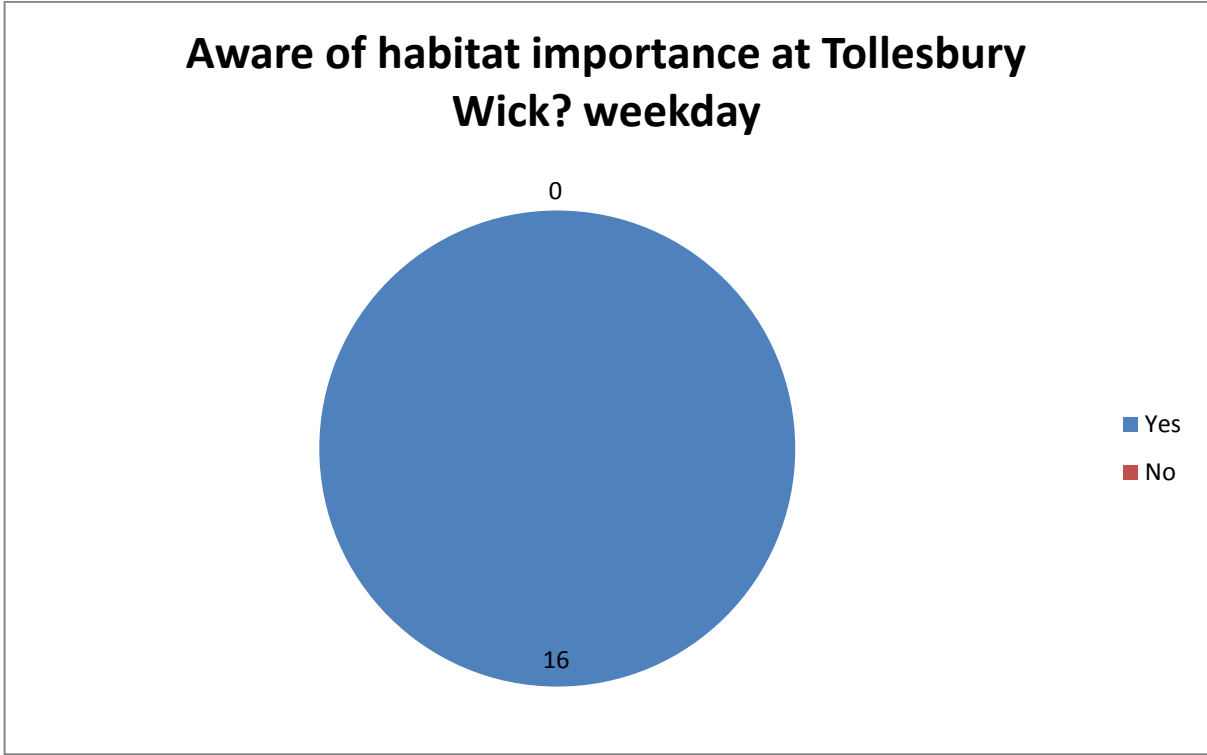




Figures A6.37- A6.38: Graphs showing results for mode of transport



Figures A6.39- A6.40: Graphs showing results for awareness of habitat importance





Appendix 7: Initial Stakeholder Workshop Results

The results of these workshops were based on individual attendee's opinions *and suggestions* rather than what mitigation measures will be implemented. A further follow up workshop and technical analysis will inform this.

Attendee List

North workshop	
Name	Organisation
Sue Hooton	Place Services
Lois Crisp	Place Services
Hamish Jackson	Place Services
Jack Haynes	Natural England (NE) – lead on RAMS project and planning team lead for Tendring Council.
Roy Read	NE - England coast path (ECP) representative
Chris Keeling	NE - responsible officer (RO) for Stour and Orwell and Blackwater Estuaries
Michael Parkin	NE - RO for the Dengie
Heather Read	NE – planning lead for Colchester, Maldon, Rochford and Southend-on-Sea councils.
Charlie Williams	NE - RO for the Colne Eaturay
Zoe Ringwood	NE - RO for Hamford Water
Gavin Rowsell	Farmer
David Eagle	Farmer
Cllr Andrew St Joseph	Maldon DC

South workshop	
Name	Organisation
Mark Summer	MOD / DIO
Jamie Melvin	NE – planning lead for Basildon, Castle Point and Thurrock councils
James Stack	QinetiQ
Charlie Williams	NE – RO for Crouch and Roach Estuaries
Phil Sturges	NE - ECP representative
Paul Woodford	Farmer
Lynne Main	Basildon Borough Council
Annie Gordon	Essex Wildlife Trust
Rachel Langley	Essex Wildlife Trust
Claire Stuckey	Chelmsford City Council
Mike Sharp	Motor Cruising Club
Steve Plumb	Thurrock Council
Mark Nowers	RSPB
Josey Travell	Southend Borough Council
Paul Jenkinson	Southend Borough Council
Jack Haynes	NE – NE lead for RAMS project
Amanda Parrott	Basildon Borough Council
Sue Hooton	Place Services
Lois Crisp	Place Services
Luke Pidgeon	Place Services
Maria Hennessy	Place Services

Shirley Anglin	Essex Highways
Mark Nowers	RSPB
Beverley McClean	Colchester BC

Comments made below may aid conclusions on what mitigations may be beneficial in certain locations but is not the sole basis for them.

Access management measures currently in place:

All Habitats sites

- Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex e.g. Maldon. Could it be possible that this data could be used to determine possible impacts? Could people counters be a viable way of determining visitor numbers to sensitive areas?
- Essex Wildlife Trust has been training volunteers (Coastal Guardians) to promote visitor awareness by talks and management of signs.

Stour and Orwell Estuaries

- There is visual screening and a bird hide on the southern shore of the estuary. This ensures that an area looks more important for over wintering birds, with the aim of causing a better public attitude on how the area is used.

Hamford Water

- Bramble Island has no access and is a quiet area as it is a known area for sensitive wintering and breeding birds.

Blackwater Estuary

- Old Hall Marshes has a Little Tern colony but is managed by restricted access by boat in the summer.

Dengie

- Not so much a mitigation measure but as access to the coast in the south-east Dengie area is poor it means that it is isolated and quiet with only occasional dog walkers, anglers and birdwatchers.

Crouch and Roach Estuaries

- Chelmsford Parks such as Fenn washland and Saltcoats Park are alleviating pressures on Habitats sites. These provide good facilities such as dog walking, car parking, sports facilities, good access points and no access to the sea wall.
- Currently there is signage on the sea walls and public rights of way (PROW).

Foulness Estuary

- Currently 31 SSSI areas that are not touched, so will cause little disturbance.
- There is no public access at MD land in Shoebury, and roughly 3km east of Sutton has no public access to the coastline.



- Foulness Island is roughly 8km long, if a ZOI of 13km was imposed this would mean little contributions from developers as there is little to no residential development on the MOD land.

Thames Estuary and Marshes

- Thameside Nature Park is set to extend further.
- East Tilbury Quarry is anticipated to restore biodiversity and provide recreational facilities/areas away from the coast.
- Lower Thames Crossing and adjacent Nationally Significant Infrastructure Projects (NSIPS) could close the most southerly part of the coast for a few years. This will encourage more people north from Coalhouse Fort to Thameside Nature Park or other areas that may not be on the coast.

Potential mitigation solutions:

All Habitats sites

- Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex e.g. Maldon. Could it be possible that this data could be used to determine possible impacts? Could people counters be a viable way of determining visitor numbers to sensitive areas?
- Essex Wildlife Trust has been training volunteers (Coastal Guardians) to promote visitor awareness by talks and management of signs.

Stour and Orwell Estuaries

- Saltmarsh is driven over and trampled at Jacques Bay (accessed via Shove Lane, Bradfield), possible reduction in access to avoid habitat erosion.
- Water skiing is common and speed limits are not kept to at Jacques Bay. This should be enforced to reduce disturbance.
- Unauthorised access along sea wall in front of screen should be managed; this could be through better screening or wardening.
- There are bait diggers at Jacques Bay which should be made seasonal and have location restrictions.
- Access along outer edge of saltmarsh to high tide roosts at Wall Lane causes disturbance as well as recreational water craft particularly kayakers and paddle boarders. Access and locations of activities should be restricted.
- There is easy access to the foreshore at Mistley Walls which impacts the birds that sit close to the path. Possibly reduce the ease of access or divert access point elsewhere.

Hamford Water

- Enforcement should be made to unauthorised quadbikes and motorbikes.
- A bridle path should be created at the western side of Hamford Water, this will draw horses away from the seawalls and give landowners income stream through stabling and grazing.
- Create shorter circular paths off coastal path with particular access from car parks.
- Promote alternative sites for wind surfers and canoeists away from The Naze such as St. Osyth Lake/Jaywick/end of Clacton beach.
- The Naze should have seasonal access rather than 365 day access.
- A main car park on public open space away from The Naze may encourage people to walk their dogs there instead of sensitive areas.
- Need to engage with developers especially national/big developers to see conservation areas as an attraction for selling houses and developers taking responsibility for conservation management.
- Post Brexit; bring access habitat management into subsidy schemes for farmers.
- Consider ideas for the environment bank.
- Walking on the saltmarsh is disturbing birds on the south easterly side of Hamford Water.

Colne Estuary

- Habitat creation is needed bringing birds away from the coast.
- Keep shingle recharge out of spreading room at all times.
- Strandline/sand/shingle vegetation along the south side of Mersea and Cudmore Grove is currently being damaged by trampling and fires, mitigation is required to reduce impact. Current access levels at Cudmore Grove already cause some damage to vegetation and reducing breeding success for ringed plover.
- Power gliders currently take off from a field in Mersea which affects a large area, these occasionally fly low and fly over the Colne and Blackwater SPAs.
- Jet skis and canoes disturbing wader high tide roosts in main channel of the Colne Estuary and Strood Channel.
- Breeding ringed Plover and potentially Little Tern are heavily disturbed by the ferry passenger route from Mersea to Brightlingsea.
- Colne Point is by far the most important area for sand/shingle veg and breeding ringed plover so should be protected. Saltmarsh is vulnerable to increased visitor pressure from the Essex Wildlife Trust (EWT) and National Nature Reserve (NNR).
- Natwurst beach - dune vegetation badly damaged in places.
- The poplar beach by Point Clear commonly has kiteboarding which is disturbing terns and ringed plovers.
- The new play area at Cudmore Grove has increased visitor numbers significantly and in turn increased recreational disturbance, possibly look at



ways of reducing numbers by creating large, high quality play areas away from the coast.

Blackwater Estuary

- Maldon DC jet ski patrols should be supported.
- Keep Northey Island free of spreading room.
- Goldhanger had a former Little Tern colony.
- East Osea is a very popular picnic area which is un-authorised.
- Flying paramotors at Tollesbury.
- Keep shingle spit free from public access at Tollesbury Wick.

Dengie

- Canoeists disturb high tide roosts on the River Blackwater.
- There is often illegal off-roading of motorcycles and quadbikes on the seawalls and saltmarsh beach by Bradwell PowerStation.
- The north east Dengie area is too disturbed for high tide roosts.
- Othona Community and St Peters Church area is known to have walkers cross the saltmarshes in all directions.

Crouch and Roach Estuaries

- Use the foreshore department to enforce byelaws and speed limits for water sports such as jet skis. If this is an option journey times to the coast will need to be considered.
- Encourage more people to use Chelmsford Parks for their recreational activities.
- Increase signage to inform the public.

Foulness Estuary

- Currently there is access to jet skis in the north of Shoebury, this causes disturbance. Possible restrictions to be put in place.

Southend and Benfleet Marshes

- Jet skiers and kite surfers north of Gunners Park are supposed to be ¼ mile out of coast but it is common that they are not. Enforcement should be considered to ensure they stay within their boundary.

Appendix 8: Baseline Visitor Survey Data

Basildon

Basildon Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Braintree

Braintree District Council has funded visitor survey data to support North Essex Shared Section 1 Local Plan. Braintree contributed to a plan level Habitats Regulation Assessment in spring 2013 for the shared local plan, containing relevant survey data for many of the Habitats sites across Essex.

Additionally Braintree has s106 money available to fund further visitor surveys as required by several project level HRAs for developments within easy travelling distance of the coast (Place Services, 2017); however, details for these surveys are currently unknown.

Brentwood

Brentwood Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Castle Point

Castle Point Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

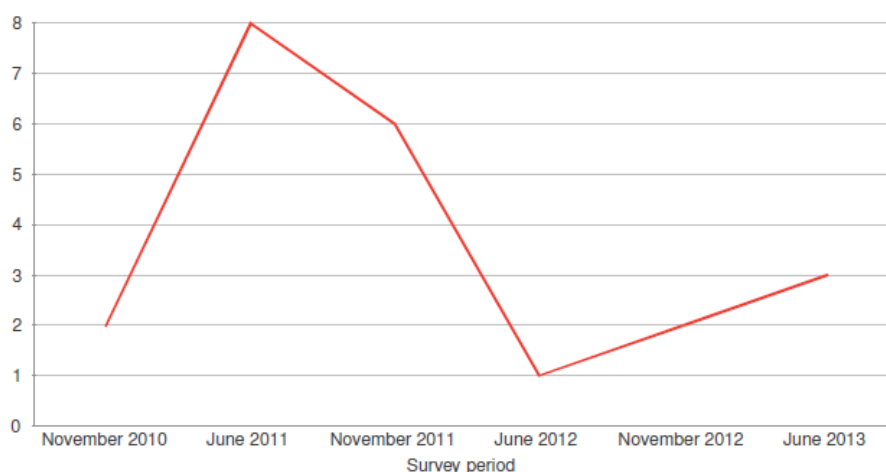
Chelmsford

Chelmsford City Council do not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Colchester

Colchester Borough Council has provided visitor survey data to support North Essex Shared Section 1 Local Plan. Colchester produced a plan level Habitats Regulation Assessment in Spring 2013 for the shared local plan, containing relevant survey data for many of the sites across Essex.

