

# Local Plan Committee Meeting

**Online Meeting, Virtual Meeting Platform  
Monday, 24 August 2020 at 18:00**

**The Local Plan Committee** deals with the Council's responsibilities relating to the Local Plan

## Information for Members of the Public

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<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

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### Have Your Say!

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**COLCHESTER BOROUGH COUNCIL**  
**Local Plan Committee**  
**Monday, 24 August 2020 at 18:00**

**The Local Plan Committee Members are:**

Councillor Nick Barlow  
Councillor Lee Scordis  
Councillor Lewis Barber  
Councillor Tina Bourne  
Councillor Phil Coleman  
Councillor Andrew Ellis  
Councillor Chris Hayter  
Councillor Patricia Moore  
Councillor Beverley Oxford

Chairman  
Deputy Chairman

**The Local Plan Committee Substitute Members are:**

Other than the Local Plan Committee members, all members of the Council who are not members of the Planning Committee.

**AGENDA**  
**THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING**  
**(Part A - open to the public)**

**Members of the public may wish to note that Agenda items 1 to 5 are normally brief.**

**Live Broadcast**

Please follow this link to watch the meeting live on YouTube:

<https://www.youtube.com/user/ColchesterCBC>

**1 Welcome and Announcements (Virtual Meetings)**

The Chairman will welcome members of the public and Councillors to the meeting and remind those participating to mute their microphones when not talking. The Chairman will invite all Councillors and Officers participating in the meeting to introduce themselves. The Chairman will, at regular intervals, ask Councillors to indicate if they wish to speak or ask a question and Councillors will be invited to speak in turn by the Chairman. A vote on each item of business will be taken by roll call of each Councillor and the outcome of each vote will be confirmed by the Democratic Services Officer.

**2 Substitutions**

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

**3 Urgent Items**

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

**4 Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

**5 Have Your Say! (Virtual Local Plan Meetings)**

At meetings of the Local Plan Committee, members of the public may make representations to the Committee members. Each representation, which can be a statement or a series of questions, must be no longer than three minutes when spoken (500 words maximum). One single submission only per person and a total limit of 30 minutes (10 speakers) per meeting. Members of the public may register their wish to address the Committee members by registering online by 12 noon on the working day before the meeting date. In addition, a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself. The Chairman will invite all members of the public to make their representations at the start of the meeting.

These speaking arrangements do not apply to councillors who are not members of the Committee who may make representations of no longer than five minutes each.

**6 Minutes of Previous Meeting**

The Councillors will be invited to confirm that the minutes of the meeting held on 14 July 2020 are a correct record.

**Local Plan Committee Minutes 140720**

7 - 18

**7 Colchester Local List Report 2020**

19 - 50

The Committee will consider a report that follows the call for nominations, in line with agreed procedures, to the Colchester Local List. The report summarises each nomination and provides a recommendation for the Committee.

The report recommends the delegation of authority by the Committee, in line with agreed procedures, to enable officers to add heritage assets to the Local List.



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|----|---|-----------|
| 8  | <b>Adoption of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD)</b>  | 51 - 256  |
|    | <p>The Committee will consider a report inviting it to adopt the RAMS Supplementary Planning Document.</p>  |           |
| 9  | <b>Consultation on Proposals for Reform of the Planning System and Changes to National Planning Policy and Regulations</b>  | 257 - 272 |
|    | <p>On the 6 August the Government published two documents which are intended to reform the planning system. The Committee is asked to consider a report summarising the content of the documents and which is intended to stimulate debate and help inform the Council's response to the consultations.</p>   |           |
| 10 | <b>Exclusion of the Public (not Scrutiny or Executive)</b>  |           |
|    | <p>In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).</p> |           |

**Part B**  
**(not open to the public including the press)**



## LOCAL PLAN COMMITTEE

### 14 July 2020

*Present:* - Councillors Barber, Barlow, Bourne, Coleman, Ellis, Hayter, Moore, G. Oxford and Scordis

*Substitutes:* - None.

#### **190. Election of Chairman**

*RESOLVED* (SEVEN voted FOR and TWO ABSTAINED from voting) that Councillor Barlow be elected as Chairman of the Local Plan Committee for the 2020-21 municipal year.

#### **191. Election of Deputy Chairman**

*RESOLVED* (FIVE voted FOR and FOUR ABSTAINED from voting) that Councillor Scordis be elected as Deputy Chairman of the Local Plan Committee for the 2020-21 municipal year.

#### **192. Minutes of the Previous Meeting**

*RESOLVED* (FIVE voted FOR and FOUR ABSTAINED from voting) that the minutes of the meeting held on 27 February 2020 be confirmed as a correct record.

#### **193. Have Your Say!**

**Councillor Cory (as a lay board member of the North East Essex Clinical Commissioning Group) and Councillor King (as the Council's representative on the Board of North Essex Garden Communities Ltd) declared a non-pecuniary interest in the following item pursuant to the provisions of rule 7(v) of the Meetings General Procedure Rule.**

Councillor Glyn Evans addressed the Committee pursuant to the provisions of Remote Meetings Procedure Rule 5(1) and addressed the Committee as follows:-

“One of the universal laws that endured in my 35 years as a professional financial planner was that investing in long-term projects with little or no return projected for several years when there is no cash buffer is risky to the point of being foolish.

There are several other pertinent risks at play with the Garden City proposals for which there are dire precedents. In the modern technological age, the pace of change is quick and unpredictable. Technology itself is quickly outmoded. Business and to a great extent, society needs to be light on its feet in adjusting to change. Investing large amounts, up-front, in a project which is projected to complete after

more than one decade has historically resulted in almost universal failure. In the space of just 13 years for example, Ireland's entire economy went from boom to prolapse.

Garden Cities may be a smaller concern but are no less speculative. The acid test of any project is whether a private investor would stake their hard-earned cash. The professional investor would consider the business plan, the previous track record and the credentials of the directors. And then perhaps, the assets or cash that back the investment...

Taken in turn:

- The business plan had to undertake a major overhaul to meet the approval of inspector Clews whose pronouncement of viability is, yet still, based on several funding assumptions and aspirational land purchase values, many of which have yet to be substantiated.
- There is no previous track record of such a garden city in circumstances such as these.
- The directors of NEGC do not have relevant qualifications or experience to any level. It seems unlikely that any would have been selected for these roles in the commercial arena based on this. Questions have been raised as to whether those who advise them are truly independent.
- There are no assets. The cash (approx. £8m) that has been invested so far has been spent; much of it on salaries. Not one penny has invested in any assets.
- There is no entity, corporate or private, that shares any of the investment risk. It is borne entirely by the taxpayer.
- We are experiencing the sharpest and deepest recession in living memory from which we are unlikely to emerge anytime soon.

All investors run from uncertainty... Just watch the markets.

Lastly NEGC's Managing Director, in front of several hundred people at the Barn Brasserie in Great Tey on 18<sup>th</sup> January, 2019 was recorded saying that pension funds would be investing in this project. Given the Trustees' fiduciary duty to act in the best interest of its members, this is one acid test I would be very interested to see come to pass. The taxpayers who ultimately underwrite this project deserve to see that part of the investment prospectus – if any – that convinced the trustees to invest on its merits. In the absence of this, it would seem that the only private entities involved in this project are those that will be net beneficiaries of whatever taxpayer-funded subsidies may yet support it"

The following written submissions had also been received and were read to the Committee, pursuant to the provisions of Remote Meetings Procedure Rule 5(1).

**Councillor Anthony Ellis, Langham Parish Council**

1. *“What planning legislation and regulations have been applied to application no. 191830, those based on the Adopted Local Plan (ALP) or the Emerging Local Plan (ELP)?*
2. *Under what legislation was the decision made to recommend approval of application 191830 at an “in camera” meeting of selected Councillors and Officers last March?*
3. *Paragraph 58 of the Planning Inspector’s letter supports the Parish Council’s position on waste water infrastructure which it has reiterated to CBC over the last three years. What steps will CBC now take to address this issue? Extracts from the letter are set out as follows:”*

*Para 51*

*“I consider that it is reasonable for EB/083 to conclude that main modifications to Plan policies SP5, SP7, SP8, SP9 and SP10, requiring adequate waste water treatment capacity to be provided before dwellings are occupied, will ensure that no adverse impact on any European site will occur as a result of changes in water quality.”*

*Paras 154-156*

*“... There are statutory responsibilities on the water supply companies (Anglian Water and Affinity Water) to plan to meet future growth in demand, and on Anglian Water to provide waste water treatment capacity.*

*Allocations are made in the NEAs’ viability assessment to fund connecting infrastructure at each of the proposed GCs.*

*However, those allocations are inevitably subject to a degree of uncertainty given that specific solutions have yet to be identified. I consider the consequences of this in the section on viability below.”*

### **Jane Black, Wivenhoe Society,**

1. *“The wording on medical facilities in policy SP8, amendment MM35, has been changed from the original draft. Instead of committing to new on-site primary healthcare provision it now states that extra capacity could be provided by improvement, reconfiguration, extension or relocation of existing medical facilities. What are the implications of this in practice? Does this mean that Greenstead or Wivenhoe might lose their existing GP surgeries which would be to the severe detriment of these communities? Does it mean that residents of the Garden Community might have to travel to Greenstead or Wivenhoe? Either alternative would mean increased car journeys and congestion. Not providing on site medical provision does not seem consistent with the Garden Community principles and relocating existing facilities would have severe consequences for existing communities.*
2. *Broad Location Map, 10.2 (reference SP7 MM18): A note at the end states this will be added and based on the map provided for the Hearings, document EXD/080A. The map in this document has some text stating that the Broad Area of Search includes areas which will act as landscape buffers between the Garden Community and surrounding settlements to provide adequate separation and to ensure the identity of existing communities are maintained. This text needs to be included either as part of map 10.2 or within the text of the policy where the map is referenced.*

3. *Gypsies and Travellers provision (SP7 MM18): There is no statement of the hectares required. It may be difficult to fit in all the housing proposed, given all the constraints. Local Authorities have an obligation to provide for Gypsies and Travellers and there is a shortage of sites but no explanation is given to why provision should be tied to the Garden Community. Will the Garden Community pitches be equally assigned to meeting Colchester and Tendring's needs?*
4. *Rapid Transport Route 1 (SP5 MM11): No route on the ground has yet been defined. Could the Council ensure that there is adequate further consultation and that in deciding on alternatives the disruption costs from construction is one of the factors taken into account on deciding on a route?"*

### **Sir Bob Russell**

*With High Woods Country Park, Cymbeline Meadows and Gosbecks, Colchester Borough Council has shown to central government how local councils can provide new areas of public open space and parkland – and, with these three examples, now provide urban Colchester with a “public open space” to the east of Greenstead and Longridge.....creating a public open space eastwards for a minimum of 1.5 kilometres from Salary Brook to the western edge of the proposed “new community” near Elmstead Market.*

*Colchester Borough Council and Tendring District Council have previously – working in partnership, which is to be applauded – agreed that there should be no new development eastwards of Salary Brook: from the brook itself as the western boundary, up the eastern slopes, and then eastwards for such a distance that none of the new dwellings in the “new community” would be visible from Greenstead and Longridge at any time during the seasonal changes of the year.*

*Regrettably, the area to the northern end of the valley (in the Parish of Ardleigh, thus Tendring District) is currently being developed – a ludicrous decision by a Government Planning Inspector against the Refusal by Tendring District Council (a Refusal backed by Colchester Borough Council) for this new development off Bromley Road.*

*That ludicrous decision must not be allowed to be a precedent for the rest of the valley and its eastern slopes – rather a visible warning of how allowing more development in the valley and on the slopes would be a planning and environmental disaster to the disbenefit of residents of Greenstead and Longridge.....and a visual ruination of the current open countryside when viewed from Clinghoe Hill.*

*Opposition to development of Salary Brook Valley and the eastern slopes must include all land from the northern end (next to the new housing being built off Bromley Road) to the southern end – next to Clinghoe Hill.*

*Previous suggestions for expansion by the University of Essex onto the Salary Brook northern side of Clinghoe Hill should be clearly made one of “no development” with the fields here remaining undeveloped and included in the proposed “Salary Brook Country Park”.*

*It does not make sense to have a university campus split by a dual carriageway! A dangerous, fast-moving road with a record of injury accidents and fatalities.*

*What I have laid out above is fully in accord with all that has been said, by Councillors and members of the public, over the past five years during the deliberation of the Local Plan.*

*Specifically, at the meeting of the Local Plan Committee on 6th November 2017 it was agreed that the next consultation document would include wording to this effect, with no development on land eastwards for a distance of at least 1.5 kilometres.*

*I trust the Committee will confirm its previous intentions.*

Ian Vipond, Strategic Director, Policy and Place, was invited to respond to the Have Your Say! submissions. He explained that many of the questions related to the form of development of the Tendring/Colchester Borders Garden Community. The details of this would be brought forward in the Development Plan Document and subsequent masterplan.

In respect of Councillor Evans comments on the long term risks of the development, much of these issues had been considered in depth by the Inspector and he had concluded that the proposals for the Tendring/Colchester Borders Garden Community did meet the viability test and could be delivered. On the issues of waste water, whilst the Inspector recognised the issue he had noted that Anglian Water have a statutory duty to provide the necessary facilities to meet the waste water requirements. In respect of the comments by Jane Black, the broad location of the proposed garden community was in an area of search. The actual details of the location would be brought forward in due course. The issues raised about the map were for the Inspector at this stage. The details on issues such as medical facilities would be addressed in the Development Plan Document. The need for early provision of infrastructure such as medical facilities had always been recognised. In response to the comments of Sir Bob Russell, it was recognised that he had a passion for protecting the Salary Brook eastern slopes. However the precise location of the development and its impact would be issues for the Development Plan Document and subsequent masterplan.

Karen Syrett, Lead Officer: Planning, Housing and Economic Growth, explained that the comments made by Councillor Ellis about a planning application in Langham were being dealt with in separate correspondence.

Councillor Luxford Vaughan attended and with the consent of the Chairman addressed the Committee. She considered that there were three reasons why the Committee should not adopt the Plan. The Council had declared a climate emergency and this form of car based development was inconsistent with the climate emergency. The proposed location was on the best farmland in the county and was currently used for food production. The value of this had been demonstrated by Brexit and the food supply problems during the Covid 19 pandemic. The associated transport infrastructure would contribute to congestion on the A133 which was the worst traffic hotspot in the borough. Ringway Jacobs had produced reports that demonstrated that congestion would increase and would spread to areas such as Stanway and the Hythe. In order for the Rapid Transit System to work, on-street parking would need to be removed on all the routes, car parking charges in the town centre would need to be increased and a congestion charge introduced. In respect of viability, it had been stressed in previous reports that the Council needed to own

the land to make the scheme viable. The landowner was in a strong position and would sell to the highest bidder. The viability also did not take account of paying interest on the land. There were also a number of the detailed issues affecting the viability of the proposal. If the Council was committed to Garden Community principles it needed to sign up to them now. It was not enough to leave these matters to the Development Plan Document.

Councillor Dundas attended and with the consent of the Chairman addressed the Committee and stressed that the Council needed to look back and see where it could have done better. The Conservative group had stated in Council four years ago that only one of proposals was viable. If those views had been heeded, considerable time and resources would have been saved. Their views had been consistently ignored. The Inspector had presented the Council with very blunt options and whilst he was pleased the entire plan had not been thrown out, he had reservations about the Tendring/Colchester proposal. The transport proposals would not achieve the modal shift sought. The modifications proposed were very extensive. The reasons the Conservative members on the Committee had put forward in July 2019 for not proceeding with the other schemes had been accepted by the Inspector. Their views on this issue should be listened to in order to enable the Council to move forward with unity.

Councillor J. Young attended and with the consent of the Chairman addressed the Committee and paid tribute to the work of planning officers. The Committee should listen to the Inspector and take the proposals forward. A number of the modifications had been suggested by officers. A Development Plan Document would be produced which would add the necessary detail. The Plan referenced garden community principles and this could be built on. The administration would ensure that infrastructure was provided in a timely manner and the Committee should accept the recommendations.

Councillor Cory attended and with the consent of the Chairman addressed the Committee to stress the need to work together on a plan based on garden community principles and to get the principles endorsed in the Plan. It was important to get the next steps right. He had circulated a document which contained proposed amendments to the Inspector's modifications and he invited the Committee to recommend to the Inspector that they were looked at. Paragraph 4.2 of Appendix 3 to the report suggested that minor modifications could be considered. This would ensure that garden community principles were embedded in the plan going forward. The proposed amendments included giving clarity to the area of the garden community by defining its geographical boundaries, including trigger points for infrastructure and housing numbers, assessing the impact of the Rapid Transit Scheme on existing bus route and ensuring existing communities did not lose services or facilities.

Councillor King attended and with the consent of the Chairman addressed the Committee to stress his respect for the professionalism and judgement of the Inspector. He stressed that a huge opportunity remained within reach and that garden communities were a prize worth pursuing. They would lead to considerable economic investment in the area, and if the recommendation was not accepted, then the Council would need to start the process against with the probability of higher housing targets.



#### **194. Local Plan: Inspector's Conclusions and Recommendations**

The Committee considered a report from the Assistant Director, Place and Client Services, setting out the conclusions of the Planning Inspector on the shared Section 1 of the Braintree, Colchester and Tendring Local Plans. Ian Vipond, Strategic Director, Policy and Place, attended to present the report and assist the Committee.

The Strategic Director explained that the Planning Inspector had shown a fair degree of support to a number of key issues. The Plan had been deemed to have been legally compliant, the Sustainability Appraisal, subject to some issues on deliverability, had been accepted and he had concluded that the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) had been assessed correctly. The Inspector had also reconfirmed his original position on housing numbers with a requirement of 920 houses per annum, although this would need to be reviewed in the light of the 2018 household projections. The Inspector had also been content with the range of delivery mechanisms and had been content with road links and other infrastructure issues and with employment contributions. However there were significant issues on which he had not been convinced. He had not been satisfied that routes three and four of the Rapid Transit System were deliverable and he had expressed concern about the proposed annual rate of housebuilding. He had not accepted some of the work done by the Councils on land values which had implications for his view on the viability of garden communities at Colchester Braintree Borders and West of Braintree. He had therefore concluded that neither of these garden communities were likely to be delivered. However, he had concluded that the Section 1 Plan could be sound if those garden communities were removed and the Tendring Colchester Borders Garden Community only was included. The proposals he had presented were that either the Council and its partners accepted his modifications to Section 1 of the Plan, or the Plan was withdrawn and a fresh start was made.

If the Committee resolved to accept the recommendation to proceed with proposed modifications, the Inspector would then undertake a period of public consultation on the modifications. This was likely to run from August to October. The consultation would include updates on Sustainability Appraisal and Habitats Regulations Assessment work covering the proposed modifications. It was important to recognise that the modifications had been put forward by the Inspector. He was not seeking the Councils' views on them at this stage, although views could be submitted during the public consultation. It would be for the Inspector, not the Council, to consider the representations made in the consultation, and he could reopen hearings again, if necessary.

In response to a question from Councillor Barlow, it was confirmed that Tendring and Braintree would have considered the Inspector's letter by the end of July 2020. Assuming all three districts agreed to proceed with the modifications, work on the re-evaluation of the Sustainability Appraisal would need to be completed. It was then anticipated that the consultation on the modification would take place for six weeks from mid-August, and with the final letter from the Inspector being received in autumn 2020.

Councillor Ellis expressed his concern that the views of the Conservative members of the Committee had not been heeded. They had repeatedly indicated that the wrong approach was being taken. The Inspector had confirmed their views. Their attempts to agree on a consensus had been frustrated and their red lines ignored. Lessons needed to be learnt. It needed to be accepted that officers were fallible and members needed to work harder so they were better equipped to challenge. There was no appetite to start the Local Plan process again, and the Committee had to accept the view of the Inspector on the Tendring Colchester Borders Garden Community. If not, higher housing targets would have to be accepted. However concern was expressed that the proposed modifications did not sufficiently hardwire garden community principles into policy. The amendments suggested by the Leader of the Council were sensible and there would be benefit in putting these to the Inspector now. The Inspector could then incorporate them, or advise that they be submitted as part of the consultation. However it was vital that if the Tendring Colchester Borders Garden Community was to go forward, that garden community principles were incorporated into policy.

Concern was also expressed that the Inspector had not called for a definitive map. Over the years the Committee had made a number of pledges around green buffers and again these needed to be hardwired into policy. He would support the recommendations if the Leader's amendments were put to the Inspector at this stage to see if he would rather accept them or would prefer them to be put forward as part of the consultation.

Councillor Scordis explained that he did not consider that the views of the Conservative Group had been ignored. There had been different views, as was normal in political debate. He called for a change in tone in the debate. The Inspector's modifications were not open for debate and the imperative was to get Section 1 of the Plan agreed, so the Council could move on to Sections 2. Until a new Local Plan was agreed there was an increased risk of speculative development. If the recommendations were not agreed or amended this may lead to further delay on the consultation and may put the Housing Investment Fund funding at risk.

Councillor G. Oxford was of the view that the proposed modifications put forward by the Inspector did not meet garden community principles. It was vital that the necessary infrastructure was delivered first. Highwoods had suffered from a failure to deliver this in previous developments. The emphasis on trigger points did not give confidence that infrastructure would be delivered first. The Rapid Transit System would not work. He was leaning towards supporting restarting the Local Plan process.

In response, the Strategic Director explained that he believed that the Inspector had received numerous representations in respect of hardwiring the garden community principles into the Plan and would have considered those representations and the issues raised in the amendments suggested by the Leader when putting forward the modifications. In doing so he recognised that the wider policy framework would be provided by the Local Plan and the details of issues such as buffer zones and location of facilities would be settled through the DPD. The Inspector was not looking for comments on the modifications. He had included reference to the Garden Communities Charter within Section One of the Plan, which do go some way to meeting some of the concerns expressed by members. He was looking for an

indication that the Council was content to proceed with the modifications as drafted.

The Lead Officer: Planning, Housing and Economic Growth stressed that the Council was seeking to deliver infrastructure in a timely manner. Its policies such as SP8 showed that it was still committed to that type of development and it would not accept a weakened or watered down version.

Councillor Barber paid tribute to the work of a range of community groups and parish councils, whose views had been vindicated. The views of communities in the east of the borough who were concerned that the Tendring Colchester proposal was still going forward needed to be recognised. The concerns they had raised were valid. The Local Plan process had reached this point because the majority of the Committee had not listened to those who knew their communities best. The Plan could not be considered successful given that NEGC Ltd were collapsing and that 80% of the housing had been removed from the Plan. Conservative members had raised these concerns repeatedly. An opportunity to compromise and change course when the Inspector's letter had been received had not been taken. Considerable funding had been wasted and the risk of speculative development increased. Neither of the options before the Committee were ideal and he would not support either option. There needed to be an acceptance of the mistakes that had led to this point and an apology to those whose views had been ignored.