Visitors to Old Hall Marshes

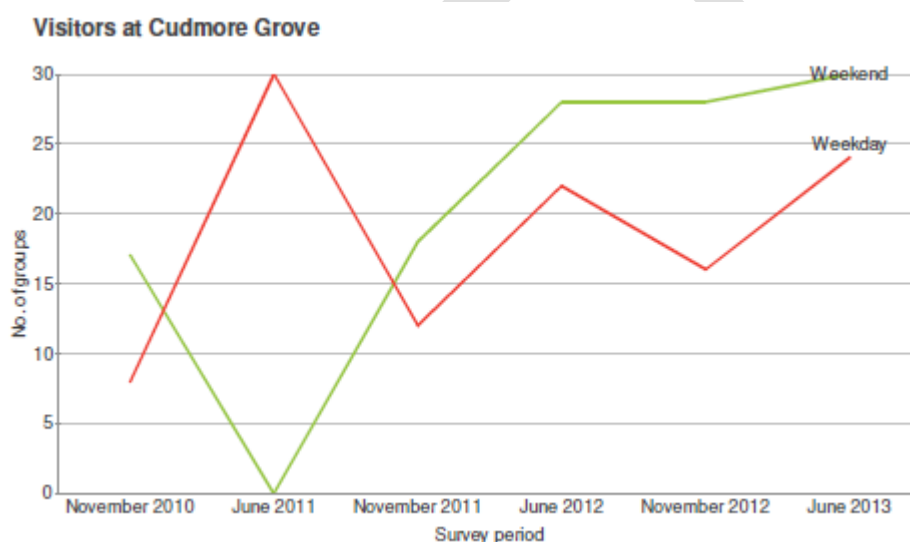




Counts Respondents	Total	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Base	56	12	9	16	5	4	10
SSSI Unit							
Strood Channel	56	12	9	16	5	4	10

Counts Respondents	Base	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Total	310	32	31	54	65	74	54
Weekday or weekend							
Weekday	142	14	15	28	24	25	36
Weekend	168	18	16	26	41	49	18

Table 15. Number of visitors at Brightlingsea Marshes over the three year survey period.



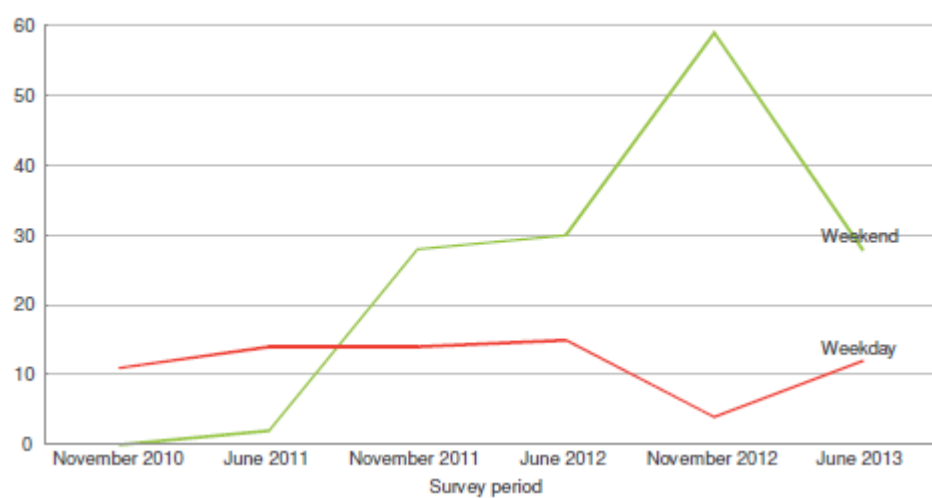
Counts Respondents	Base	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Total	35	6	2	7	4	6	10
SSSI Unit							
Kirby Quay	35	6	2	7	4	6	10

Table 17. Number of visitors at Kirby Quay over the three year survey period.

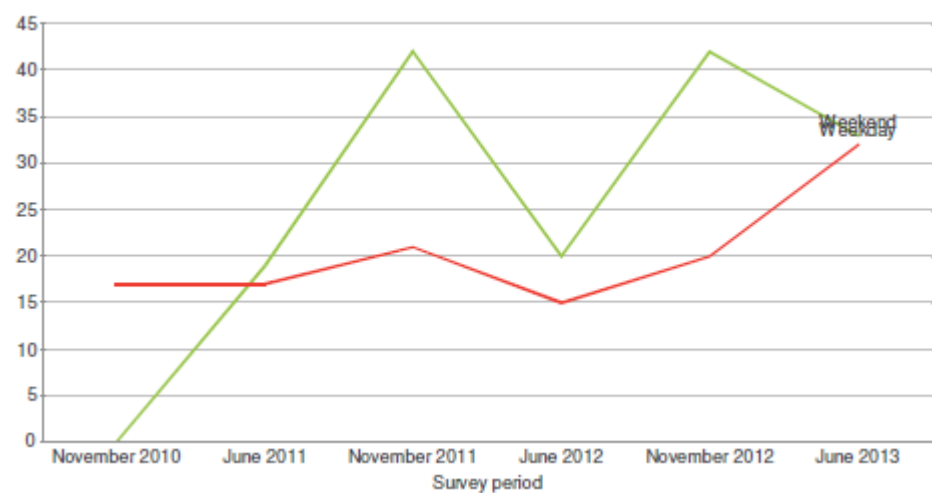
Number of visitors at Walton-on-the-Naze



Visitors at the Stour Estuary



Number of visitors at The Walls





Maldon

Maldon District Council currently has visitor survey data for the Habitats sites

Rochford

Rochford District Council currently has a visitor survey undertaken by the RSPB recording visitor numbers to Wallasea Island.

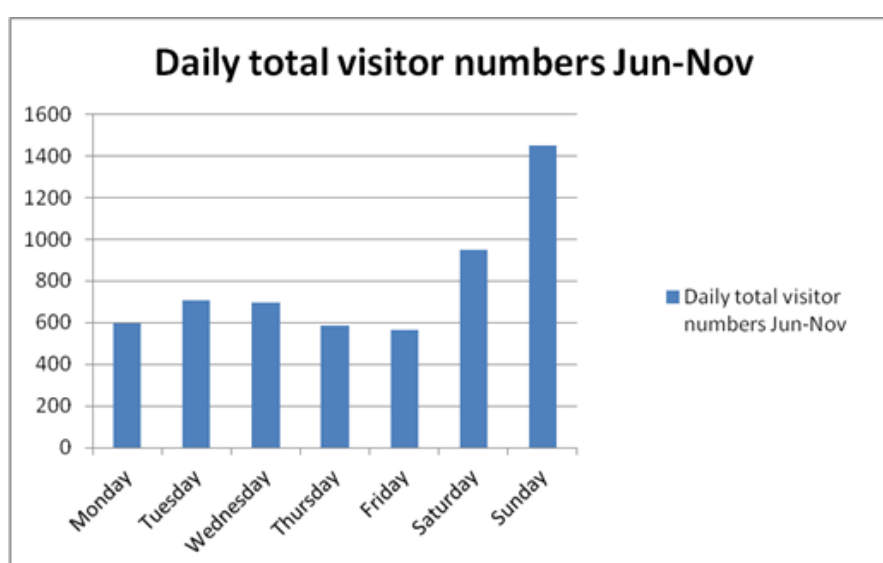
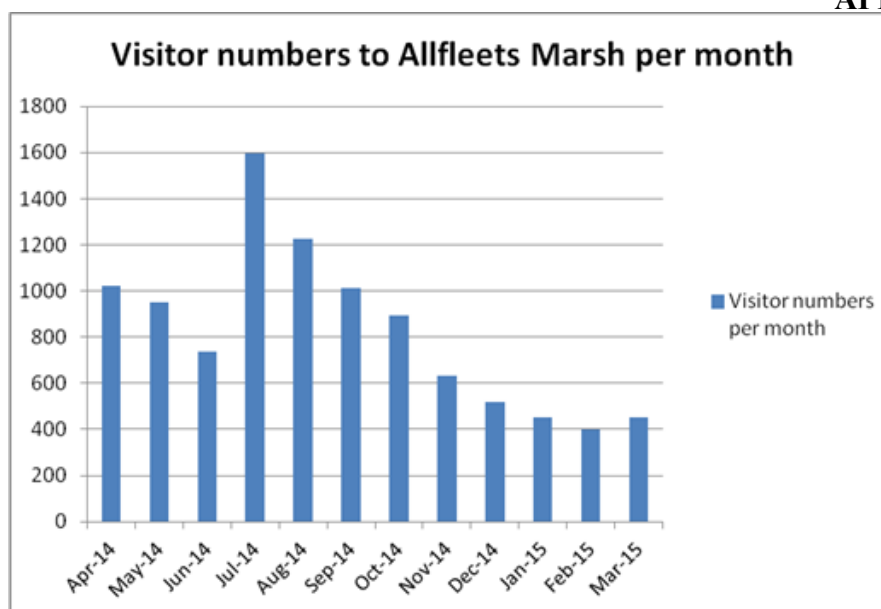
There is visitor number information available for the period 2008-2017 as shown in the tables below.

Table A8.1: Visitor numbers for 2017, including car counter

Date	Visits to seawall	No. of cars
Apr 17	1882	
May 17	1631	
Jun 17	1410	
Jul 17	1617	1442
Aug 17	1824	1720
Sep 17	1359	1239

Table A8.2: Total visitor numbers for period 2008-2016

Year	No. of visits
2008/09	3619
2009/10	4722
2010/11	5200
2011/12	7208
2012/13	7334
2013/14	7270
2014/15	9893
2015/16	11682



Southend-on-Sea

Southend-on-Sea Borough Council has data from visitor surveys undertaken on the main high street although as this location is not in the Natura 2000 site; it is not comparable data for the RAMS. Southend Borough attracts roughly 6 million visitors per annum and because of this, survey data for any area of the Borough is useful in determining impacts upon the natural and built environment, including the Habitats sites.

Table A8.3: Reasons for visiting in March and May (2013)

Reason for Visit	Wed 23 Mar	Fri 25 Mar	Sat 26 Mar	Mon 30 May	Total	%
Work	49	25	19	61	154	18%
Education	44	1	1	6	52	6%
Shopping	64	56	61	49	230	27%
Business	9	3	1	5	18	2%
Leisure	53	86	66	114	319	38%
Night Clubs	2	5	1	0	8	1%
Seafront/Amusements	3	11	5	23	42	5%
Other	12	7	5	2	26	3%
<i>Total</i>	236	194	159	260	849	



The questions were in regard to reasons for visiting. The data provides an insight into visitor habits.

Tendring

Tendring District Council has provided visitor survey data for the Habitats sites to support North Essex Shared Section 1 Local Plan and contributed to a plan level Habitats Regulation Assessment in Spring 2013 for the shared local plan, containing relevant survey data for many of the sites across.

Thurrock

Thurrock Borough Council currently has visitor survey data for the Habitats sites, produced by Essex Wildlife Trust and Coalhouse Fort.

Additionally, Thurrock has s106 money available to fund further surveys within the Thames Estuary SPA area however details for these surveys are currently unknown.

Essex County Council

In 2013 Place Services produced a project level Habitats Regulations Assessment Screening Report on behalf of ECC for Thames Estuary Pathways project. This document contained relevant visitor information for the Thames Estuary Pathways between Tilbury to Leigh-on-Sea.

Table A8.4: Estimated future use of Thames Pathways (2013)

Section	Mean number of path users per day	Winter path users per day	Estimated future mean number of path users per day	Estimated future mean number of winter path users per day
Tilbury to East Tilbury	50.9	15.3	76	22.8
East Tilbury to Stanford Le Hope	28.8	8.6	58	17.4
Stanford Le Hope to Pitsea	13.7	4.1	28	8.4
Pitsea to Benfleet	14.7	4.4	30	9
Benfleet to Leigh-on-Sea	354	106	443	132.9

Appendix 9: Survey postcode data and methodology

Surveyors asked visitors to the coast for their home town postcode data or location in order to calculate the distances travelled. Where a town eg Colchester was given, the distance was generated from this information. The Zones of Influence distances are based on the 75th percentile of postcode data (i.e. the distance where the closest 75% of visitors come from) taken from all surveys undertaken for each Habitats site (winter or winter/summer surveys depending on designation features).

This method was used for a number of strategic mitigation schemes nationally and is considered by Natural England to be best practice.

The tables below include the postcode data provided for all of the visitor surveys undertaken for this project.