Councillor Bourne accepted that the Council had some healing to do in respect of the Local Plan. However, the Local Plan was not just garden communities. There was much other good work, such as Neighbourhood Plans, that was being overlooked by the focus on garden communities. The administration had to take responsibility for garden communities, and also be responsible in responding to the Inspector's letter. This set a clear choice before the Committee and there was clear advice from officers. The Committee needed to take a decision that would facilitate the development of a Local Plan for the borough. The Committee could agree on the need to provide housing that was fit for purpose, sustainable and of the appropriate tenure. There had not been time to consider the Leader's suggested amendments fully and it would be more appropriate for comments on the modifications to be submitted through the consultation process, and the people of Colchester would also have an opportunity to put these points forward in the consultation. In order to move forward and for the consultation to begin, the recommendations in the report needed to be agreed.

Councillor Coleman queried whether the Committee could comment on the modifications and indicated he would support the recommendations in the report. Councillor Hayter indicated he would not favour starting the Local Plan process again. Councillor Moore indicated that she had always considered that the garden communities proposals lacked sufficient foundation. She congratulated the Inspector as he had injected plain language into the Plan through his modifications. The Committee needed to be clear that the Plan would be based on the boundaries it had initially intended.

Councillor Barlow noted that the process was now in the Inspector's hands. He generally supported the amendments to the modifications: the issue was how they could be most effectively put forward. The next meeting of the Committee was scheduled for 3 August 2020. If this was moved back this would give an opportunity

to consider a possible response to the public consultation on the modifications and to discuss the approach with Tendring and Braintree.

The Strategic Director advised that if the Inspector was asked how comments should be submitted, he believed he would invite them through the consultation, and the next meeting of the Committee could be timed to facilitate this. In response to Councillor Moore's point on the map included within the Plan, the Strategic Director indicated that the map showed the area of search. This included the buffer zones, otherwise they would be outside of the DPD. He advised that the map should remain as it was otherwise the buffer zones might fall outside the scope of the DPD policies.

*RESOLVED* (FIVE voted FOR, THREE voted AGAINST and ONE ABSTAINED from voting) that the Planning Inspector be asked whether he would wish to incorporate the amendments proposed by the Leader of the Council to the modifications at this stage so they could form part of the public consultation on the modifications, or whether he would wish them to be submitted as a formal response to the consultation.

*RESOLVED* (SEVEN voted FOR, ONE voted AGAINST and ONE ABSTAINED from voting) that:-

- (a) The findings of the Planning Inspector's letter dated 15 May 2020 attached as Appendix 1 to Assistant Director's report) and his recommended modifications (attached as Appendix 2 to the Assistant Director's report) be noted;
- (b) The Inspectors suggested main modifications be accepted, including the removal of both the Colchester Braintree Garden Community and the West of Braintree Garden Community from the Section 1 Local Plan for the purposes of soundness.
- (c) Subject to the views of the other North Essex Authorities and following the agreement of the Portfolio Holder for Culture and Performance, a formal request be made to the Inspector to recommend main modifications for the purposes of soundness to allow the continuation of the present Local Plan process in accordance with timescales for the consultation exercise and subsequent stages agreed with the Inspector;
- (d) It be noted that public consultation will be undertaken on all the main modifications recommended by the Planning Inspector to make the Local Plan sound;
- (e) It be noted that an update to the Sustainability Appraisal (SA) and the Habitat Regulations Assessment (HRA) for the Modified Section 1 Local Plan will need to be produced and published for consultation alongside the Inspector's main modifications and that consultants LUC are already instructed to undertake this work;

## **195. Tendring Colchester Borders Garden Community**

The Committee considered a report setting out the proposals for the preparation of a Development Plan Document for the Tendring Colchester Borders Garden

Community. Laura Chase, Planning Policy Manager, attended to present the report and assist the Committee.

Members of the Committee indicated that they were content with contents of the report. It was recognised by Councillor Ellis that there was considerable work to do to bring the Development Plan Document forward, should the Tendring Colchester Borders Garden Community go ahead. Councillor Bourne indicated that some of the language would need to be tightened up and made more consistent in the DPD: for instance Salary Brook was referred to in a number of different ways at present. This could lead to confusion and misunderstandings if it was not corrected.

*RESOLVED (UNANIMOUSLY)* that the proposals for the preparation of a Development Plan Document for the Tendring Colchester Borders Garden Community be noted.

#### **196. Statement of Community Involvement Coronavirus Update**

The Committee considered a report setting out how the Statement of Community Involvement needed to be amended to take into account the requirements set out in national guidance and procedures on dealing with the implications of the coronavirus pandemic. Karen Syrett, Lead Officer: Planning, Housing and Economic Growth, presented the report and assisted the Committee and highlighted a number of changes introduced to help deal with consequences of coronavirus. For example the scheme of delegation to Planning Committee had been changed to reduce the number of applications referred to the Planning Committee, and the consultation on the Tiptree Neighbourhood Plan had been withdrawn.

Members of the Committee paid tribute to the work of the Planning and Housing teams in ensuring that processes continued to operate, despite the limitations imposed by coronavirus. Some concern was expressed by Councillor Moore about the public perception of the online Planning Committee meeting and she expressed a wish for face to face meetings to return as quickly as possible.

*RESOLVED* that:-

- (a) The revisions made to the Statement of Community Involvement as shown in Appendix One of the Assistant Director's report to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications be agreed.
- (b) The updated Statement of Community Involvement be published on the Council's website.
- (c) Authority be delegated to the Lead Officer: Planning, Housing and Economic Growth authority to make changes to the Statement of Community Involvement if circumstances change to allow plan making and decision making to continue.



24 August 2020

Report of	Assistant Director for Place and Client Services	Author	Jess Tipper 01206 508920
Title	Colchester Local List Report 2020		
Wards affected	All Wards		

**The Local Plan Committee is asked to agree the proposed amendments to the adopted Colchester Local List**

## 1. Executive Summary

This report follows the call for nominations, in line with agreed procedures, to the Colchester Local List. The report summarises each nomination and provides a recommendation for the Committee.

The report recommends the delegation of authority by the Committee, in line with agreed procedures, to enable officers to add heritage assets to the Local List.

## 2. Recommended Decision

2.1 The Local Plan Committee is asked to agree changes to the Colchester Local List:

- Approve the proposed amendments to the adopted Colchester Local List.
- Approve delegation of authority to the Lead Officer: Planning, Housing & Economic Growth, to add heritage assets to the Local List for an interim period prior to ratification by Committee.

## 3. Reasons for Recommended Decision

- 3.1 Updating the Local List will ensure that it remains a robust element of the evidence base supporting planning policies and safeguarding the historic environment.
- 3.2 Delegation of authority will enable officers to add heritage assets to the Local List with immediate effect, which is especially important for heritage assets under immediate threat of damage.

## 4. Alternative Options

- 4.1 The Committee could propose amendments to the proposed Local List and /or adopt some (rather than all) of the proposed revisions.
- 4.2 The Committee could choose not to delegate authority to officers or, alternatively, delegate authority for all nominations (i.e. not just emergency cases).




## 5. Background Information



- 5.1 The Colchester Local List safeguards selected heritage assets that, although not suitable for designation nationally as a Listed Building or Scheduled Monument, are considered historically or architecturally important at a local level, are valued by the local community and make a significant contribution to the character and setting of Colchester and the surrounding villages. This is in accordance with the National Planning Policy Framework (NPPF 2019), the National Planning Policy Guidance (NPPG 2019) and Historic England Advice Note 7 (2016) Local Heritage Listing (<https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>) and the Colchester Local Plan (Policy DM14 of the Adopted Local Plan 2001-2021).
- 5.2 The Local lists play an important role in building and reinforcing a sense of local character and distinctiveness in the historic environment. It enables the significance of any heritage asset on the list, referred to as non-designated heritage assets in the National Planning Policy Framework (paragraph 197), to be better taken into account in planning applications affecting the assets or its setting.
- 5.3 The Local List for Colchester town was adopted by the Local Development Framework Committee on 12 December 2011, following an identification and selection process by Colchester Historic Buildings Forum. On 26 March 2012, the Local List for Wivenhoe, prepared by the Wivenhoe Townscape Forum, was adopted by the Council.
- 5.4 The Local List (716 heritage assets in total) currently covers urban Colchester (623 heritage assets) and also Wivenhoe (76 heritage assets). There are also locally listed assets in Boxted (2 heritage assets), Langham (1 heritage asset), Rowhedge (1 heritage asset) and Wakes Colne (1 heritage asset).
- 5.5 The Colchester Local List is available as a GIS Layer on the Council's interactive planning map:  
<http://datashare.colchester.gov.uk:8010/connect/analyst/mobile/#!/main?mapcfg=Planning>  
The Local List is also published on the Colchester Heritage Explorer website:  
<https://colchesterheritage.co.uk/about-the-local-list-and-other-heritage-designations>
- 5.6 The current Selection Criteria for the Colchester Local List were adopted in 2019. The Report (pp.27-40 of the Local Plan Committee, 21 October 2019, Agenda Document Pack) and Minutes of meeting (section 176) are available on the Council's website:  
<https://colchester.cmis.uk.com/colchester/MeetingCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/732/Committee/12/Default.aspx>
- 5.7 The current Selection Criteria for Colchester town's Local List are published on the Colchester Heritage Explorer website: [https://colchesterheritage.co.uk/documents/2019-10-21\\_adopted.local.list.selection.criteria.pdf](https://colchesterheritage.co.uk/documents/2019-10-21_adopted.local.list.selection.criteria.pdf)
- 5.8 Following adoption of the Local List for Colchester in 2011, the Local Development Framework Committee agreed that the List would be reviewed annually (12 December 2011, p.83).






- 5.9 Procedures for amending Colchester's Local List were agreed at the Local Plan Committee on 28 January 2013. This includes the addition of new heritage assets or removal of those that no longer fulfil the criteria.
- 5.10 There have been regular reviews of the Local List by the Local Plan (previously LDF) Committee, resulting in additions, amendments and deletions:
- 21 October 2019, with the addition of one heritage asset to the Local List in Rowhedge.
  - 13 September 2018, with the addition of three heritage assets to the Local List including one in Tiptree and one in Boxted.
  - 27 March 2017, including addition of one heritage asset in Boxted (Methodist chapel) was added to the Local List and also two heritage assets (two pairs of cottages) in Wakes Colne.
  - April 2016, including addition of one heritage asset (War Memorial) in Langham
  - 13 April 2015
  - 28 April 2014
  - 11 March 2013
  - 26 March 2012 adoption of the Wivenhoe Local List
  - 12 December 2011 adoption of the Colchester Local List
- 5.11 In October 2019, a press release was issued inviting members of the public and local groups to nominate buildings or historic/architectural features for consideration for either inclusion or removal from Colchester's Local List. Colleagues in Development Management were also consulted to gather information about any planning applications that had resulted in the loss of or alteration of buildings or historic/architectural features on the Local List. In addition, a number of nominations have been proposed in response to the public consultation in 2019 on the [Local List Selection Criteria](#) and these are included for consideration in this report.
- 5.12 In response to the press release and consultation, a total of 64 additions (from 68 nominations) have been proposed to the Local List - although some of these additions are categories of heritage asset type and include multiple assets - which the Local Plan Committee is being asked to review and agree the suggested changes. Of this total, 17 are within Colchester, 15 in Marks Tey, 4 in Fingringhoe and Great Tey, 3 in Boxted and West Mersea, 2 in Dedham, Eight Ash Green, Fingringhoe and Fordham and one each in Abberton, Copford, East Mersea, Great Horkesley, Langham, Layer-de-la-Haye, Messing, Mount Bures, Peldon, Rowhedge, Wakes Colne and West Bergholt. It is recommended that three nominations (Nos. 1, 48 and 58) should be rejected as they do not meet the selection criteria while there is insufficient information about another (No. 51) and, therefore, it should be also rejected (and/or until further information is provided).
- 5.13 The nominations for the Local List are detailed in Table 1 below along with a recommendation to support their inclusion or rejection.



No.	Heritage asset	Information	Recommendation
1	12 Beach Road, West Mersea TM 01111 12426	A house built in the early days of Mersea development as a holiday resort; the house is marked, under construction, on the OS Six-inch map revised in	Do not add to the Local List. The building is a 'pattern book' inter war house and has been altered. It falls short of the selection criteria ( <i>Only buildings of very</i>




		1938. Red brick, upper storey white rendered, wooden balconies to south and east, the former over a conservatory and the latter over a bay window. Large modern conservatory extension on the south side.	<i>good architectural or historic interest that are substantially complete and unaltered by alterations and extensions).</i>
2	<p>161 Shrub End Road, Colchester TL 97401 23511</p>  	<p>This building is an early 19<sup>th</sup> century example of modest late Georgian vernacular weather-boarded architecture, although altered externally. A programme of historic building recording was carried out by Colchester Archaeological Trust in 2018 (CAT Report 1384). That report stated, '<i>The building is a late Georgian cottage constructed between 1777 and 1839. Four extensions were subsequently added to it. Two have recently been demolished. The other two date from the 20<sup>th</sup> century. The cottage has had all its windows and external door replaced with modern examples, but some original, or possibly original, features and fittings survive within.</i>'</p>	<p>Add to the Local List. Although altered, it is an example of a small workers cottage, once common on the Essex heaths but now rare.</p>
3	<p>Archaeological remains below Jacks, 5-6 St Nicholas Street, Colchester TL 99819 25175</p>	<p>Recent archaeological investigations during repair and conversion in 2019 defined well-preserved archaeological remains indicating the location of a probable Roman baths complex at this location. Colchester Archaeological Trust are currently preparing a report on these investigations.</p>	<p>Add the entire area within the walled area (i.e. the historic walled town centre), in terms of below-ground archaeological remains, to the Local List. See No. 5 below</p>
4	<p>Former Queen Street bus depot, Queen Street, Colchester TL 99990 25067</p>	<p>Archaeological evaluation by Colchester Archaeological Trust in 2017 and 2018 in advance of a planning application for redevelopment defined archaeological remains</p>	<p>Add the entire area within the walled area (i.e. the historic walled town centre), in terms of below-ground archaeological remains, to the Local List.</p>

		across the area (CAT Reports 1106, 1230 and 1286).	See No. 5 below
5	Below-ground archaeological remains within the Walled Town of Colchester (that are otherwise undesignated) TL 9970 2528	Within Colchester's historic town centre, there are deep and often well-preserved stratified archaeological deposits, spanning 2000 years. These survive below buildings as well as in open areas within the walled town. Such archaeological deposits are exceptionally rare.	Add the entire area within the walled area (i.e. the historic walled town centre), in terms of below-ground archaeological remains, to the Local List, rather than locally listing individual parcels of land.
6	197 ceramic street names in Colchester 	197 ceramic (encaustic) street names have been recorded in a recent survey by Robert Mercer, most in good condition but some only partially surviving. The ceramic street names, made up of individual letter tiles, with white or cream letters on a dark brown background, date from the 1890s and into the early 20 <sup>th</sup> century (possible until the First World War). These were attached to the sides of buildings or free-standing walls. Some street signs have the old street name (Street is often shortened to St.), in smaller tiles below, e.g. <i>Vineyard St.</i> , formerly <i>Bere Lane</i> .	Add all the surviving ceramic street names to the Local List, as locally distinctive and historically important.
7	13 cast iron street names in Colchester 	13 cast iron street names have been recorded in a recent survey by Robert Mercer. The cast iron street names, almost certainly made by one of the Colchester foundries, were erected on the sides of buildings from (probably) 1882 and they appear to have been replaced by the ceramic street names.	Add all the surviving cast iron street names to the Local List, as locally distinctive (and probably locally manufactured) and historic street names.
8	3 enamel on steel street names in Colchester	3 cast iron street names have been recorded in a recent survey by Robert Mercer: <i>Causton Road</i> , <i>Greenstead Road</i> and <i>Hawkins Road</i> . Mercer suggests these probably post date the First World War.	Add all the surviving ceramic street names to the Local List, as locally distinctive and historically important.









			
9	<p>389 cast iron lamp posts in Colchester</p> <p>See  <a href="https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/">https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/</a></p>  <p>Examples of surviving locally manufactured street lamps (Stanford &amp; Co and C E Schlimper)</p>	<p>389 cast iron lamp posts, manufactured for the Council by Colchester foundries and others in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, have been recorded in a 2018 survey by Colchester Civic Society. 601 lamp posts were recorded in a 1983 survey, demonstrating a loss of nearly half in less during the last 40 years).</p>	<p>Add all the surviving cast iron lamp posts to the Local List, as locally distinctive and historically important.</p>
10	<p>Cast iron lamp standards and lamp brackets in Colchester</p> <p>See  <a href="https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/">https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/</a></p> 	<p>A small group of cast iron lamp standards and lamp brackets, again manufactured by Colchester and other foundries and others in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, have been recorded in a 2018 survey by Colchester Civic Society. 6 lamp brackets set on gate pillars: Wellesley Terrace (19-29 Wellesley Road)(x2), Colchester Royal Grammar School, Lexden Road (x2), King Edwards Quay, ornate lamp posts at both ends of the Sergeants Mess, Artillery Barracks (x2).</p>	<p>Add all the surviving lamp standards and lamp standards to the Local List, as locally distinctive and historically important (where they are not already designated; those on St Peter's Church, North Hill and on Le Cateau Barracks Gates, Butt Road, are already locally listed, the Town Hall balcony lamps and lamps on stone pillars are Grade I and II* Listed respectively; the Cowdray Crescent War Memorial is Grade II Listed, the Sergeants Mess is Grade II Listed.</p>

	<p>Wellesley Terrace, Wellesley Road.</p>  <p>Sergeants Mess, Artillery Barracks.</p>		<p>In terms of wall brackets, the Headgate Congregational Chapel, 22 High Street and Eld Lane Baptist Church are already Grade II Listed while 43-45 Head Street are already Locally Listed.)</p>
11	<p>15 cast iron bollards in Colchester Borough</p> <p>See <a href="https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/">https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/</a></p>  <p>Beverley Road Folley to Irvine Road bollard (manufactured by A.G.Mumford &amp; Co).</p>	<p>15 cast iron bollards, manufactured for the Council by Colchester foundries and others in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, have been recorded in a 2018 survey by Colchester Civic Society: Scheregate Steps in Eld Lane (x2), Short Wyre Street (junction with Long Wyre Street), East Stockwell Street (junction with St Helen's Lane), Maidenburgh Street and 9-11 St George's Street, Mill Street junction with Camp Folley North, Kendall Road (Wheatsheaf Court) (x2), Beverley Road Folley to Irvine Road (x2), Middleborough Water Fountain (x2), Well Lane, Easthorpe and Mersea Road (opposite Colchester Cemetery).</p>	<p>Add all the cast iron bollards to the Local List (the bollard on North Hill, junction with Balkerne Passage, is already locally listed). These are a small group of surviving heritage assets that are important to the history of Colchester.</p>
12	<p>Equipment of the Colchester Electrical Company in Colchester</p> <p>See <a href="https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/">https://www.colchestercivicsociety.co.uk/a-survey-of-colchesters-ironwork-2018/</a></p>	<p>There is one surviving <i>in situ</i> cast iron 'Lucy' box (a feeder pillar and connection box) located in Castle Park (near the Castle Road exit). There are also five surviving fuse boxes: The Kings Arms, Crouch Street with the box on a post by the window and No. 27 Crouch Street on a post between the shop fronts, St John's Street at</p>	<p>Add all the surviving equipment to the Local List. These are a small group of surviving assets manufactured in the town and that are important to the history of Colchester.</p>




	 <p>No 27 Crouch Street with fuse box on a post with a Colchester arms cover between shop fronts.</p>	<p>the old Liberal Club, St Botolph's Street on a post between Nos. 8 and 9 and on No. 15 Queens Street.</p>	
13	<p>The Church of St Barnabas' Lych Gate, The Street, Great Tey TL 8922725822</p> 	<p>The Lych Gate, located at the north-east corner of the churchyard, and at the corner of The Street and Brook Road, apparently dates from the 20<sup>th</sup> century. It is within the curtilage of the Church of St Barnabas, which is Grade I Listed (NHLE no. 1223408). Timber frame on red brick plinth and with tiled roof. Dedicated in memory to the fallen of WWI.</p>	<p>Add to the Local List. It is a good example of a Lych Gate and it is important to the history of Great Tey.</p>
14	<p>Brick wall in front of Copped Hall, Chappel Road, Great Tey TL 89218 25832</p> 	<p>The garden wall is located at, and curves around, the corner of The Street and Chappel Road. The wall is mainly Flemish-bonded red brickwork, apparently 19<sup>th</sup> century in date, but the corner section (on the bend of the road junction) comprises stone rubble and of probably earlier date – it is leaning outwards and supported by closely spaced red brick piers. Parts of the stone rubble section are in urgent need of repair.</p>	<p>Add to the Local List. The wall is a distinctive and historical feature within the historic core.</p>






			
15	<p>Village pump, The Street (in front of Tey House), Great Tey TL 89198 25833</p> 	<p>The cast iron village pump is surrounded by a Flemish-bonded red-brick wall. It is marked on the 1897-1906 Epoch 2 County Series 1:2500 map.</p>	<p>Add to the Local List. It is one of a small number of surviving water pumps and it is important to the history of Great Tey.</p>
16	<p>Brick wall outside Old Warrens, south side of The Street, Great Tey TL 89034 25846</p> 	<p>A substantial and prominent red brick wall formerly enclosing (forming the boundary with the road) Warren's Farm. The wall is Flemish-bonded red brickwork, apparently 19<sup>th</sup> century in date, capped with triangular-shaped bricks. The wall is on a gradual (E to W) slope and steps down in stages at intervals. Some parts of the wall are in urgent need of repair.</p>	<p>Add to the Local List. The wall is a distinctive and historical feature within the historic core.</p>