Colne Estuary															
Location	co58ue	co58uw	co58uw	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	
Location	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Location	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Location	co7	co7	co7	co58tn	co79jh	co79bb	co79nu	co58dz	co79ra	co79fe	co58hl	co79ld	co79tb	co58gg	co58rd
Distance	0.4	0.4	0.4	0.6	0.9	0.9	0.9	1	1	1	1.1	1.1	1.1	1.2	1.6
Location	co58pr	co78ae	co79qg	co58qh	CO58NA	co20jn	co20ju	co43nb	co12bn	co4	co4	co4	co4	co29dr	co27hw
Distance	1.6	1.6	1.8	2.3	2.5	4.3	4.6	5.5	5.6	6	6	6	6	6.7	6.7
Location	co33ea	co33ng	colchester	co1	co1	co1	co33uz	co33qp	co34jg	co30rn	co30hp	co3	co3	co3	co3
Distance	6.7	7.1	7.3	7.4	7.4	7.4	7.5	7.7	8.6	9.2	9.7	9.7	9.7	9.7	9.7
Location	co3	co63ef	co5	c05	co5	co5	co5	co5	co5	co5	co5	co5	co61ls	co13	co50pn
Distance	9.7	10.6	11	11	11	11	11	11	11	11	11	11	12.4	12.4	12.5

nce															
Locati on	co6	co62 dx	co61qz	witha m	cm34 qu	cm79 ua	cm7 9at	cm77 7ux	co93 ps	cm16 qz	cm7 4ra	cm24 8hp	da28 eb	en87he	en14j d
Dista nce	15	16.1	17.4	19.2	24.1	24.7	26	27.1	28.7	29.4	36	50.8	61.8	66.3	69.4
Locati on	n16														
Dista nce	73.9														



Crouch and Roach Estuaries															
Postcode	cm08as	cm08hw	cm08rp	cm08rp	cm08bd	cm08hw	cm08jb	cm08js	cm36dq	cm08as	cm08ha	cm08ll	cm08ja	cm36ls	cm36lu
Distance	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2
Postcode	north fambridge	north fambridge	cm36lu	north fambridge	north fambridge	north fambridge	north fambridge	north fambridge	cm08hb	cm08la	cm08jg	cm08jy	cm08hq	cm08la	cm36lt
Distance	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Postcode	cm08er	cm08ld	cm36lz	cm36lz	cm36lz	cm08sz	cm08dy	cm08dx	cm08dx	cm08ed	cm08hf	cm08hd	cm08es	burnham	burnham
Distance	0.4	0.4	0.4	0.4	0.4	0.5	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	burnham	burnham	cm36nf	cm36nf	cm08eh	cm08en	cm08bq	cm08ds	cm08bq	cm08ex	cm08sn	cm08bq	cm08dr	cm08rl	cm08dl
Distance	0.6	0.6	0.6	0.6	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.8	0.8	0.9
Postcode	cm08dn	cm08bw	cm08tr	cm08dq	cm08tt	cm08tf	cm08dd	cm08tx	cm36dt	cm08db	cm08tw	cm08ql	ss5	cm36je	cm36hp
Distance	0.9	0.9	1	1	1.1	1.1	1.1	1.2	1.2	1.2	2	2	2.3	2.4	2.6
Postcode	cm36bl	cm36jg	ss69ut	cm07bt	cm36jf	ss118rb	cm07bg	cm36px	cm07rx	cm07ap	cm36tw	cm0	cm0	cm0	cm0
Distance	2.7	2.7	2.8	3	3	3.1	3.5	3.9	4	4	4.1	4.2	4.2	4.2	4.2
Postcode	cm0	cm0	cm0	cm0	cm0	cm0	cm0	cm0	cm07al	cm38dg	cm07dj	cm07dg	ss68py	cm36ap	ss129ea
Distance	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.3	4.4	4.5	4.7	4.8	4.9
Postcode	cm34hp	cm36te	cm07rt	ss95bs	ss9	cm112uh	cm96ad	cm07pa	cm112ld	cm9	billerica	cm28by	cm120hr	cm129pn	ss156jz
Distance	5.1	5.3	5.5	6.2	6.4	8.9	9	9.2	10.1	10.5	11.2	11.7	11.8	12.2	13.1
Postcode	ss178er	cm40de	cm4	ss178en	cm8	cm3	cm3	cm82xe	cm31rs	rm162tj	rm176dn	rm113nn	cm79ll	se167dr	n41ay
Distance	14.7	14.7	14.7	14.7	16.8	17.9	17.9	18.1	21.1	23	23.7	25.1	26.5	45.5	47.5
Postcode	gu272jw	ireland													
Distance	108	501.8													

Dengie

Postcode	orthona	orthorna	cm07pp	cm07pp	cm07qh	cm07px	cm07q	cm07px	bate dudley	brad well	bradwel l	bradwell	tillingha m
Distance	0.1	0.1	1.6	1.6	1.9	2	2	2	2.1	3.3	3.3	3.3	3.6
Postcode	tillingha m	cm07hs	tillingha m	cm07tw	asdeld ham centre	cm07gr	cm07n p	burnh am	burnha m	burnh am	burnha m	southmi nster	southmi nster
Distance	3.6	3.7	3.9	4	5	5.5	5.8	7	7	7	7	7.1	7.1
Postcode	southmi nster	southmi nster	southmi nster	cm0	cm0	cm0	steeple	mayl and	althorn e	cm36 et	maylan dsea	heybridg e	cm9
Distance	7.1	7.1	7.1	7.2	7.2	7.2	9	11	11	11.8	12	14	14.3
Postcode	cm9	latchingt on	maldon	mald on	colche ster	ss12 ey	southe nd	cold norto n	hockley	cm8	ss9	south woodha m ferrers	cm7
Distance	14.3	14.5	15.6	15.6	16.5	16.5	16.7	17.6	18.1	18.8	20.2	20.8	27.1



Postcode	cm16nn	wickford	wickford	cm1	chelmsford	cm77	cm13ea	ss177nr	cm31ln	shenfield	ct13	ilford	ip139hn
Distance	27.1	27.3	27.3	29.1	30	30	32.1	33.6	34.3	41	48.5	58.6	59.3
Postcode	london	london	ip199lp	ha4	hp5	ng237nj	cirencester	de222g	cornwall				
Distance	73.6	73.6	77.5	92.1	104.2	192.7	200	211.1	415				

Benfleet and Southend Marshes

Postcode	ss12yt	ss91ea	ss08jj	ss07rl	chalkwell	chalkwell	chalkwell	ss91ed	chalkwell	chalkwell	westcliff	westcliff
Distance	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2
Postcode	ss08ht	westcliff	ss91dr	ss92dj	ss91as	ss92dg	ss08pu	ss91hb	westcliff	westcliff	westcliff	ss91as
Distance	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2

n												
Postcode	gunners prk	ss39ez	ss91ad	ss9 1ad	ss12xa	ss39hl	ss39ls	ss13nj	ss0 7nn	ss9 2ht	ss9 2ax	ss9 2nq
Distance	0.3	0.3	0.3	0.3	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Postcode	ss9 2ax	ss0 7nn	ss39jw	ss39fw	ss92au	ss9 1rp	ss0 8pj	ss39by	leigh	leigh	leigh	leigh
Distance	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	legh	leigh	leigh	leigh	leigh	leigh	leigh	leigh
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	leigh	leigh	legh	leigh	leigh	leigh	leigh	leigh
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	ss9 1ra	ss9 1sq
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	ss9 1rd	leigh	leigh	thorpe bay	thorpe bay	thorpe bay stn	thorpe bay	thorpe bay	thorpe bay	thprpe bay	ss13le	ss13nb
Distance	0.6	0.6	0.6	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Postcode	ss39ja	thorpe bay	ss9 1qx	ss9 2al	ss9 2an	ss9 2an	ss9 1qx	woodgr ange drive	ss9 1nj	ss12ub	ss39lz	ss89rd
Distance	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.8	0.8	0.8	0.8	0.8
Postcode	ss91ju	ss39qf	ss9	ss9 1st	ss39le	ss13je	ss12xw	ss9	ss9	ss9	ss9	ss9



ode			1nw									
Distance	0.8	0.8	0.8	0.8	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Postcode	ss9	ss9	ss9	ss9	ss13eh	ss12uf	southchurch	ss08ah	southchurch	ss9 2ta	thorpedean	ss24jp
Distance	0.9	0.9	0.9	0.9	1	1	1	1	1	1	1.1	1.1
Postcode	ss39wb	ss39wb	ss39gb	ss39la	garrison estate	garrison estate	garrison estate	garrison estate	ss07aq	ss9 3pn	ss9 2qp	ss13pp
Distance	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.2
Postcode	ss25az	ss93pj	ss93ea	ss71pg	ss9 3ea	SS9 3EJ	ss09dd	ss09dd	ss13sr	ss0 7bb	ss3 9pe	ss93db
Distance	1.2	1.2	1.2	1.2	1.2	1.2	1.3	1.3	1.3	1.3	1.4	1.4
Postcode	ss13qp	ss38ag	ss24np	ss39ap	ss93be	ss93fa	ss93dx	SS0 9RD	souyehend	ss25dh	ss13pu	ss24ht
Distance	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.5	1.5	1.5	1.5
Postcode	ss24nf	southern d	southern d	southern d	westliff southern border	southern d	ss39sg	ss24hp	hadleigh	hadleigh	hadleigh	shoebury ness
Distance	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.6	1.7
Postcode	shoebury	shoebury	shoebury	shoebury	ss25lu	hadleigh	ss0	hadleigh	ss0	ss0	shoebury rd	ss24rs
Distance	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.8	1.8

Postcode	ss9 4je	ss2 4dl	ss13nz	ss8 0qf	ss71hg	ss38bh	ss7 5eh	ss38xp	ss24rd	ss9 3tu	ss38yh	ss39yy
Distance	1.8	1.8	1.9	1.9	2	2	2	2.1	2.1	2.1	2.2	2.3
Postcode	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	ss7	ss24ay
Distance	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.4	2.4
Postcode	ss00pz	ss7	ss0 0py	ss9 4tj	thundersley	thundersley	ss7 2uh	ss75st	eastwood	eastwood	eastwood	ss3 0at
Distance	2.4	2.4	2.4	2.7	3.1	3.1	3.1	3.2	3.4	3.4	3.4	3.6
Postcode	ss30wl	ss30dx	ss9 5qx	ss9 5as	gt wakerin g	wakerin g	wakerin g	gt wakerin g	wakerin g	wakerin g	ss30rh	great wakerin g
Distance	3.7	3.7	3.7	3.8	4	4	4	4	4	4	4	4
Postcode	great wakerin g	littl wakerin g	ss3	ss30jn	ss74sb	ss6	ss6 8rb	rayleigh	rayleigh	raighle y	raighlei gh	rochford
Distance	4	4.1	4.1	4.3	4.5	4.9	5	5.1	5.1	5.1	5.1	5.3
Postcode	ss30ls	rochford	rochford	ss41n q	ss13 1hz	ss13 1pp	ss54pu	ss54px	ss13 1ph	hockle y	ss5	ss5
Distance	5.3	5.3	5.3	5.7	5.9	6.5	6.6	6.6	6.7	6.8	6.9	6.9
Postcode	ss54sj	ss43bj	ss5 4xd	ss141r p	basildon	basildon	basildon	basildon	ss55al	ss120n z	ashingd on	wickford
Distance	7	7	7.2	7.4	7.4	7.4	7.4	7.4	7.5	8.1	8.7	8.8



Postcode	ss14	ss14 2bd	ss154a h	ss178 nr	ramsden heath	east tilbury	east tilbury	orsett	orsett	cm120 nb	cm3 6ql	rm175rp
Distance	8.8	9.1	11.8	12.3	12.8	12.9	12.9	14.7	14.7	15.6	16.3	18.3
Postcode	grays	cm4 0ad	brentwood	CM2	cm13bj	upminster	upminster	upminster	chelmsford	chelmsford	hornchurch	hornchurch
Distance	18.7	19.9	20.7	22.2	22.6	22.8	22.8	22.8	23	23	24.9	24.9
Postcode	rm30ww	rm2 5bu	dartford	romford	romford	east london	cm73dp	cm7 9ax	cm19 4eh	n8	north london	north london
Distance	25.1	26.7	27	27.9	27.9	36.1	37.8	38.6	42.5	47.5	47.7	47.7
Postcode	N1	london	west london	cambridge	gu12 6rb	buckingham	norfolk	sheffield	ng60ar	devon	yorkshire	glasgow
Distance	48.1	49	62.6	80.3	96.2	119.4	126.2	247.5	247.6	321	329	577

Thames Estuary and Marshes

Postcode	ss170eg	rm188pb	east til	east tilbury	east tilbury	east tilbury	ss17	ss17	ss17	ss17	ss17
Distance	0.6	0.7	1	1	1	1	1.5	1.5	1.5	1.5	1.5
Postcode	ss17	station rd	corringham	corringham	ss170nz	linford	linford	linford	linford	linford	ss177rg
Distance	1.5	1.6	1.7	1.7	1.7	2	2	2	2	2	2
Postcode	stanford	stanford	stanford	stanford	stanford	stanford,horndon	stanford le hope	stanford	stanford	stanford	stanford

APPENDIX A

Distance	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2
Postcode	stanford le hope	stanford le hope	stanford	stanford	ss178qr	ss179el	ss178ph	horndon	rm18 8dj	rm188dx	chadwell
Distance	2.2	2.2	2.2	2.2	2.5	2.6	3.2	3.5	4	4.4	4.8
Postcode	tilbury	tilbury	tilbury	tilbury	rm187ah	ss16	ss14	rm175rg	rm16	laindon	basildon
Distance	4.9	4.9	4.9	4.9	5.5	6.4	7.1	7.2	7.2	7.6	8
Postcode	basildon	basildon	basildon	rm17	grays	grays	grays	grays	grays	chafford	ss7
Distance	8	8	8	8.1	8.2	8.2	8.2	8.2	8.2	8.9	9.9
Postcode	south ockendon	south ockendon	wickford	rm154bh	ss12	leigh on sea	cm133dq	hockley	ss11et	cm0	cm234es
Distance	10.1	10.1	12.3	12.4	12.6	13.5	15	16.8	17	30.6	45
Postcode	so32										
Distance	128										



Appendix 10: Follow up Stakeholder Workshop Outputs

The results of the follow up workshop will inform which mitigation measures may be effective in certain locations but is not the sole basis for them.