			
17	<p>Post box outside Fuschia Cottage, Layer Road, Abberton, CO5 7NH TM 00535 19071</p> 	King George V post box set into a brick gatepost on the site of the former post office.	Add to the Local List. It is a good example of a historic post box and important to the history of Abberton.
18	<p>Road sign at main crossroads, Layer-de-la-Haye, Birch Road and High Road. TL 96752 20032</p> 	Cast iron sign post with distinctive semi-circular parish plate finial. Manufactured by Maldon Iron Works during the 1920s/30s. (Colchester HER no. MCC5563)	Add to the Local List. A good example of a historic, and locally manufactured, road sign, one of a small number of surviving examples in the Borough.
19	<p>Road sign at crossroads, Fordham, Moat Road and Ponders Road (TL 92884 28634) and at crossroads, Fordham, Moat Road/Plummers Road and Chappel Road (TL 93080 28945)</p>	The first is an attractive cast iron sign post with distinctive semi-circular parish plate finial. One arm is missing (now a stub).	Add to the Local List. A good example of a historic road sign, one of a small number of







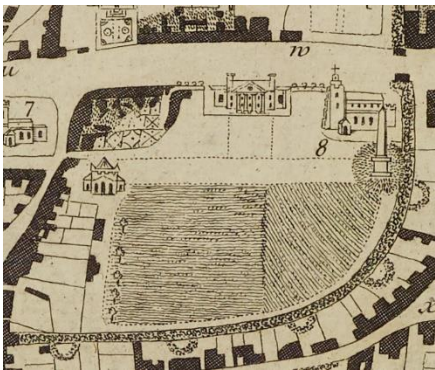
	 	<p>Possibly manufactured by Stanton of Derbyshire during the 1920s/30s. (Colchester HER no. MCC5562).</p> <p>The second is an attractive cast iron sign post with distinctive annulus finial parish plate finial. Manufactured by Maldon Iron Works during the 1920s/30s. One arm (of four) missing (now a stub). (Colchester HER no. MCC5565)</p>	<p>surviving examples in the Borough.</p>
20	<p>Road sign on Copford Green, Church Road/ Rectory Road/ School Road. TL 92811 22609</p> 	<p>Attractive cast iron sign post with distinctive annulus finial parish plate finial. Manufactured by Stanton of Derbyshire during the 1920s/30s. One arm (of four) missing. (Colchester HER no. MCC5564)</p>	<p>Add to the Local List. A good example of a historic road sign, one of a small number of surviving examples in the Borough.</p>
21	<p>Road signposts at the bottom (south end) of Newbarn Road at the junctions with Brookhouse Road (TL 88770 25898; Earls Colne) and at the junction of Coggeshall Road and The Street, Great Tey (TL 8853 25907; Coggeshall/Earls Colne/Colchester)</p>	<p>Attractive cast iron sign posts from the early 20<sup>th</sup> century, the first with a conical finial and the latter with and annulus Essex County Council plate finial. The first road was manufactured by Maldon</p>	<p>Add to the Local List. These are good examples of historic, and locally manufactured, road signs, of which there only a small number of surviving</p>

	 	<p>Iron Works (and bears the manufacturers mark). (Colchester HER nos. MCC5560 and MCC5561)</p>	<p>examples in the Borough.</p>
22	<p>Road signpost on A134 &amp; Old House Road, Great Horkesley TL 97798 30264</p> 	<p>Cast iron sign post. Manufactured by Maldon Iron Works during the 1920s/30s. One of the arms (of three) has been broken off and replaced with a modern arm. (Colchester HER no. MCC5556)</p>	<p>Add to the Local List. An example of a historic, and locally manufactured, road sign, one of a small number of surviving examples in the Borough.</p>
23	<p>Road signpost in village centre of Peldon, Church Road, Malting Road &amp; St Ives Road TL99048 16871</p>	<p>Cast iron sign post. Manufactured by Maldon Iron Works during the 1920s/30s. One of the arms (of three) has been</p>	<p>Add to the Local List. An example of a historic, and locally manufactured, road sign, one of a small number of</p>





		broken off and replaced with a modern arm. (Colchester HER no. MCC5557)	surviving examples in the Borough.
24	Road signpost at School Road & New Road, Messing TL89434 18442  	Cast iron sign post with distinctive semi-circular parish plate finial. Manufactured by Maldon Iron Works during the 1920s/30s. One of the arms (of three) has been broken off and replaced with a modern arm. (Colchester HER no. MCC5559)	Add to the Local List. An example of a historic, and locally manufactured, road sign, one of a small number of surviving examples in the Borough.
25	Road signposts at junction of Colchester Road and Mill Road, West Mersea (TM 01471 13506) and at junction of High Street and Barfield Road, West Mersea (TM 01003 12888)  	Cast iron sign posts. The first has distinctive semi-circular parish plate finial. Manufactured by Maldon Iron Works during the 1920s/30s. Both of the arms have been broken off (now stubs). (Colchester HER no. MCC5558). The second was also manufactured by Maldon Iron Works. Both of the arms and finial have been removed, and the post is currently completely hidden by ivy. (Colchester HER no. MCC5556)	Add to the Local List as examples of historic, and locally manufactured, road signs, two of a small number of surviving examples in the Borough. Although the arms are missing, they could be restored.
26	Road signpost at junction of Chapel Road and South Green Road, Fingringhoe	Cast iron sign post. Manufactured by Maldon	Add to the Local List as an example of a historic,

	<p>TM 02297 19633</p> 	<p>Iron Works during the 1920s/30s. The original arms are missing.</p>	<p>and locally manufactured, road sign, one of a small number of surviving examples in the Borough. Although the arms are missing, they could be restored.</p>
27	<p>Fordham bus shelter, Church Road (in front of Village Hall), Fordham TL 92889 28605</p> 	<p>Bus shelter granted to the parish by Fordham Church for the Coronation of Elizabeth II in 1952. Timber framed with red brick (set in a herring-bone pattern) infilled panels on concrete plinth. Hipped roof with red tiles.</p>	<p>Add to Local List. A quirky example of a bus shelter with good local historic significance.</p>
28	<p>1 and 3 Marsh Crescent, Rowhedge TM 03067 21856</p> 	<p>A late Medieval (15<sup>th</sup> or early/mid 16<sup>th</sup> century) timber-framed dwelling, although both internally and externally altered.</p>	<p>Add to Local List. A surviving late Medieval timber-framed building dwelling.</p>





29	<p>37 West Stockwell Street, Colchester TL 99519 25500</p> 	<p>1930s brick (painted white) terraced dwelling with slate roof.</p>	<p>Add to Local List. A good example of a 1930s terrace dwelling. The building was previously designated (Grade II Listed) and was been de-listed in January 2020, but it is considered a suitable candidate for Local Listing.</p>
30	<p>Colchester Cemetery, Mersea Road, Colchester TM 0016 2356</p>	<p>Colchester Cemetery as a burial ground was consecrated in 1856, extended in 1895 and has been further extended at various points since. (Colchester HER no. MCC8964)</p>	<p>Add to Local List. A locally significant planned landscape with multiple locally significant grave markers. The Anglican and Non-Conformist chapels, and also the Obelisk, are already Locally Listed.</p>
31	<p>Former Severalls Hospital, Boxted Road, Colchester TL 9931 2841</p>	<p>The grounds of Severalls Hospital, opened in 1913, were laid out from 1910 by the County Architect, Frank Whitmore.</p>	<p>Add to Local List. Severalls Hospital was a designed heritage asset (Registered Park) until redevelopment in 2018. Although it has been de-listed the hospital grounds still retain large elements of the original layout and design and, although altered, it is considered a suitable candidate for Local Listing. A number of the hospital buildings are Locally Listed, including the main ward blocks and the water tower.</p>
32	<p>East Hill House Gardens, East Hill, Colchester TM 0008 2516</p> 	<p>East Hill House was built in the early 18<sup>th</sup> century with a formal garden laid out to the south of the house, in the south-east part of the walled town; the house and its garden are illustrated in Morant's <i>History and Antiquities of the Most Ancient Town</i> of 1748. East Hill House is a designated Heritage Asset (Grade I Listed, NHLE no. 1168783). The Summerhouse (originally part of the garden) is Grade</p>	<p>Add to Local List the remaining key elements of East Hill House gardens, principally the enclosed lawn and sunken D shaped lawn, the mound and east-west link (axial walk) between the mound (originally surmounted by an obelisk) and the Folly.</p>






	James Deane's plan of East Hill House and gardens (reproduced in Morant 1748).	II* Listed (NHLE no. 1123608). The area is also Scheduled (NHLE no. 1002153) because of the significance of the below-ground archaeological remains within this area.	
33	Orchard Cottage, Seven Star Green, Eight Ash Green, CO6 3QB TL 93887 25797 	The building is a small (c.15m x 8m in size), one-and-a-half-storey, timber-framed/brick-built structure located on the east side of Seven Star Green, a historic parcel of common south of Halstead Road in Eight Ash Green. Despite a large number of modern additions, extensions and alterations, enough historical fabric (including a large fireplace and a first-floor supported by a substantial binding-beam) remains to suggest the building was initially constructed sometime between the 15th and 17th centuries, possibly as a small hall-house.	Add to Local List. A surviving timber-framed building, 16th century hall-house, located on the edge of a historic common.
34	WWII Pillbox, Argents Lane, Eight Ash Green TL 95005 26610 	A WWII concrete hexagonal pillbox on the north side of Argents Lane, overlooking the River Colne (to the north). The pillbox is entered through a low entrance from the roadway. It has a 6ft wide hexagonal anti-aircraft machine-gun well in the centre. The mounting pillar, together with its steel fittings, remains extant in the middle of the well.  HER Monument no. MCC10389	Add to Local List as a WWII heritage asset and part of the Eastern Command Line across the Colne Valley.




			
35	<p>Thorne Roughets, Anchor Lane, Dedham, CO7 6BX TM 06032 31804</p> 	<p>Thorne Roughets is a small, one-and-a-half storey timber-framed, lobby-entrance house of probable 18th-century origin, with later alterations.</p>	<p>Add to Local List. A surviving timber-framed building, 18th century dwelling, located on the edge of a historic heath and forming a group with three listed buildings (Three Gables, Applebee Cottage and Winterflood House).</p>
36	<p>White Hart Hotel, 1 High Street, West Mersea, CO5 8QD TM 00909 12561</p> 	<p>The majority of the building has its origins in the 19th century, including a large building on the frontage of the High Street with impressive faux timber-framing. Within the core of the building, and around which the other structures have been erected, there is the remains of a 15th century hall-house. An inserted 16th-century chimney-stack also survives, as well as remnants of a hand-sawn timber-frame infilled with plank panelling and a collar-purlin roof.</p> <p>HER Monument no. MCC10389</p>	<p>Add to Local List. A surviving timber-framed building, 15th century hall-house, with later alterations, in the historic settlement core.</p>
37	<p>Water pump, Old School House, School Lane, Dedham TM 05654 33053</p>	<p>A well-preserved 19<sup>th</sup> century cast iron pump encased in timber, to the left of the western façade of the Old School House, Dedham.</p>	<p>Add to the Local List. It is one of a small number of surviving water pumps and it is important to the history of Dedham.</p>







			
38	<p>Plane Hall Farmhouse, South Green Road, Fingringhoe, CO5 7DR TM 02601 19573</p> 	<p>A red brick-built (in Flemish bond) two-storey dwelling, with hipped, low-pitched slate roof with large eaves. The front of the building (i.e. principal façade) is south-facing, with a simple central porch. There is a gabled rear (i.e. north) extension. that appears to date from the early to mid 19th century (the building is marked on the Fingringhoe Tithe map, dated 1833-53). The windows have been replaced in the late 20<sup>th</sup> century.</p>	<p>Add to the Local List. It is c.1840 in date and the style, form and construction of the building is easily identifiable and potentially restorable (the original fenestration could be restored).</p>
39	<p>Langham Water Treatment Works, Sky Hall Hill, Boxted CO4 5TD TM 01655 34099</p>  	<p>The works were developed in the early 1930s by the South Essex Waterworks Co. and most of the buildings reflect the International Modern Movement architectural style of the inter-war period. The pumping station is a white concrete building with a pitched roof. There are tall windows within each of the five bays formed by pilasters on the long elevations. These windows have metal frames, while the smaller ones on the front (east) elevation consist of glass blocks. Associated buildings include the Control Room, Primary Filter House and Chemical House which are all of similar architectural style to that of the Low Lift pumping station.</p> <p>HER Monument no. MCC5206</p>	<p>Add to Local List as a surviving and locally significant complex with buildings, largely unaltered, that are good examples of the period.</p>



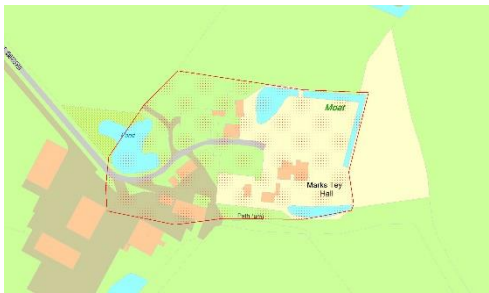
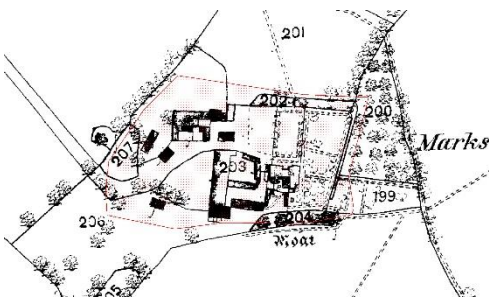




40	<p>High Lift Villas, High Lift Villas Road, Sky Hall Hill, Boxted, CO4 5TD TM 01740 33900</p> 	<p>A row of three semi-detached villas (Nos. 1-6) and one detached villa (No. 7, Kilmory) opposite, and contemporary with, Langham Water Treatment works and built by South Essex Waterworks Co. The semi-detached two-storey houses are of red brick with the upper storey rendered, under tiled, hipped roofs. Each house has a two-storey bay with windows on both floors, hung tiles between and part timbered gables at roof level. The detached house is in a similar style, although the bay windows are to the ground floor only.</p> <p>HER Monument no. MCC4082</p>	<p>Add to Local List as interwar dwellings, largely unaltered, associated with and built for workers at the Langham waterworks.</p>
41	<p>1-3 Low Lift Cottages, Langham, CO4 5QA TM 02508 34371</p> 	<p>Low lift Cottages adopt a similar style to High Lift Villas and they are again contemporary with Langham Water Treatment works and built by South Essex Waterworks Co. They comprise a terrace of three brick built cottages with a rendered upper storey and a hipped, tiled roof. The two outer cottages have a projecting bay with bay windows on both floors and hung tiles between and part timbered gables at roof level.</p> <p>HER Monument no. MCC4083</p>	<p>Add to Local List as interwar dwellings, largely unaltered, associated with and built for workers at the Langham waterworks.</p>
42	<p>The Hedges, Hay Lane, Fingringhoe TM 01288 20272</p> 	<p>The Hedges was built as a pair of exceptionally small timber-framed and weatherboarded cottages in the first half of the 19th century; The Hedges first appeared on the Fingringhoe tithe map of 1843. Unusually, both appear to have shared the same central entrance and staircase.</p>	<p>Add to the Local List. An unusually small pair of dwellings that date from the first half of the 19<sup>th</sup> century, although altered in the mid 20<sup>th</sup> century with render and new windows, a rear extension and further additions to both gables.</p>
43	<p>Farm buildings to north of Reeves Hall, Meeting Lane, East Mersea TM 04151 15264</p>	<p>The group includes various farm buildings dating from the first half of the 19th century onwards, the</p>	<p>Add to the Local List. A group of traditional 19<sup>th</sup> century farm buildings associated with the 18<sup>th</sup></p>

		<p>earliest of which is a timber-framed weather-boarded barn, a late 19<sup>th</sup> century timber-framed barn, an open-fronted mid 19<sup>th</sup> century timber-framed animal shelter and an L-shaped building with two long ranges dating to the mid-late 19<sup>th</sup> century. Other buildings date to the 20<sup>th</sup> century and are of no historic interest.</p>	<p>century (Grade II Listed) Reeves Hall.</p>
44	<p>Artillery Barracks Folley, Colchester TL 99270 24678 (W) to TL 99568 24738</p> 	<p>A back alley (public right of way) linking Butt Road (W) to Walsingham Road (E) on the north side, outside and along the wall line of the (former) Royal Artillery Barracks, erected in 1874-75. The W half of the alley is primarily brick setts (at least two types of bricks) that may be original.</p>	<p>Add to the Local List. It is one of two folleys in the town, along the side of the garrison barracks; Camp Folley North was added to the Local List in 2011.</p>
45	<p>25 Coggeshall Road, Marks Tey TL 91003 23557</p> 	<p>Red brick bungalow dated to the early 1930s, built with bricks and roof tiles manufactured by Colliers Brickworks and with documentary evidence (1933) recording the building was designed by an Essex architect Edward Fincham.</p>	<p>Add to the Local List. A building of local historic interest and association that is reasonably unaltered and the style, form and construction of the building is easily identifiable.</p>
46	<p>Old Thatched Cottage, 85 Coggeshall Road, Marks Tey TL 90453 23497</p>	<p>Small timber-framed and thatched building, one-and-a-half-storey with dormer windows.</p>	<p>Add to Local List. A surviving timber-framed building. It has been extended to the west in the 20th century but the</p>

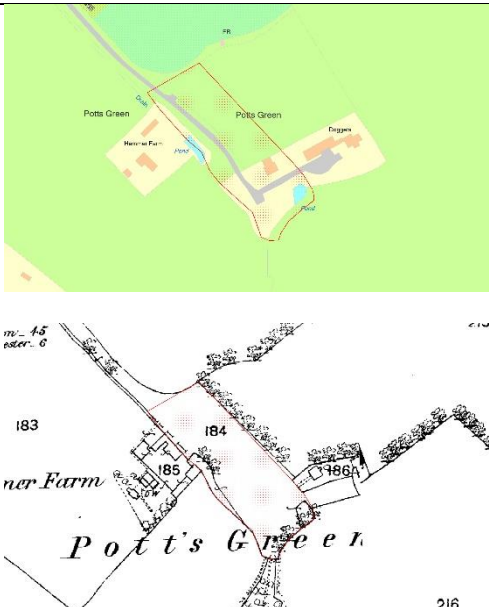







		(NB. Old Thatched Cottage does not appear to be marked on the 1843 tithe map).	style, form and construction of the building is easily identifiable.  Potential candidate for National Designation.
47	91 & 93 Coggeshall Road, Marks Tey TL 90356 23491 	Weather-boarded with slate roof semi-detached cottages. The building is marked on the 1843 tithe map of Marks Tey and of probable early 19 <sup>th</sup> century date.	Add to the Local List as a good example of a small workers cottage, once common on the Essex heaths but now rare.
48	Bridge Farm, Coggeshall Road, Marks Tey TL 91367 23670 	Two-and-a-half storey brick dwelling, yellow brick with string courses and quoins of red brick while the windows are also framed with red bricks. The roof is not original and of concrete tiles. Two bay windows either side of the central front north on the north façade with cover between them forming a covered porch to the door. The windows have been all replaced with uPVC.	Do not add to the Local List. A common example of late Victorian architecture and both the windows and roof have been replaced.
49	Church Farm, Church Lane, Marks Tey TL 91054 23764 	Two-storey yellow brick dwelling, hipped, slate roof. Two canted (probably Edwardian) windows on the front (east) façade either side of a door with flat-roofed porch supported on two columns. Late 19 <sup>th</sup> century, first appearing on the 1897-1904 OS 1:1250 County Series. HER Monument no. MCC9210.	Add to Local List. Although altered with a conservatory and extension, the façade of the building is very attractive and the roof is unaltered and the style, form and construction of the building is easily identifiable.
50	Stable at Church Farm, Church Lane, Marks Tey TL 91068 23804	Two-storey yellow brick stable block with pantiled roof, to the north of and earlier than the dwelling and probably mid 19 <sup>th</sup> century (it is depicted on	Add to Local List. Although the windows have been altered, the building is largely unaltered and the style, form and construction of

		<p>the earlier County Series 2 map of 1874-1887). The windows all have arched brick heads but all the windows have been replaced and enlarged (now with uPVC). There is also a central circular window.</p> <p>HER Monument no. MCC9210.</p>	the building is easily identifiable.
51	<p>Hammer Farmhouse, Doggetts Lane, Potts Green, Marks Tey TL 90979 22806</p> 	<p>Hammer Farmhouse is depicted on the 1843 Tithe Map as Doggetts (but this has changed to Hammer Farm by the First edition OS County Series of 1874-1887). The current two-storey dwelling is rendered on the ground floor and weather-boarded on the first, with a hipped, tiled roof. All the windows have been replaced with modern uPVC windows.</p> <p>HER Monument no. MCC9213.</p>	Further information is required to assess this building.
52	<p>Moated enclosure, Marks Tey Hall, Marks Tey TL91733 23295</p>  	<p>Remains of a sub-rectangular medieval moated enclosure in reasonably good condition, c.1.40ha. in area, located to the south of the main London Road at the end of Hall Chase. The north, east and south arms of the moat are well defined, but the western arm (where the entrance would have been located) is unclear (the western arm is also not marked on the 1843 tithe map, so had presumably already been infilled at this date).</p> <p>The moat encloses Marks Tey Hall, formerly the manor house of the parish; Marks Tey Hall is a Grade II Listed Building that dates from the 16<sup>th</sup> century (NHLE no. 1224576 (HER Monument no. MCC7535). However, a building is recorded on the site as early as the 14<sup>th</sup> century.</p> <p>In addition to the Hall, the barn to the west of the hall is Grade II* Listed and is dated to c.1400 (NHLE no.</p>	Add to Local List. The site is documented from the early 14 <sup>th</sup> century and the form of the moated enclosure is easily identifiable.