Essex coast RAMS Stakeholder Workshop Outputs 10:00 – 13:00 15th June – Colchester Borough Council Offices

Attendee List

Name	Organisation
Matt Wilson	Coast and countryside Manger (Maldon District Council)
Roy Read	England Coast Path representative (Natural England)
Charlie Williams	Responsible officer for Crouch and Roach (Natural England)
Leon Woodrow	Nature Conservation Officer (Tendring District Council)
Andrew St. Joseph	Maldon Councillor
Zoe Ringwood	Responsible officer for Hamford Water (Natural England)
Annie Gordon	Essex Wildlife Trust
Rachel Langley	Essex Wildlife Trust
David Piper	Blackwater Estuary Lead Ranger (National Trust)
Michael Parkin	Responsible officer for Dengie (Natural England)
Jack Haynes	Planning officer (Natural England)
Heather Read	Planning officer (Natural England)
Josey Travell	Environmental and greenspace officer (Southend Borough Council)
David Eagle	Farmer
Mark Sumner	Access and recreation advisor for Ministry of Defence
Mark Nowers	RSPB
Xavier Preston	Southend Borough Council
Shelley Blackaby	Colchester Borough Council
Karen Johnson	Maldon District Council
Sue Hooton	Place Services
Lois Crisp	Place Services
Hamish Jackson	Place Services
Luke Pidgeon	Place Services
Maria Hennessy	Place Services

Benfleet and Southend Marshes SPA and Ramsar

General Notes

- Two Tree Island, highlighted as key area of disturbance;
- Visitors are concentrated in the West (Two Tree), Centre (Golden Mile) and East (Gunnars Park). Residents are dispersed to the West and East, whereas, Tourists mainly visit the centre of the seafront;
- Thameslink pathway near Two Tree Island is heavily used (Two Tree to Hadleigh CP Loop);
- Leigh Cockle Sheds provide access to mudflats – people take their dogs.
- Bait diggers use a lot of the foreshore, can be seen travelling quite a way out.
- Staffing issues for the shoreline – on busy day's staff are focused in central Southend;
- Old Leigh has high visitor numbers;
- Two Tree Island Wildfowling – agreement is very old, made in the 1950s, wasn't aware of it until recently. Southend waiting for NE input;
- Potential to expand Belhus/Hadleigh Country Park? ;
- The England Coast Path is planned to run along the entire length of the coastline in Southend-on-Sea; and
- There is access by foot onto Canvey Point.

Table A10.1: Mitigation ideas

Location	Mitigation option	Notes
Two Tree Island	Employ new rangers to monitor the site.	Two Tree Island is currently heavily utilised during the busier tourist periods mainly by local residents.
	Habitat regeneration	Paths on the island are currently inadequate, and there are currently many wander lines.
	Implement information boards	The area features habitats which could be seen as unimportant due to their appearance. Inform visitors of the mudflat importance.
	Install buoy markers off of Two Tree Island	Paddle-boarders and Kayakers have the potential to disturb habitats at Two Tree as there is no designation in place.
	Interchangeable car park size	Car park is currently used for car meets, install barriers to prevent misuse of the car park.
Gunnars Park	Provide alternate green space	Southend currently has very little open green space. Provide green space elsewhere, it doesn't



		necessarily have to be a large area.
	Control dog walking in the area more	Despite the MOD designation on the foreshore, dog walkers are still accessing the area.
General	Mitigate disturbance	Employ rangers for the seafront who have the ability to enforce/influence.
	Potentially use County Council land for alternate green space use	The County Council may have land which is suitable for alternative green space to be provided eg former landfill sites.

Crouch and Roach Estuaries SPA and Ramsar

General Notes

- Referring to Burnham-on-Crouch – honey pot site, mostly seaward of coast;
- Referring to Paglesham/East End – Encouraging canoe trips? ;
- Referring East of North Fambridge – Wildfowling;
- Referring to both the rivers Crouch and Roach – Sailing and powerboats currently travelling into creeks, in turn disturbing birds;
- Referring to North Fambridge Marina – new ferry proposed which would travel from north to south of the river; and
- Oyster shell recharge projects are being undertaken to help create habitats for Little Terns.

Table A10.2: Mitigation ideas

Location	Mitigation option	Notes
West of Pottton Island	Monitor the permitted use of narrow channels.	Narrow channels with wide areas of mud, boats and water activity cause bird disturbance.

Colne Estuary SPA and Ramsar

General Notes

- Referring to eastern side of Tollesbury Wick – picnicking and swimming popular at spit, potentially little terns nesting at this point, also lots of boating activity;
- Referring to eastern side of Old Hall Marshes – potential little tern nesting site;
- Referring to north-west Mersea Island – Water skiing and canoeing all year;
- Referring to south-west of Seawick – high level of beach activity because of caravan parks;

- Referring to stretch of coast northwards of Brightlingsea – Popular walking route;
- Ray Island has many walkers on Bonner Saltings to the island and boat landing mainly in the summer. The no landing signs that are currently there appear to be ineffective. More recently no access signs, new gates and fence have been implemented onto the landward access through Bonner Saltings; and
- Jet skis at Fingringhoe Wick NR, Geedon Bay and Saltmarsh commonly do not follow the 8 knot speed restriction in that area, ultimately the wash created from the jet skis causing an erosional effect on the saltmarsh.

Table A10.3: Mitigation ideas

Location	Mitigation option	Notes
Strood Channel	Communicate with user group to explain impacts. Provide guided walks and talks.	Canoeing up the channel at high tide
Colne Point	Rangers should identify Little Terns and fence off sites.	A range of measures are needed. Disturbance is adversely affecting birds – Ringed Plover and Little Tern.
	Caravan sites should be educated to understand importance of the spit as a habitat for birds	
	Restrict access at certain times of year to prevent disturbance.	
Eastern side of Tollesbury Wick	Fencing off nesting sites	Little Terns are known to nest at Tollesbury Wick, fencing to prevent access and mitigate disturbance.
South east of Wivenhoe	Managed realignment	Currently heavy disturbance for Little Terns, managed realignment has solved cases like this in other areas.
Ray Island	Enforce no access	Remove the National Trust 'Welcome' sign as it sends the wrong message.
Fingringhoe Wick Nature Reserve	Engagement with local clubs	Clubs could include boating clubs to improve behaviour.
Fingringhoe Wick Nature Reserve, Geedon Bay and Saltmarsh woned by MOD	Rangers and education	Add a warden for these areas and get them to engage with local boat clubs and liaise with the Harbour Master and River Police.



Stour and Orwell Estuaries SPA and Ramsar

General notes

- The Stour has very few access points to the coast. The main points on the Essex coast are Mistley Walls, Bradfield, Wrabness and Stour Wood, Ramsey;
- There is a no access sign to the beach at Wrabness but this is ignored; and
- There are numerous dog users at Wrabness and many do not use leads.

Table A10.4: Mitigation ideas

Location	Mitigation option	Notes
Mistley Walls	Ranger that will encourage people to move to an alternative beach that is located at Manningtree (opposite The Crown pub) which is close by and will have less of an impact.	The alternate beach is better suited for recreational activities but is not well known, once people know the location they could be more likely to use that beach rather than Mistley Walls.
Mistley Walls	Signage educating the public about when they are allowed to use the beach.	This could be a similar method that has been seen in other authorities that uses red, amber and green paw prints to show dog owners when their dog is allowed in certain areas.
Mistley Towers	Educate the user group about what behaviours could impact their surroundings.	There is an unofficial kayaking launch point from this location. Kayakers go into creeks at high tide.
Bradfield	Signage to about when they are allowed to launch boats etc.	Long term discussions to regulate use of launching point
Stour Wood, Ramsey	Rangers to promote positive behaviour and educate dog walkers.	This area has a high presence of dog walkers. There are currently RSPB patrol volunteers that help in that area plus EWT reserve no dogs.
Harwich Haven Authority	Find a water bailiff to enforce speed limits and positive behaviour or work more closely with Essex Marine Police.	It is not uncommon to witness speeding along the Stour, a bailiff would help keep speed limits in check.
Dovercourt	Promote jet ski launch points from Dovercourt.	This will encourage people to launch from here where there will be a lesser impact to birds.
Wrabness NR	Rangers through an Essex Wildlife Trust partnership.	There is an Essex Wildlife Trust ranger at Wrabness Nature Reserve adjacent to the estuary,

		where there is a high presence of dog walkers.
Wrabness NR	Education	Information days aimed at dog walkers on site as this was tried and received well in the past.
Wrabness NR	Behaviour change	Further encourage the public onto concrete paths and discourage from sensitive areas like marsh fields and estuary beach.

Blackwater Estuary SPA and Ramsar

General Notes

- Referring to Caravan Parks, Jet skiing is at present a big issue for the estuaries;
- Swimming within the estuary is gaining in popularity;
- Paddle-boarding is also undertaken in areas which are sensitive to bird interference;
- Aircrafts frequently fly over the estuary at low altitudes disturbing wildlife; and
- Walkers and canoeists regularly cause disturbance on Tollesbury Point and shingle spit.

Table A10.5: Mitigation ideas

Location	Mitigation Option	Notes
Northey Island	Saltmarsh recharge. 10 year project in the South corner.	National Trust is looking at more access to Northey.
Bradwell	Coastal realignment or habitat creation.	Creation of new offshore island.
General	Alteration to byelaws.	Partnership with Essex Marine Police, who have already undertaken work for Colchester.
Blackwater	Expansion of river bailiff services.	Blackwater is main enforcement area – jet ski enforcement in particular.
	New walking routes e.g. Heybridge Lakes.	This location is close to the Blackwater, but could provide a circular route.
	Expansion of ranger numbers.	Employ more rangers/roving rangers at key sites, to enforce
Maldon Promenade	Park extension.	Land available in the east, potential to expand promenade with specific dog walking area.



Blackwater Caravan Parks	Educate park owners and visitors.	Visitors and owners need to be educated about habitat zoning. Review jet-ski zones as they are typically of lesser quality.
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Foulness Estuary SPA and Ramsar

- There are a lot of walkers and dog walkers at Wakering Stairs

Hamford Water SAC, SPA and Ramsar

- John Weston Essex Wildlife Trust reserve has restricted access, with roughly 50% of the land with no access
- Currently there is a volunteer warden at John Weston

Table A10.6: Mitigation ideas

Location	Mitigation Option	Notes
Beaumont Quay	HLS government funded scheme to redirect horse riders from area. Capital works and on-going payments.	Created permissive pathway, around other farm area, to prevent sea wall usage, but is still legal.
Stone Point	Create a friend of the ringed plover group.	Local people provide on-site policing to prevent disturbance from dogs/walkers.
John Weston	Rangers	Hire a new ranger as there is a current vacancy for one.
	Habitat creation / improvement	Look at bird data to see if this would be viable and effective.
	Signs	Improve signs on the accessible entrances.
	Information	Improve the quality of information at The Naze visitor centre.
Skippers Island		
Operating from Titchmarsh Marina	Boat warden	Extend the hours for the boat warden service. Used to be all year round.
Local schools	School talks / education to encourage the love of local wildlife.	Changes behaviour of parent.
Tourist Information Centre – used to exist	Re-open TIC in local area.	Provide info for what they can do to protect the area.
Dog walker policing	Encourage dog-walkers to police other dog-walkers to	Self-policing.

	behave better.	
Hamford Water general	Branding for the protected area.	Put a recognisable logo on coffee cups and stickers. Tell people what is special about an area, and how they can help.
Coastal Path	Orientation boards along key access points.	Provide information, location and code for the area.
General	Warden for the area.	Post for education, policing and habitat management (including Skippers Island and John Weston).
	Create an app for the protected area.	Interactive app shows people more robust areas, 'quiet zones' & 'play zones'.
	Re-direct paddleboarders.	

Thames Estuary and Marshes SPA and Ramsar

General notes

- Referring to the estuary – there is currently no 'obvious' need for water based enforcement of sports/boats;
- Infrequent walkers and fisherman can be found by Mucking Creek;
- It is likely that there will be housing allocations at East Tibury which will increase visitor numbers; and
- Essex Wildlife Trust (Thameside Nature Park) will be expanding and will have restrictions to access as it does currently. This will move visitors away when the reserve is closed.

Table A10.7: Mitigation ideas

Location	Mitigation Option	Notes
Grays	Quarry restoration	Will move people away from the sea wall.
Coalhouse to southern boundary of Thameside NP	Improve surface of track.	Usage of the current track from walking/dog walking has degraded it.
Farmland west of Coalhouse	Potential here for habitat creation.	The option to create & provide high tide roosts.



Dengie SPA and Ramsar

General notes

- Bradwell beach commonly has illegal off road biking and quad-bikes that are disturbing habitats, fencing doesn't always prevent this;
- A lot of the access to the Dengie is limited as a lot of it is private access unless people are walking along the coast;
- Visitor numbers are currently low but are increasing;
- Need to look at the land immediately to rear of sea wall as Little Tern nest there at Bradwell. Need involvement from farmers/landowners as they are best placed to put in measures that will protect species. Could make it easier for birds to nest at high tide;
- There is a popular walking route along from the Nature Reserve car park along the seawall, which disturbs birds and affects the saltmarsh; and
- Illegal off-roading is common on the sea wall and saltmarsh.

Table A10.8: Mitigation ideas

Location	Mitigation Option	Notes
Bradwell	New habitat / coastal realignment	Saltmarsh restoration and re-creation, for example creating a new off-shore island near Bradwell. EWT and RSPB have identified sites where saltmarsh can be recharged. It could be a possibility to work in partnership to deliver these schemes.
Sea wall	Encourage movement of people away from sea wall to alternative locations.	Alternative locations could include Heybridge Lakes.

All sites

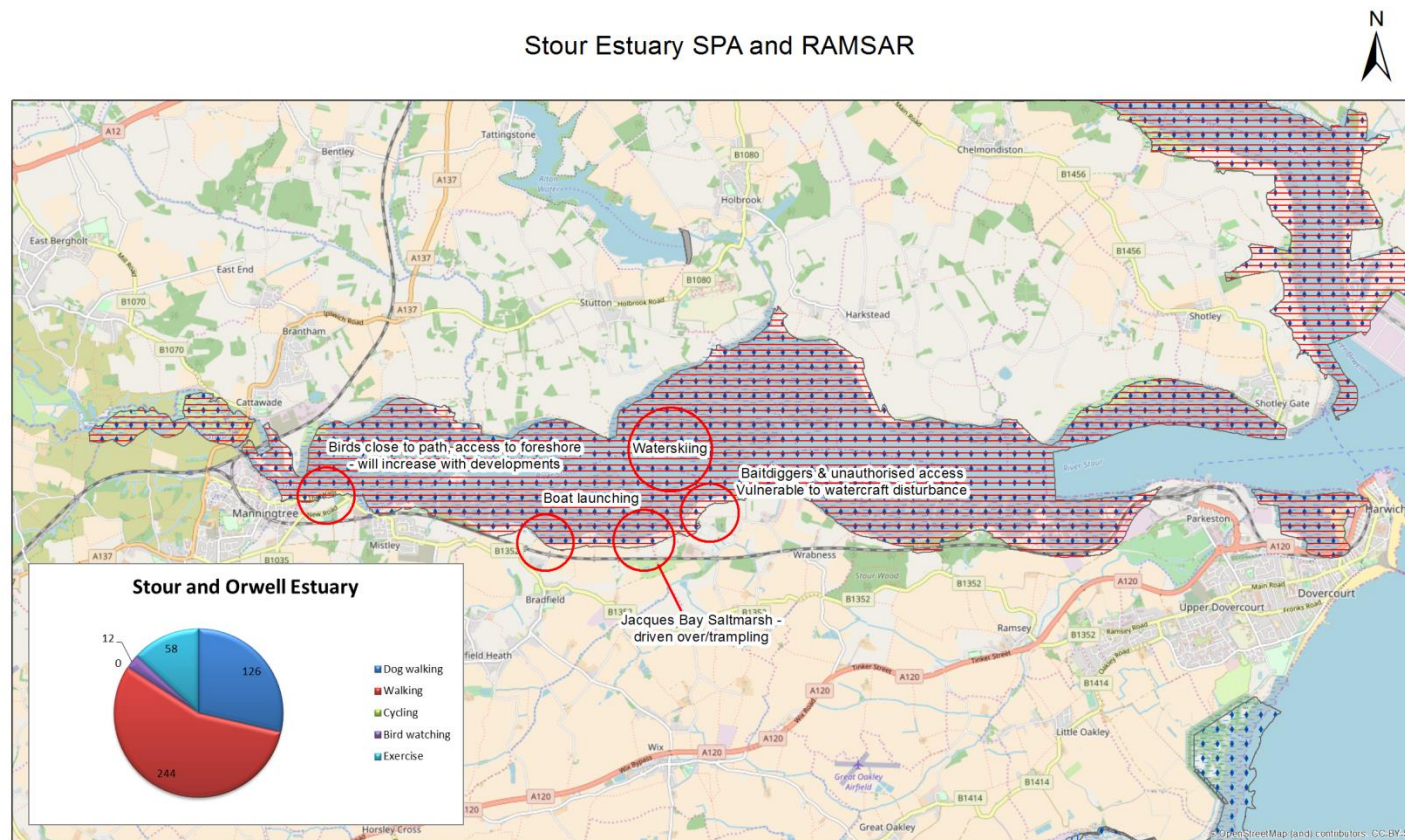
General Mitigation

- Bird Aware is a scheme used in the Solent that is the same concept as the Essex RAMS; this has a website, leaflets and promotes positive behaviours to recreational users. Essex should use this brand as start-up costs would be less and it could mean that the 'Bird Aware' campaign could become nationally recognised. The name Bird Aware should be the preferred name of the scheme compared to the RAMS as it is a clear cut term and is more user-friendly;
- Create partnerships with organisations such as Essex Wildlife Trust, RSPB and National Trust to help deliver measures with their Rangers; and
- Mitigation should include education/communication projects as well as physical projects.

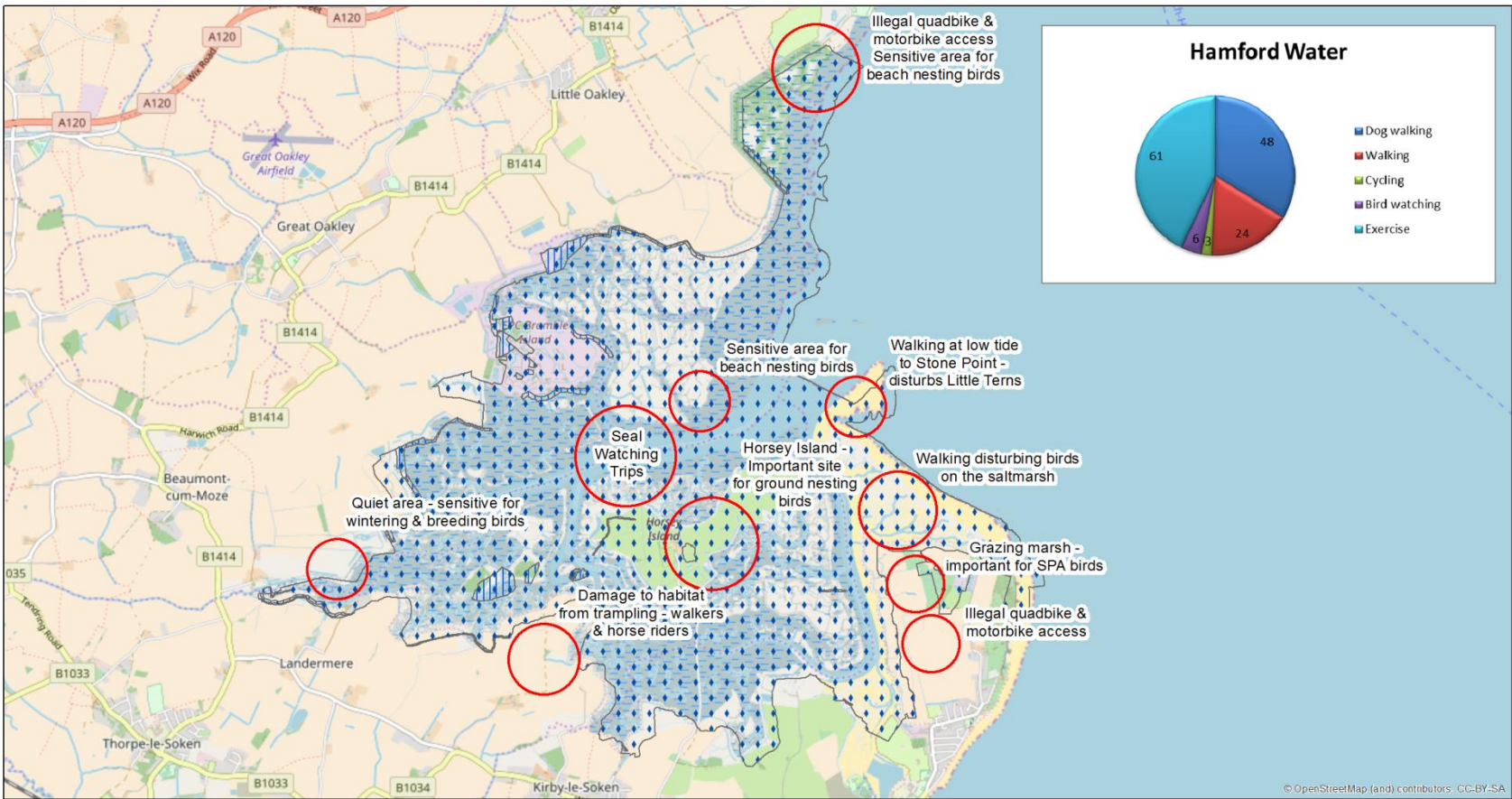
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Appendix 11: Annotated maps of Habitats sites showing recreational disturbance types and locations

Stour Estuary SPA and RAMSAR

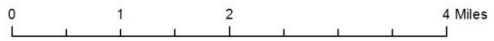


Hamford Water SPA and RAMSAR



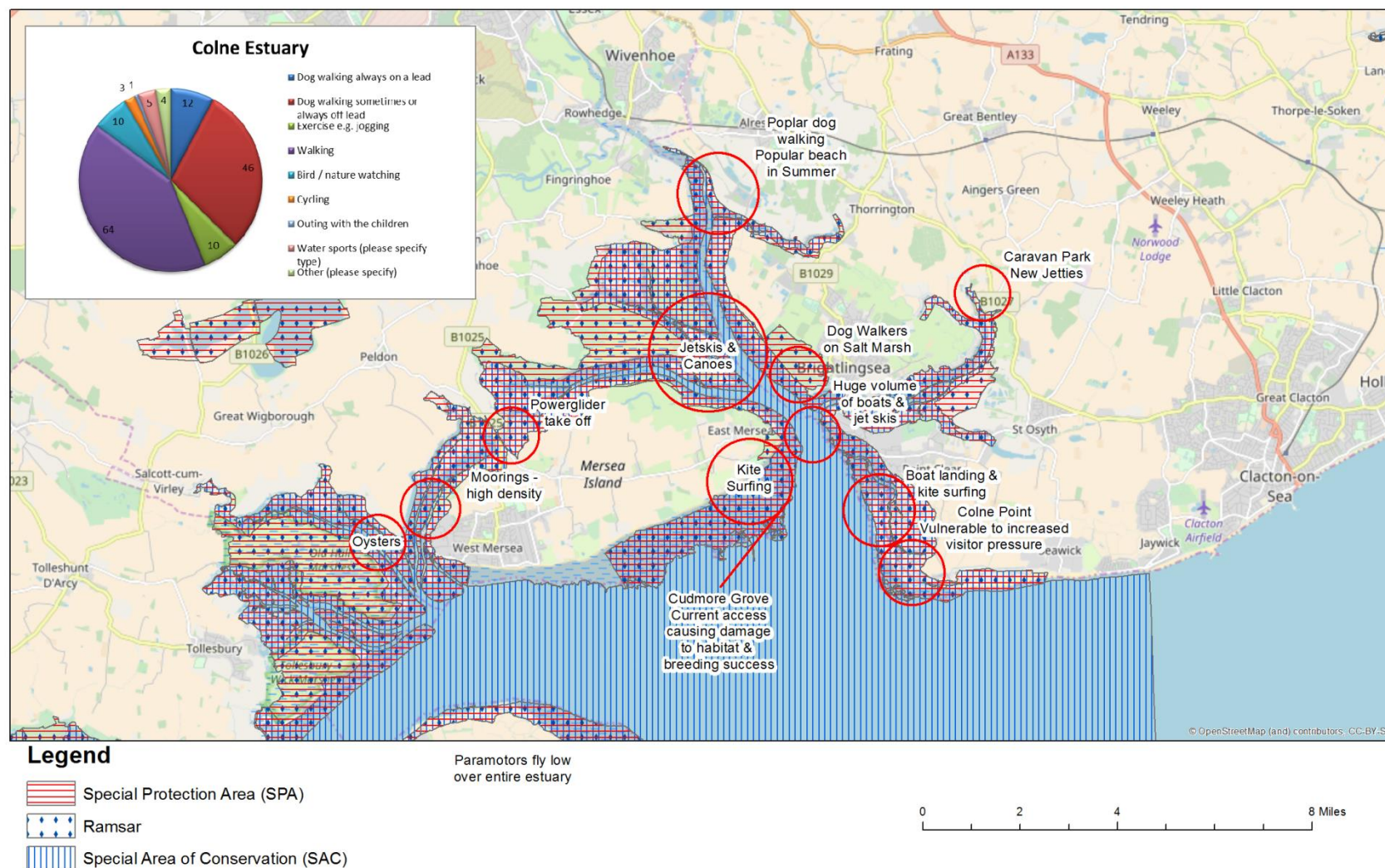
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- Ramsar
- Special Area of Conservation (SAC)