		<p>1224577). The Chapel Barn to the NW of the hall is Grade II Listed and dated to the 17<sup>th</sup> century (NLHE no. 1266768; HER Monument no. MCC4405). There were further farm buildings to the west but these have been removed.</p> <p>HER Monument no. MCC7534.</p>	
53	<p>The Old Rectory, Rectory Court, Station Road, Marks Tey TL 91472 23789</p> 	<p>Former rectory built as the parsonage in the first half of the 18<sup>th</sup> century by William Bree, Vicar of Marks Tey 1722-1753. It was extended and converted into apartments in the 20<sup>th</sup> century.</p>	<p>Add to Local List. Although it has been altered and extended to the rear, the building is largely unaltered and the style, form and construction of the building is easily identifiable.</p>
54	<p>The (Former) Methodist Church, London Road, Marks Tey TL 92124 23815</p> 	<p>Methodist church constructed in 1902-3, gothic style, yellow brick with red brick detailing, slate roof.</p>	<p>Add to Local List. The building is good example of its type, largely unaltered and the style, form and construction of the building is easily identifiable and has local historical association.</p>
55	<p>Potts Green, Marks Tey TL 91037 22823</p>	<p>Historic green shown on the 1777 Chapman &amp; Andre Map (labelled as Pots Green), on the south side of and set back from London Road. The green is roughly rectangular in shape, c.0.5ha. in area. Doggets Hammer Farm (Grade II Listed; NLHE on. 1266767), is located on the</p>	<p>Add to Local List. The green is probably medieval (or early post-medieval) in origin, and the form of the green is easily identifiable in the landscape.</p>






		<p>green edge, dating from the 16<sup>th</sup> century.</p> <p>HER Monument no. MCC9116.</p>	
56	<p>180, 182, 188 London Road, Marks Tey TL 91223 23344</p> 	<p>One-and-a half-storey timber-framed dwelling/s with dormer windows and peg-tile roof.</p>	<p>Add to Local List. A row of surviving timber-framed building. Although the windows have been replaced (the original fenestration could be restored), the style, form and construction of the building is easily identifiable.</p> <p>Potential candidate for National Designation.</p>
57	<p>Wynscroft, 1 London Road, Marks Tey (formerly Butcher's Farm) TL 92318 23815</p> 	<p>One-and-a half-storey timber-framed dwelling with dormer windows and thatched roof; the west end is hipped the east end is gabled. The building is clearly marked on the 1843 tithe map of Marks Tey.</p> <p>HER Monument no. MCC9208.</p>	<p>Add to Local List. A good timber-framed building and the style, form and construction of the building is easily identifiable (although there is a modern extension of the east end).</p> <p>Potential candidate for National Designation.</p>
58	<p>Former Goods Shed, Marks Tey Station TL 91682 23972</p>	<p>Former Great Eastern Railways Goods Shed, built in c.1865, located on the 'down' side of the railway. Rendered walls (early photographs show it was weather-boarded) with corrugated asbestos roof.</p>	<p>Do not add to the Local List. The building has been substantially altered and falls short of the selection criteria (<i>Only buildings of very good architectural or historic interest that are substantially complete</i></p>




			<i>and unaltered by alterations and extensions).</i>
59	<p>Marks Tey Railway Station TL 91621 23925</p>  	<p>The original station at Marks Tey opened in 1843 as one of those on the Eastern Counties Railway (later the Great Eastern Railway) and the branch line (to the north) to Sudbury was built in 1849 (it was known as Marks Tey Junction until 1889). The opening of the Colne Valley and Halstead Railway off the Sudbury branch in 1860 and the extension of the branch beyond Sudbury via the Stour Valley Railway in 1865 to Cambridge added importance to Marks Tey as a junction, allowing through-trains from Colchester. The Sudbury to Cambridge link was closed in 1967 saw the end of through running.</p> <p>The main station building was on the south 'up' side (platform 1), with a small waiting room on platform 2 (still present). Platform 1 had a canopy supported on cast iron pillars and part of the canopy still survives.</p> <p>The signal box, located at the north end of platform 2, on the 'down' side, no longer survives. The track layout has been substantially reduced/rationalised. Likewise, the turntable (also on the 'down' side) no longer survives. The goods shed still survives, although altered.</p>	<p>Add platform 1 canopy and platforms 1 &amp; 2 waiting rooms to the Local List as surviving railway heritage assets.</p>
60	<p>W.H. Collier Brick and Tile Works, Church Lane, Marks Tey, CO6 1LN</p>	<p>The Marks Tey Brick Works was established by John</p>	<p>Add to Local List as a surviving and locally</p>



	<p>TL 91150 24197</p>  	<p>Wagstaffe, a farmer and brickmaker, in 1863. William Holman Collier, a young brickmaker from Reading, took over the brickworks by 1879. A claypit, known as the 'Blue Hole' because of the colour of the clay when first dug, is adjacent to the works. Although the process is now mechanised, the bricks are still handmade and the complex retains buildings, structure as and equipment that relate to the history and development of the brickworks.</p> <p>The two circular brick kilns are designated as a Scheduled Monument (NHLE. No. 1020999); the western kiln is a Listed Building Grade II (NHLE on. 1266780).</p>	<p>significant industrial complex that retains many historic features relating to the use and development of the brickworks, including various buildings, hand-drawn wagons and wagon tracks, equipment and brick pits.</p>
61	<p>Jupe's Hill railway bridge, Bures Road, Wakes Colne TL 89711 29389</p> 	<p>A brick railway bridge on/over (former) The Colne Valley railway. The bridge takes Bures Road over the railway line. The bridge uses both pale yellow and red brick, and has a fine pale yellow brick arch, on a slant to the road. The railway, which ran from Haverhill to Chappel opened in 1862 and was closed in 1965.</p> <p>The track bed is recorded in the HER, Monument No. MCC6935.</p>	<p>Add to Local List as a surviving railway heritage asset and good example of local railway architecture.</p>



			
62	<p>Crossing Cottage, Hall Road, Mount Bures TL 90730 32703</p> 	<p>Mid 19<sup>th</sup> century railway crossing keeper's cottage located on the east side of the level crossing in Mount Bures. Pale yellow brick with slate roof, distinctive brickwork around openings. The line from Marks Tey to Sudbury was built in 1849.</p>	<p>Add to Local List as a surviving railway heritage asset and good example of local railway architecture.</p>
63	<p>Water Tower, Upland Road, West Mersea TM 01227 13132</p> 	<p>Built in 1924 in the campanile style with the tower in multi-colour bricks and with a blue brick plinth. The iron tank is painted red oxide colour having a copper-covered pavilion roof with a wooden turret, itself having a copper covered pavilion roof with weathervane on the apex. Elevations are symmetrical except for the addition of a door in the east and west elevations. Window openings have all been bricked in and have half-round gauged arches in rubbed bricks. A number of communication antennae have been attached at tank level.</p> <p>HER Monument no. MCC4862.</p>	<p>Add to Local List as a good architectural example of its type and locally important structure.</p> <p>Potential candidate for National Designation.</p>

64	<p>WWII Gun Emplacement No. 2 and associated Searchlight Emplacement, Victoria Esplanade, West Mersea TM 01954 12382 and TM 02089 12381</p>  	<p>During WWII this area of West Mersea was a coastal artillery site with two 4.7" guns made in Japan in 1918. This gun emplacement, No. 2, still stands at the back of the beach but has been converted to a cafe. Likewise the searchlight emplacement still survives, also re-purposed as a café.</p> <p>HER Monument nos. MCC7270 and MCC7272.</p>	<p>An important WWII heritage asset. 4.7-inch gun casemates and their attendant coastal artillery searchlight emplacements are now very rare. This is the sole remaining gun casemate of this type in the country and there are only four surviving coastal artillery searchlight emplacements in the county.</p> <p>Potential candidate for National Designation.</p>
65	<p>Brick base of post-medieval windmill, below 69 Butt Road, Colchester TL 99257 24694</p> 	<p>The mill was constructed on the west side of Mill Street (later Butt Road) in c.1660 and it is depicted on Deane's map of 1748. It was demolished in 1890. However, at least part of the curving brick base is preserved in the basement of 69 Butt Road.</p> <p>HER Monument no. MCC2280</p>	<p>Add to Local List. The windmill is documented from the mid 17<sup>th</sup> century, and was one of a number to the south of the town (all of which have long since been demolished). The surviving remains are easily identifiable.</p>
66	<p>West Bergholt Methodist Chapel, Chapel Road, West Bergholt TL 96147 27569</p>	<p>Methodist chapel constructed in c.1879, red brick with blue brick detailing, pitched roof covered with later interlocking concrete tiles. The chapel is surround on three sides by the burial ground and there are fine</p>	<p>Add to Local List. The building is good example of its type, largely unaltered and the style, form and construction of the building is easily identifiable and has local historical association.</p>






		cast iron gates from Chapel Road.	
67	<p>Fingringhoe Methodist Church, Chapel Road, Fingringhoe TM 02564 19957</p> 	Methodist church constructed in 1934, red brick, pitched roof covered with later red clay tiles.	Add to Local List. The building is good example of its type, and although the windows and front door have been replaced, the style, form and construction of the building is easily identifiable and has local historical association.
68	<p>Methodist School Room, Chapel Road, Boxted TM 00320 31396</p> 	Methodist school room constructed in 1907, using an early form of concrete blockwork (believed to be the earliest example of its type in the Borough). Pitched roof with interlocking concrete tiles. The School Room was used by Essex Education Authority as an infant school from around the time of the First World War until after the Second World War. It has been the base of the Boxted Methodist Silver Band since 1907, the only surviving Methodist Silver Band in England.	Add to Local List. The building is good and early example of its type (early use of innovative concrete block construction), and although the windows and front door have been replaced, the style, form and construction of the building is easily identifiable and has local historical association.

Table 1 Heritage assets recommended for inclusion on the Colchester Local List.

- 5.15 Owners of heritage assets added to the Local List will be notified in writing by the Council.
- 5.16 In October 2019, the Committee discussed the benefit of delegating authority to enable officers to add heritage assets to the Local List temporarily - a fast track process in cases of emergency (Section 176 of Minutes the Local Plan Committee, 21 October 2019)
- 5.17 The Committee is asked to approve delegated authority to enable officers to add heritage assets to the Local List. This will ensure that any heritage assets meeting the Local List Selection Criteria, and which are at risk of imminent damage or destruction, can be added to the Local List without delay.
- 5.18 All new nominations for the Local List will be assessed by officers with expertise in the historic environment, and where necessary supported by external expertise, and using the Local List Selection Criteria (adopted in 2019) before a decision is made by officers based on sound evidence.
- 5.19 A report on all heritage assets adopted on to the Local List by officers will be brought to the next scheduled Local Plan Committee for ratification. This will provide the opportunity for the Committee to review the additions to the Local List.

## **6. Strategic Plan References**

- 6.1 The Local List provides evidence that will help the Council deliver its Strategic Plan 2018-21 Opportunity priority to promote and enhance Colchester Borough's heritage and visitor attractions to increase visitor numbers while ensuring the delivery of the Local Plan. It will also help deliver the Council's Wellbeing priority in encouraging belonging, involvement and responsibility in the borough's communities.

## **7. Publicity Considerations**

- 7.1 None.

## **8. Financial Implications**

- 8.1 None.

## **9. Equality, Diversity and Human Rights implications**

- 9.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:- <http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration> or go to the Colchester Borough Council website [www.colchester.gov.uk](http://www.colchester.gov.uk) and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.
- 9.2 There are no particular Human Rights implications.

## **10. Community Safety Implications**

10.1 None.

## **11. Health and Safety Implications**

11.1 None.

## **12. Risk Management Implications**

12.1 The proposed revisions to the Local List selection criteria will help ensure that planning decisions are based on the most current historic environment data available for the Borough.

## **13. Disclaimer**

13.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omissions.

## **14. Environmental and Sustainability Implications**

14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

14.2 This report has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that the report demonstrates that the proposed additions to the Local List can contribute to achieving sustainable development.



24 August 2020

Report of	Assistant Director for Place and Client Services	Author	Shelley Blackaby ☎ 508635
Title	Adoption of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD)		
Wards affected	All		

## 1. Executive Summary

- 1.1 Twelve Essex local planning authorities are working together on a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex.
- 1.2 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) sets out the necessary measures to avoid and mitigate the effects from increased recreational disturbance. The current RAMS tariff is £125.58 per dwelling (the tariff is index linked). This tariff will apply to all residential proposals, even proposals for one dwelling. This is because the whole of the borough is within the Zone of Influence and the RAMS seeks to avoid and mitigate the in-combination effects from all new dwellings.
- 1.3 Consultation took place on the draft Essex Coast RAMS Supplementary Planning Document (SPD) in January-February 2020. All representations have been considered and modifications have been made to the draft SPD. A You Said, We Did report summarises all representations to the draft SPD, and this is included as Appendix 2. The RAMS SPD is attached as Appendix 1.