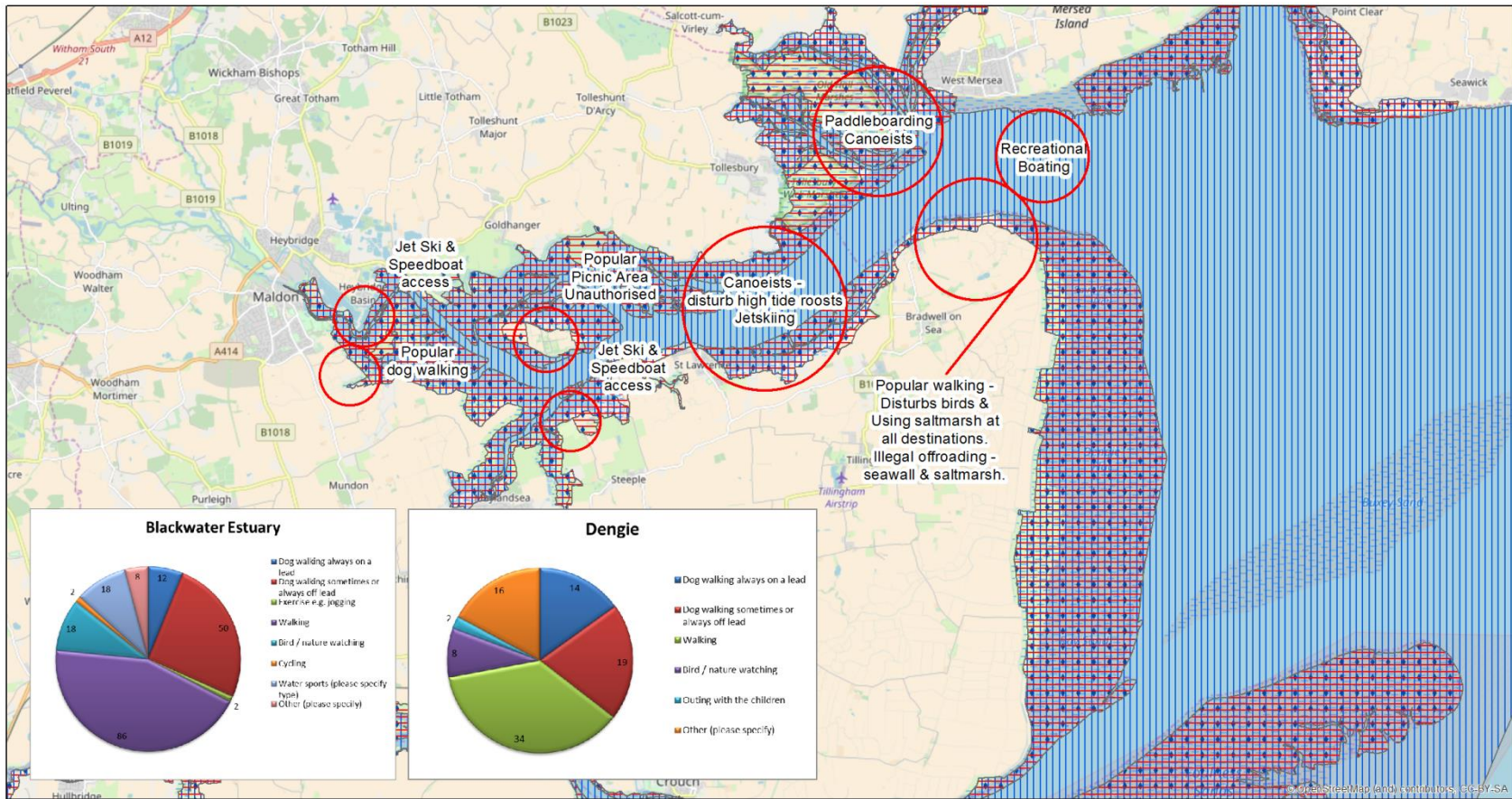




Colne Estuary SPA and RAMSAR

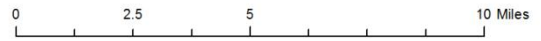


Blackwater Estuary and Dengie SPA and RAMSAR



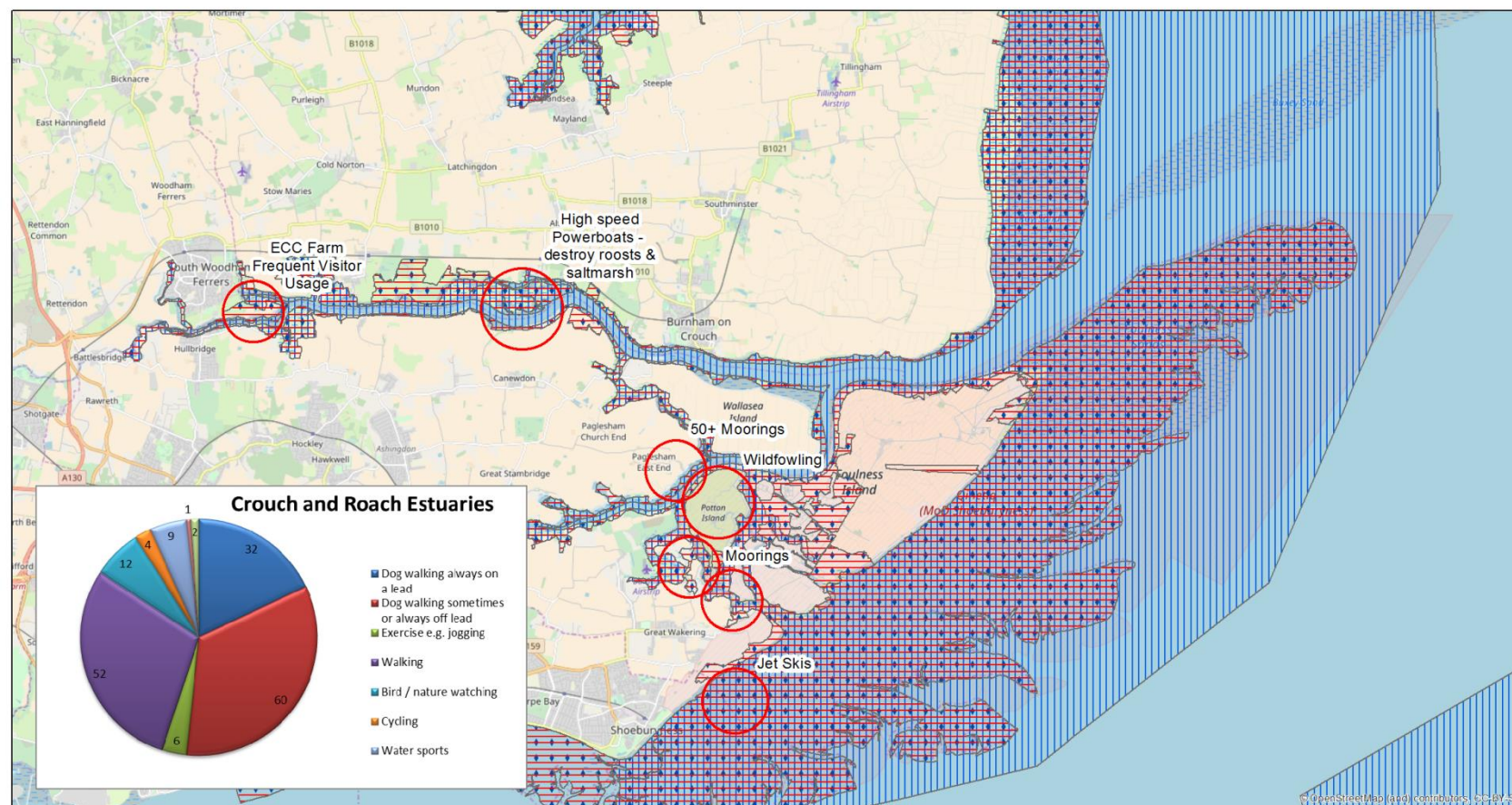
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- Special Area of Conservation (SAC)



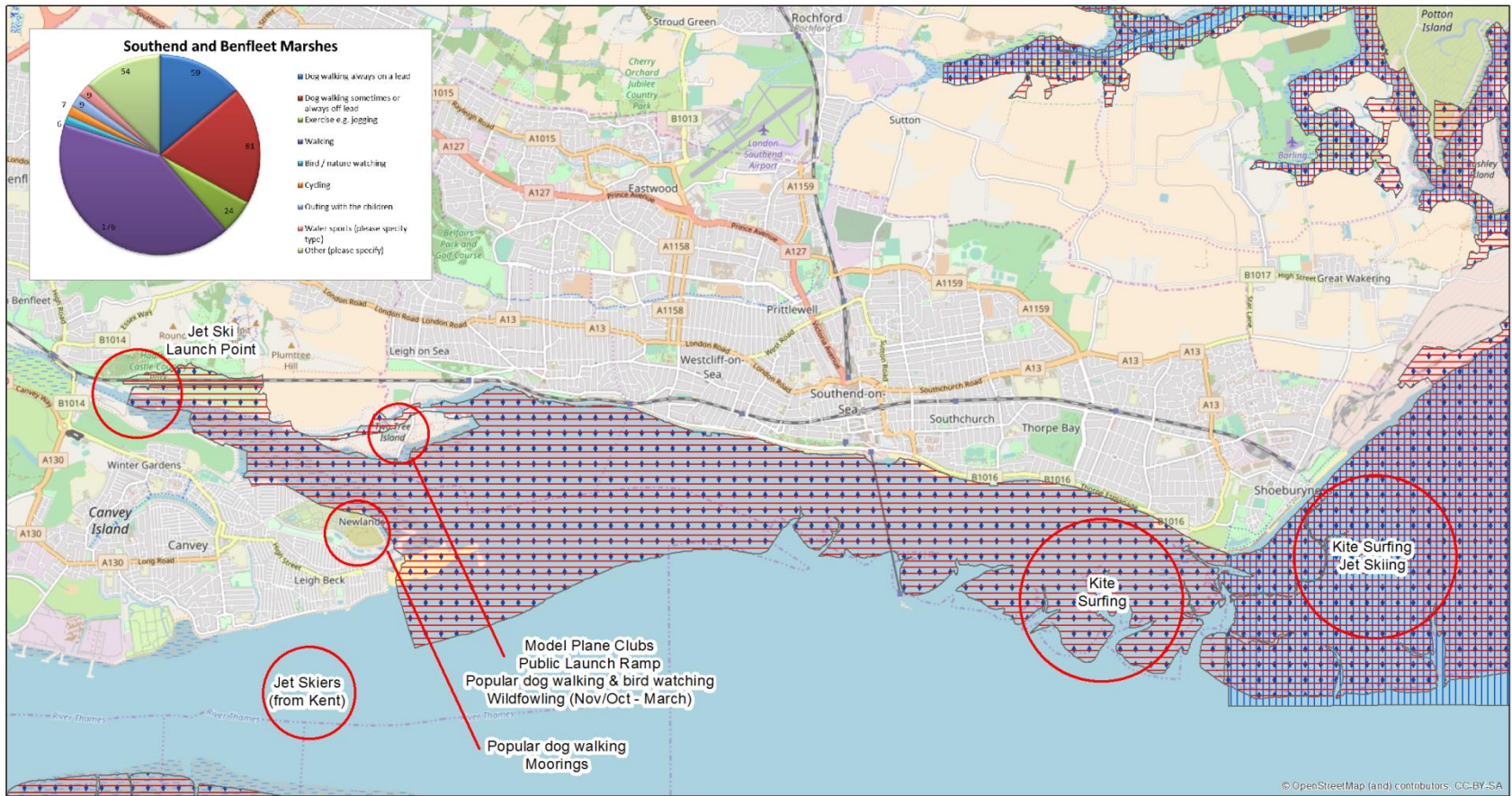


Crouch and Roach Estuaries & Foulness Estuary SPA and RAMSAR



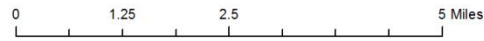
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Benfleet and Southend Marshes SPA and RAMSAR



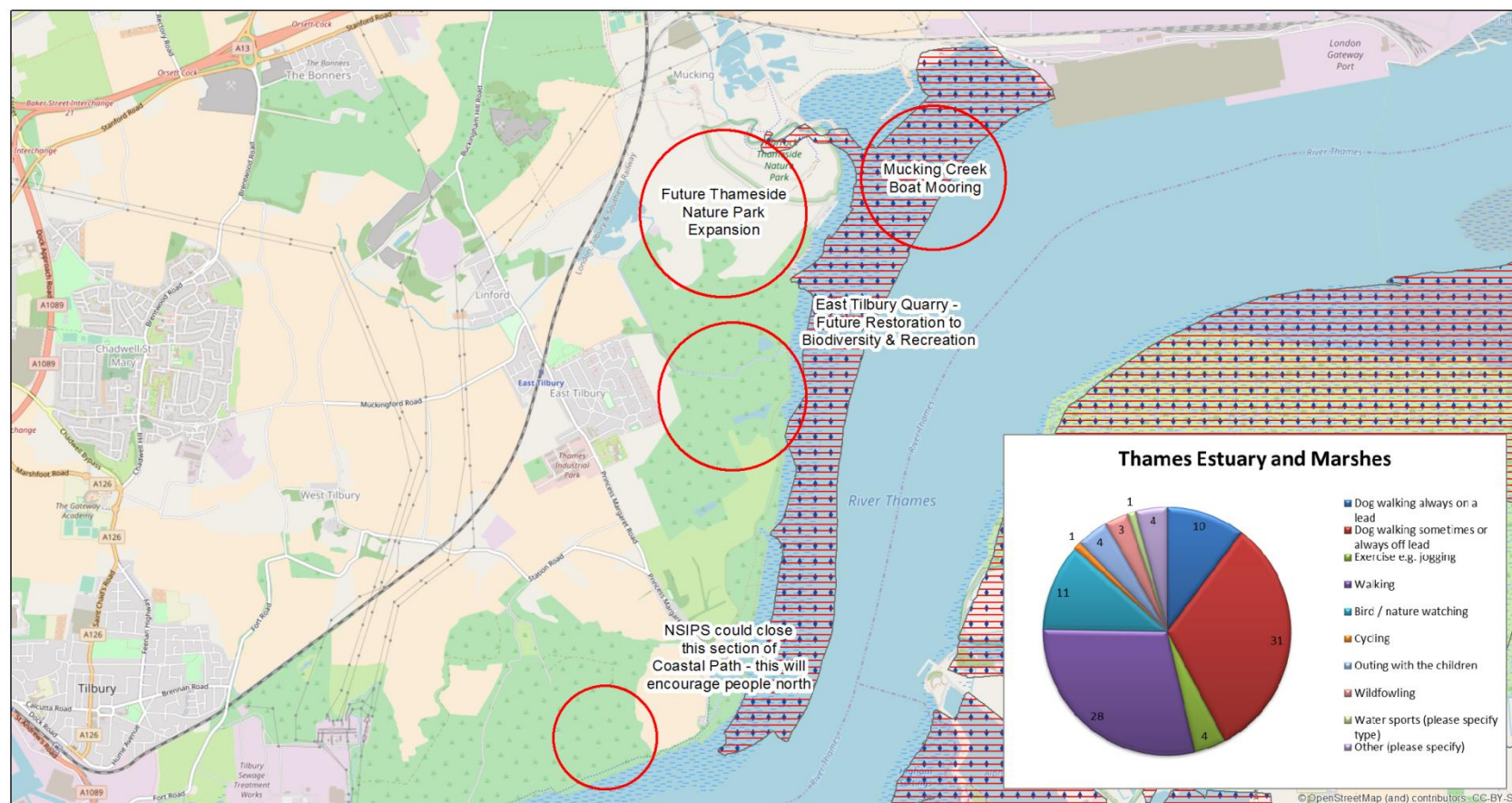
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Thames Estuary and Marshes SPA and RAMSAR



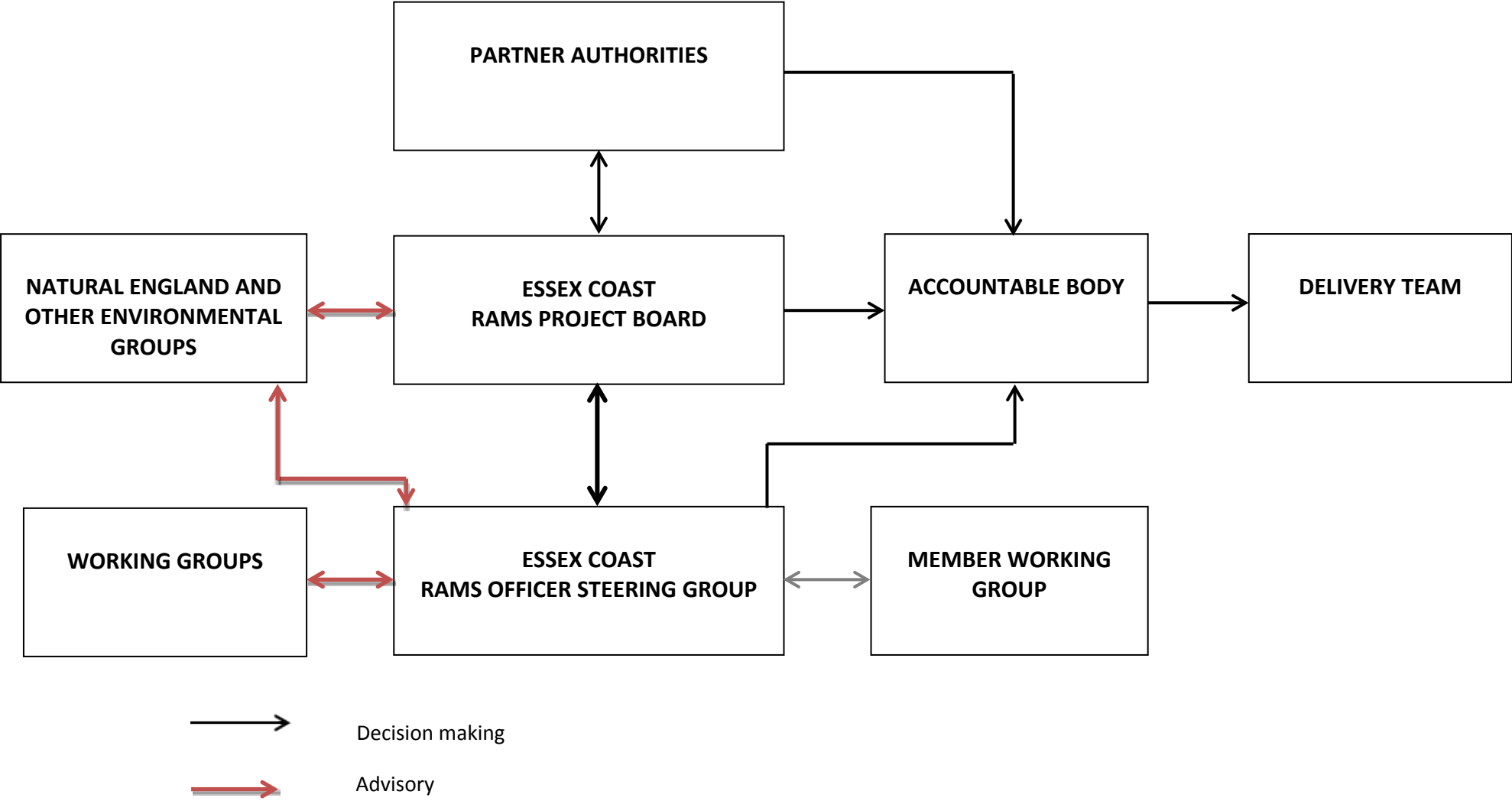
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- Ramsar
- Special Area of Conservation (SAC)

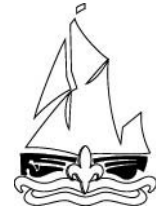
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ESSEX COAST RAMS DELIVERY DRAFT GOVERNANCE CHART



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REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
PLANNING AND LICENSING COMMITTEE
24 JANUARY 2019**

PLANNING POLICY UPDATE

1. PURPOSE OF THE REPORT

- 1.1 This report provides an update on local, sub-regional and national planning policy matters including Duty to Cooperate and Essex Local Plans, and legislative changes as they affect planning policy. In particular the Report contains details of the National Planning Policy Framework 2018.
- 1.2 Separate reports have been prepared for this Committee on:
- The Recreational Avoidance Mitigation Strategy (RAMS).
- 1.3 The wide range of policy matters in this report may affect the policies of the Council, procedures and decision making. Therefore, further reports may need to be made to the Committee for decision.

2. RECOMMENDATION

That the Committee receives and comments on the Planning Policy update outlined in this report.

3. SUMMARY OF KEY ISSUES

3.1 Duty to Cooperate and other Plans and Strategies

- 3.1.1 Below is a table of the stage each plan has reached, where known.

Council	Plan	Stage
Basildon Borough	Basildon Local Plan 2014-2034	Consultation on the Revised Publication Draft Local Plan ended on the 17 December 2018.

Council	Plan	Stage
Braintree District	Braintree District Local Plan	As reported to the July 2018 Committee, the joint strategic plan for Braintree, Colchester and Tendering is under review following the receipt of a letter from the Inspector. No firm timetable is available on when the work requested by the Inspector will be completed. The North Essex Local Plan Section 1 Additional Sustainability Appraisal Method Scoping Statement (December 2018) is out for consultation until the 1 February 2019.
Brentwood Borough	Draft Local Plan Preferred Site Allocations	The Pre-Submission Brentwood Local Development Plan was considered at an extraordinary meeting of the Council on 8 November 2018.
Castle Point Borough	Castle Point Local Plan	The Secretary of State has intervened in the production of the Local Plan. At an extraordinary Meeting of the Council on 28 November, it was decided (by 1 vote) not to accept a recommendation to approve a Regulation 19 consultation for the New Local Plan 2018. The Council has been in contact with the Ministry in regards to intervention, but have not been issued with a course of action.
Chelmsford City	Chelmsford Local Plan	The Examination for the Chelmsford Local Plan took place from the 20 November – 14 December 2018.
Colchester Borough	Local Plan 2017 – 2033	See Braintree above.
Epping Forest District	Epping Forest District Local Plan	The Epping Forest Local Plan was submitted to the Secretary of State on the 21 September 2018. The examination will run from the 12 February to the 23 May 2019.
Harlow	Harlow Local Development Plan	Pre-Submission Publication consultation of the Local Plan closed on the 6 July 2018.

Council	Plan	Stage
Rochford District	Rochford Local Plan	Issues and Options consultation closed in March 2018. A Preferred Options consultation is planned for October-November 2019.
Southend	Southend Local Plan to 2034	Preferred Approach -Autumn / Winter 2019. Pre-submission – Autumn / Winter 2020. Submission – Spring 2020.
Tendring District		See Braintree above.
Thurrock	Thurrock Local Plan	No information available.
Uttlesford District	Uttlesford Local Plan	A consultation on the Addendum of Focussed Changes to the Pre-Submission Local Plan ended on the 27 November 2018.

- 3.1.2 An Officer attended a Duty to Cooperate meeting with Castle Point Borough Council in November. The South Essex authorities, Chelmsford and Maldon attended. The purpose of the meeting was to discuss their unmet housing need requirements. Castle Point is not looking to Chelmsford or Maldon to meet their long term need.

3.2 M25 junction 28 improvement scheme – consultation

- 3.2.1 The M25 junction 28 plays a vital role in connecting the M25 with the A12, as well as providing local access to Brentwood via the A1023 (Brook Street). It is a heavily used roundabout mainly controlled by traffic lights. It is operating at full capacity, with traffic queues and lengthy delays: Up to 7,500 vehicles per hour currently travel through the roundabout at peak times which can lead to a number of incidents.
- 3.2.2 Traffic in the area is expected to increase by up to 40% by 2037, so without intervention, delays are expected to be at least five times longer, there will be a 25% reduction in average speeds through the junction and potential constraints on future growth and air quality.
- 3.2.3 Between November 2016 and January 2017 Highways England consulted on three options. All diverted traffic away from the roundabout, with a new dedicated loop road between the M25 anti-clockwise and the A12 east bound, but each option required a different approach to achieve this.
- 3.2.4 The preferred route, received the most support from consultees, and provides a new two-lane loop road between the M25 anticlockwise and the A12 eastbound carriageways. It also introduces a second exit road from the M25 anti-clockwise onto the new loop road, provides a new bridge to allow the loop road to pass over the M25 anti-clockwise entry road and introduces an overbridge to support the A12 eastbound exit road to allow the proposed loop road to pass underneath and join the A12 eastbound carriageway.

- 3.2.5 This scheme is a Nationally Significant Infrastructure Project. As such, it requires a Development Consent Order (DCO) to obtain the necessary approvals to construct and operate the scheme. Consultation on the M25 junction 28 improvement scheme runs until the 28 January 2019. The DCO submission is expected to be made in the Autumn 2019, with works starting in June 2021. The scheme does not significantly affect Maldon District so no response is planned.
- 3.3 Supplementary Planning Documents (SPD) and other policy documents**
- 3.3.1 The consultation for the Green Infrastructure Strategy SPD ended on the 23 January 2019. Further details on the outcome of the consultation will be brought to this Committee in March.
- 3.4 Community Infrastructure Levy (CIL)**
- 3.4.1 Work on updating the Community Infrastructure Levy (CIL) evidence base has been completed. This includes an update of the Infrastructure Delivery Plan (2014) and an update to the Viability Study (2014).
- 3.4.2 The Government consulted on changes to CIL alongside the recent NPPF consultation (see Minute No. 2018/1011). The Government published its response in *Supporting housing delivery through developer contributions: Reforming developer contributions to affordable housing and infrastructure* in October 2018 – the key issues relevant to Maldon are set out below. The report states that in order to implement the changes new legislation and/or amendments to legislation will be required. Therefore, progress on approving a charging schedule remains paused.
- 3.5 Reducing complexity and increasing certainty**
- 3.5.1 The Government intends to change planning guidance to make it easier to adopt and revise CIL charging schedules and to reduce unnecessary delays to plan making.
- 3.5.2 At the moment Councils have to undertake two rounds of consultation on draft charging schedules. The requirement to consult on a draft charging schedule will remain, but the requirement for two consultations will be removed. This will ensure that the Council can decide the best approach to consultation, and would allow the Council to submit a schedule for examination quicker.
- 3.5.3 Local Authorities resource constraints have an impact on the willingness to revise a charging schedule. As a result CIL rates are less than what it should be. The process to set and revise a CIL Charging Schedule will be streamlined by aligning the requirements for evidence on infrastructure need and viability with the evidence required for plan making.
- 3.5.4 The Government intends to lift the pooling restriction for developer contributions. So that the Community Infrastructure Levy remains an effective mechanism for collecting contributions towards addressing the cumulative impact of development, the Government is proposing to introduce measures to incentivise uptake and continued use of the Levy. This suggests that the Government do not intend abolishing CIL.

- 3.5.5 It is currently quite complex to award CIL exemption to a developer, for example, if a commencement notice has not been received prior to starting work on site, the developer loses the right to receive any exemption. The Government proposes a more proportionate approach to administering exemptions such as, making changes to the penalties associated with the failure to submit a Commencement Notice prior to development being started. This will ensure that any penalty is set at a proportionate level and will not result in the whole liability becoming payable immediately.

3.6 Increasing market responsiveness

- 3.6.1 CIL Regulation 40 uses Building Cost Information Service (BCIS) All in-Tender Price Index, this index reflects changes in contractor costs and is used in some cases for the costs of delivering infrastructure. However, contractor costs do not necessarily increase at the same rate as house price inflation. This means that the impact that a rate has on the viability of development reduces over time and the local authority collects less than could otherwise be the case.
- 3.6.2 The Government will be consulting on amendments to the CIL regulations in 2019, including indexation of Levy rates and the way in which it would be implemented. This will help ensure that Levy rates remain responsive to changes in market conditions.
- 3.6.3 The Government proposal was to allow CIL charging schedules to be set based on the existing use of land, to allow local authorities to capture a better amount and the value generated through planning permission. The Government considers that there is enough flexibility in the CIL Regulations that, through the use of differential Levy rates, will allow local authorities to achieve a better amount. Changes to planning guidance will allow differential rates be set more effectively.

3.7 Improving transparency and increasing accountability

- 3.7.1 Changes to the National Planning Policy Framework and the Viability Planning Practice Guidance (PPG) are designed to improve transparency for developer contributions. The Viability PPG sets out the approach to reporting on developer contributions through an Infrastructure Funding Statement – this will now be on a statutory basis.
- 3.7.2 Regulation 123 of the CIL Regulations enables local authorities to publish lists of infrastructure they intend to fund through CIL and it prohibits the use of S106 planning obligations to provide contributions to fund infrastructure on this list. These restrictions will be removed. New reporting standards, which are set out in the Infrastructure Funding Statement, will address concerns about ‘double dipping’.

3.8 Introducing a Strategic Infrastructure Tariff

- 3.8.1 The Government recognises the potential for a Combined authority or joint committee (with strategic planning powers) to seek funding support similar to Mayoral CIL for a piece of strategic infrastructure or to address the cumulative impact that the strategic infrastructure will have. This is known as a Strategic Infrastructure Tariff. This will encourage cross boundary planning supporting the delivery of strategic infrastructure.

3.9 National Planning Policy Framework

3.9.1 The Government published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF came into effect on the day of its publication. Although revisions to national planning policy do not automatically translate into the need to review the Local Development Plan, the Government expects local planning authorities to reflect the NPPF where necessary in a review of the local plan. Therefore, the Council has reviewed the Local Development Plan (LDP) against the NPPF to identify whether revision is required.

3.9.2 The NPPF is a strategic planning policy document and therefore does not contain the level of detail set out in the LDP, nor does it address matters that are specific requirements of development in Maldon, for example the provision of a Site Waste Management Plan for strategic allocations. The LDP also needs to reflect a wide range of national planning legislation, such as that for the Community Infrastructure Levy, Neighbourhood Planning and the Community Right to Buy. Such details are not repeated in the NPPF.

3.9.3 In general, the majority of LDP policies are consistent with the NPPF. However, there are a few minor inconsistencies and areas where the NPPF introduces new policy which the LDP is silent on. In those cases, the NPPF would take precedence.

3.9.4 These are:

- **LDP Paragraphs 2.17-2.19:** establishes the housing target for the District to meet the objectively assessed housing need. The NPPF introduces a standardised methodology which would form the basis for the objectively assessed housing need in future. However, the new standard method identified a housing requirement of 302 dwellings a year not too dissimilar to the LDP target of 310 so this is not considered to be an issue of concern;
- **Policy E2:** defines a network of town centres but is silent on a hierarchy of town centres and primary shopping areas as required by the NPPF. A town centre hierarchy ensures that the mix of uses relates to the role and function of each centre and its catchment area. A primary shopping area would be the area where retail development should be concentrated. In future this would replace the use of retail frontages, on which the NPPF is silent.
- **Policy E2:** requires proposals for retail space outside town centres demonstrate that there are no town centre sites that are available, suitable and viable. The NPPF only requires such sites to be available and suitable.
- **Policy E6 and paragraphs 4.44-4.49:** Support a range of programmes and funding initiatives to generate skills, training and educational development. These are not planning related issues and therefore the NPPF does not address these matters.
- **Policy H1:** identifies the threshold for seeking affordable housing provision as more than 10 units, whereas the NPPF states the threshold is 10 or more units. This means that affordable housing can be sought from more schemes in the District.
- **Policy H2:** the NPPF requires planning policies to identify the size, type and tenure of housing for people wishing to build or commission their own home.

The LDP does not identify the need for self-build housing. The Council's Self Build Register contains this information.

- **Policy H2:** the NPPF states that the size, type and tenure of housing needed for different groups should be assessed and reflected in policy. Policy H2 is silent: however paragraph 5.17 refers developers to the Strategic Housing Market Assessment (SHMA) where the mix is identified.
- **Paragraph 5.7:** the NPPF requires up to date evidence to support planning policies, however the LDP does not identify an evidence base for the policy on houseboats.

3.9.5 None have an adverse impact upon the way the Council undertakes its statutory planning function and it is considered that the LDP can still operate effectively and deliver its aims and objectives as intended. Based on the above, officers consider that at this stage there is no need to review the LDP in part or by preparing a new plan.

3.10 **Reforming developer contributions: Technical consultation on draft regulations**

3.10.1 The Government issued a consultation on the draft regulations amending the Community Infrastructure Levy Regulations 2010 in December 2018. Due to the timing of the consultation and this Committee the response has been delegated for agreement by the Chairman of this Committee and the Director of Strategy, Performance and Governance. A full report will be brought to March committee detailing the response.

3.11 **Neighbourhood Planning**

3.11.1 Six parishes are actively preparing Neighbourhood Plans. All are progressing towards the first of the formal consultation stages (the Regulation 14 consultation). Most parishes expect to reach this milestone in the first half of 2019. Depending on the response rate and the issues raised, and whether any of the Plans need amending, each Plan could be submitted within a few months of the Regulation 14 consultation finishing.

Neighbourhood Plan	Regulation 14 consultation – approximate timeframe	Additional Information
Althorne	Under consideration	Two community participation events were held at the start of 2018. Consultants should be appointed shortly to help prepare the parish questionnaire.
Great Totham	Spring 2019	Grant funding has been secured to engage Navigus Planning Ltd to assist with the Plan. A village survey to every household in the Parish resulted in a good 45% response rate. Results are to be discussed with the consultant in January 2019.
Langford and Ulting	Spring 2019	The draft Plan will be updated to align with the LDP and NPPF. All amendments proposed by the Examiner to be accepted. Another Regulation 14 consultation will

Neighbourhood Plan	Regulation 14 consultation – approximate timeframe	Additional Information
		take place in Spring 2019. The Parish Council held meetings with the two landowners of preferred sites at the end of October and is setting up meetings with three housing associations to provide for three affordable housing units.
Mayland	Summer 2019	Work is continuing on the Plan's Vision and objectives. A Plan display was held at the June music festival day. A final call for sites was widely publicised in the November 2018 "Mayland May!", on the Parish Council website and notice boards. The results along with the previous two surveys will be mapped in January 2019. Final selection will be guided by housing survey responses. Since 1970 Mayland / Maylandsea has expanded at the rate of 20 houses per year - this would be the upper limit, survey results indicate 10.
Tollesbury	Spring 2019	During Summer-Autumn 2018 26 policy items have been produced. The Neighbourhood Plan (NP) Committee are intending to appoint a planning consultant in 2019 to help develop the Plan. Consultation is planned for April 2019, with submission at the end of June.
Wickham Bishops	Early 2019	The draft Plan is currently undergoing its Strategic Environmental Assessment Screening Opinion consultation with the statutory consultees. A Regulation 14 consultation will follow in early 2019. An online Survey will capture feedback from residents. Essex Wildlife Trust is undertaking a biodiversity audit to support the Plan. The local landowners affected by the proposed allocation of the two Local Green Spaces have been contacted.

3.12 Maldon and Heybridge Central Area Masterplan

- 3.12.1 The Masterplan was adopted by the Council in November 2017. Its Action Plan details 18 projects for delivery in the 'short term' (1-5 years); 'medium term' (5-10 years) and 'long term' (10+ years) which align with delivery of the LDP. The projects have been programmed within these timeframes to reflect inter-dependencies, partners' project plans and in some cases availability of funding.

3.12.2 Project activity in Year 1 is underway and focuses on:

- **Project 2: Lower High Street:** initial stakeholder meetings have been held with town centre businesses, the Maldon Business Forum and the car parking liaison group to brief them on the scope of this project.
- **Project 6: North Quay Regeneration:** desk top evidence gathering and mapping has started to inform the preparation of a development brief for the wider area. Initial engagement with several key landowners/business interests has taken place.
- **Project 10: Enterprise Centre:** Feasibility study has been completed. Awaiting outcome of Local Growth Fund (LGF) R3B funding bid for preferred site.
- **Project 12: The Causeway Strategic Flooding Review:** is underway.
- **Project 15: Destination Hub:** desk top evidence gathering and mapping is underway to inform detailed project activity in Spring 2019.

3.12.3 Officers have progressed project activity in consultation with statutory consultees, stakeholders and reports have been taken to relevant Committees where appropriate, such as on the Enterprise Centre.

3.12.4 A progress report will be prepared for March Planning and Licensing Committee. This will set out progress of the Masterplan programme and identify key project activity.

4. CONCLUSION

- 4.1 This report provides an update to Members on planning policy matters that will or may affect the policies of the Council, procedures and decision making. Planning policy is constantly being updated and this report provides an overview of the key issues nationally and within Essex which could affect the future of the District. Therefore, reports on matters for decision that arise from new planning policy will be made to this Committee as required.

5. IMPACT ON CORPORATE GOALS

- 5.1 The preparation and adoption of the LDP, including supporting evidence and other supplementary planning documents, support corporate goals which underpin the Council's vision for the District and in particular protecting and shaping the District and balancing the future needs of the community and meeting the housing needs of the District.

6. IMPLICATIONS

- (i) **Impact on Customers** – This report provides customers with the most up-to-date progress on planning policy matters. Clear policy and strategy working with other authorities in Essex provides certainty to residents and businesses in the District.

- (ii) **Impact on Equalities** –Planning policy documents, including new regulations and policy documents prepared by the government, are subject to equality analysis.
- (iii) **Impact on Risk** – Up to date planning policy and a five year supply of housing land is required in accordance with the National Planning Policy Framework in order to enable the Council to strategically plan for future needs, growth and sustainable development. The implementation of new legislation will need to be taken after consideration of the risks for the Council and stakeholders.
- (iv) **Impact on Resources (financial and human)** –Any significant change in policy direction would be likely to require additional work or alterations to the evidence base which may have significant financial and human resource implications for the Council. The government have indicated that additional funding may be available to local authorities to implement some of the regulatory and legislative changes.
- (v) **Impact on the Environment** – Up to date planning policy and a five year supply of housing land will enable the Council to promote sustainable development and safeguard the local environment in accordance with the local priorities for the District.

Background Papers:

Maldon District Local Development Plan (2014-2029) – www.maldon.gov.uk/ldp.

Maldon and Heybridge Central Area Masterplan SPD 2017 – www.maldon.gov.uk/SPD.

Planning and Licensing Committee, Minute No. 2018/1011.

National Planning Policy Framework, July 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf. Viability PPG:

<https://www.gov.uk/guidance/viability>

Supporting housing delivery through developer contributions: Reforming developer contributions to affordable housing and infrastructure, Ministry of Housing, Communities and Local Government (MHCLG), October 2018 -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752183/Developer_Contributions_Government_Response.pdf

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