## 2. Recommended Decision

- 2.1 To adopt the RAMS SPD.
- 2.2 To delegate authority to the Lead Officer: Planning, Housing & Economic Growth to make minor changes to the RAMS SPD should it be necessary. Any changes considered by the Lead Officer and Group Spokespersons to be more than minor will be reported back to the Committee.

## 3. Reason for Recommended Decision

- 3.1 Twelve Essex local planning authorities (LPAs) are working together on a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex.
- 3.2 A RAMS Strategy Document and SPD have been prepared by consultants Place Services. The Local Plan Committee adopted the RAMS Strategy Document in October 2019 and agreed consultation on the draft RAMS SPD.
- 3.3 Once adopted, the RAMS SPD will be a material consideration in the determination of planning applications. As such it will help to protect the birds and habitats of the Essex

coast from increased visitor pressure associated with new residential development in combination with other plans and projects. It will also support the implementation of the emerging Colchester Local Plan.

#### **4. Alternative Options**

- 4.1 Although the Council is not obliged to adopt the RAMS SPD a decision not to do so would not remove the Council's duties under the Habitats Regulations and would not remove the need to implement the RAMS, or another appropriate strategy, to avoid or mitigate the impacts of new housing on the integrity of habitats sites. Failure to avoid or mitigate the impacts of recreational disturbance arising from new housing in the determination of planning applications would leave decisions vulnerable to legal challenge. The RAMS Strategy Document and SPD are intended to ensure the Council's obligations under the Habitats Regulations are effectively discharged.
- 4.2 An alternative to the Essex Coast RAMS would be to require all applications, even minor applications, to submit a project level shadow appropriate assessment. This would need to include bespoke avoidance and mitigation measures to comply with Regulation 61 of the Habitat Regulations.
- 4.3 This option is not being recommended because it would mean significant work and expense for applicants in preparing a shadow appropriate assessment and for Officers in assessing the shadow appropriate assessment. Furthermore, a piecemeal approach would make it difficult to deliver effective and timely avoidance and mitigation measures.



## 5. Background Information

- 5.1 The increase in population expected from housing growth across Essex will increase the demand for recreational spaces. For example, locations for people to picnic, hike, walk their dogs, swim, sail and many other activities.
- 5.2 The Essex coastline provides opportunities for these recreational uses. However, a large portion of the coastline is covered by international, European and national wildlife designations. The purpose of these designations is to protect wildfowl and wading birds as well as their coastal habitats. Population growth in Essex is likely to increase the number of visitors to these sensitive coastal areas, creating the potential for conflict via increased recreational disturbance of the species and habitats, unless adequately managed.
- 5.3 Eleven Essex LPAs commissioned Place Services to prepare a RAMS Strategy Document and SPD to avoid and mitigate likely significant effects to the Essex coast and ensure compliance with the Habitat Regulations. Since work began Uttlesford District Council have joined the partnership. The RAMS Strategy Document, which includes a Technical Report and Mitigation Report, was presented to Local Plan Committee (LPC) in February 2019 and adopted by LPC in October 2019.
- 5.4 The LPC agreed consultation on the draft RAMS SPD in October 2019 and consultation took place from 10 January – 21 February 2020 in accordance with the planning consultation requirements set out in each of the partner LPAs Statements of Community Involvement. The consultation material was available to view and comment on the Essex County Council Citizen Space consultation portal and to view from partner LPA main offices and at a number of local public libraries during the consultation period. Information was also provided on the partner LPA websites and the project Bird Aware website [www.essexcoast.birdaware.org](http://www.essexcoast.birdaware.org).
- 5.5 The SPD consultation received a total of 146 comments, 87 of these being from Essex residents and 59 being from various organisations including Natural England, Essex County Council, the RSPB and the Marine Management Organisation. Of the resident responses, 11 were made from residents of Colchester. All the responses are available to view online at <https://consultations.essex.gov.uk/place-services/the-essex-coast-rams-spd/>.
- 5.6 Comments were received on a wide range of themes, relating to the SPD, the RAMS document itself and also the format of the consultation exercise. The main issues that were raised included:
- Confusion about the purpose and aims of the RAMS;
  - Scope and detail of mitigation measures;
  - Concern regarding the effectiveness of the RAMS approach;
  - Query whether the right key stakeholders have been involved in the RAMS;
  - Questioning the status of protected wildlife sites following the UK's withdrawal from the European Union;
  - Concern that RAMS will enable inappropriate development to be allowed;
  - Suggestions that money should be spent on other projects;
  - Concern with the calculation and definition of the Zones of Influence;
  - Arguments that the tariff is set too high, or alternatively too low;
  - Questions over the adequacy of the proposed budget and staff to deliver project across such a wide area;

- Concerns about monitoring (both in relation to the tariff and Zones of Influence);
- Suggestion that other land uses (other than residential) should come within the scope of the tariff;
- Perceived conflict of RAMS purpose (protecting against recreational disturbance) and aims with the England Coastal Path project (increasing public access to the coast);
- Concerns that RAMS will impact on existing and future strategies and aspirations for tourists and residents to access and enjoy the coast, for economic growth and health and wellbeing; and
- Suggestions that alternatives to paying into the RAMS should either not be allowed, or that alternative approaches should be more clearly set out.

5.7 In response to the various comments received, Place Services produced a 'You Said, We Did' report which considers each of the comments and recommends whether or not changes to the SPD are required. These have been considered by the RAMS Steering Group of Officers from the twelve Essex LPAs and a revised version of the SPD has been agreed by the Steering Group. The main revisions include:

- A glossary and list of acronyms and a description of what they mean is now included at the beginning of the SPD;
- A clearer description of how overheads and other costs have been identified within the RAMS mitigation package;
- The first paragraph of the SPD has been amended to state 'birds and their habitats' rather than 'wildlife' to make it clearer from the outset as to what type of wildlife the RAMS and the SPD is primarily seeking to protect;
- More recognition of the South East Marine Plan and the East Inshore and East Offshore Marine Plans which, when adopted, will become part of the statutory Development Plan for the relevant Councils;
- An amendment to include reference to fishing / bait digging to paragraph 2.2;
- Reference to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA';
- Previous maps replaced with higher resolution images;
- Additional clarification within Paragraph 3.7 making the SPD more explicit regarding proposals for single dwellings being subject to the RAMS tariff;
- More explanation of requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and that the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations;
- More justification for the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as being liable for tariff payments;
- Inclusion of the National Planning Policy Framework (NPPF) within the 'useful links' section;
- Clarification that non-residential proposals are exempt from the tariff;
- Amendments to the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report (presented in Appendix 4 to this report) be amended to reflect the Outer Thames SPA designation;
- Clarification on the requirements for project-level Habitat Regulations Assessment (HRA) and Appropriate Assessment (AA) of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only;
- Clear explanation that the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites;
- Removal, from the relevant map in the SPD and RAMS Strategy, all areas of Suffolk from the Zone of Influence; and

- Clearer explanation of the relationship between the effects of a population increase resulting from net new dwelling increases.

5.8 In addition, further changes have been made to ensure that the revised SPD is up to date including:

- Clarification that ways of paying the tariff contributions varies between partner LPAs;
- Reference to the governance arrangements for the RAMS including the Project Board and Essex Coastal Forum; and
- Clarification that the RAMS monitoring framework will be agreed on appointment of the Delivery Officer.

The entire You Said, We Did report is presented in Appendix 2 and the revised SPD is Appendix 1.

5.9 Natural England initiated the Essex Coast RAMS and were involved with the preparation of the draft SPD so did not make any specific comments on it in their consultation representation. However, Natural England have reviewed the revised SPD and confirmed that they endorse it and are pleased with the approach and cooperation between LPAs. Natural England will continue supporting the Essex Coast RAMS as it moves into the delivery phase.

5.10 The Section 1 Local Plan Inspector considered the effectiveness of the Essex Coast RAMS as a mitigation measure as part of the Local Plan examination. In his letter to the North Essex Authorities dated 15 May 2020 he endorsed the Essex Coast RAMS and Section 1 Habitat Regulations Assessment. Paragraph 59 of his letter states:

*“Taking into account the mitigation measures, which as well as the RAMS include the proposed modifications to the Plan’s policies, the NEAs are satisfied that there is sufficient certainty that the Plan would not adversely affect the integrity of any European site, alone or in combination. In the light of all the above points, I consider that they are justified in taking that view.”*

5.11 As reported to LPC in October 2019, Chelmsford City Council (CCC) have put forward a proposal to become the Accountable Body. CCC will hold all contributions from the 12 LPA partners and employ the Delivery Officer. CCC have drafted a legal agreement and the partner LPAs are in the process of agreeing this. Once all partners have signed the Partnership Agreement the Delivery Officer can be appointed. It is anticipated that an appointment will take place in October 2020.

## 6. Equality, Diversity and Human Rights implications

6.1 An Equality Impact Assessment has been prepared for the Local Plan, and is available to view by clicking on this link: -  
<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

## 7. Strategic Plan References

7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes of Opportunity and Wellbeing:  
**Opportunity-** Ensure a good supply of land available for new homes through our Local Plan.  
**Wellbeing-** Encourage belonging, involvement and responsibility in all the

borough's communities; and Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces, countryside and beaches.

## **8. Consultation**

- 8.1 Draft Supplementary Planning Documents must be consulted as set out in the Council's Statement of Community Involvement (SCI). The consultation of the RAMS SPD met the Council's SCI.

## **9. Publicity Considerations**

- 9.1 Whilst there are numerous mitigation strategies around the country the Essex Coast RAMS is new to Essex which could warrant press attention.

## **10. Financial implications**

- 10.1 Applicants will be expected to fund the avoidance and mitigation measures in the RAMS through payment of the tariff.
- 10.2 Chelmsford City Council will become the Accountable Body for the first three years. The Accountable Body will be responsible for holding and administering the RAMS contributions, provide advice and guidance on financial matters and employ and manage the Delivery Officer.
- 10.3 A Partnership Agreement has been prepared, which includes the estimated annual cost of line managing the Delivery Officer and administering the RAMS, which cannot be funded using the RAMS contributions. These costs will be shared between the partner LPAs. The costs to each partner are estimated to be £1,400 per annum and subject to an annual review.

## **11. Health, Wellbeing and Community Safety Implications**

- 11.1 None

## **12. Health and Safety Implications**

- 12.1 None

## **13. Risk Management Implications**

- 13.1 The Essex Coast RAMS reduces the risk of legal challenges by ensuring that all applications that pay the tariff comply with the Habitat Regulations.

## **Appendices**

Essex Coast RAMS SPD

Essex Coast RAMS You Said, We Did consultation report

# Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

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## Supplementary Planning Document (SPD) May 2020

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## Acronyms

AA	Appropriate Assessment
AMR	Authority Monitoring Report
CIL	Community Infrastructure Levy
EA	Environment Agency
EC	European Commission
EEC	European Economic Community
EWT	Essex Wildlife Trust
FAQ	Frequently Asked Questions
GPDO	General Permitted Development Order
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
LPA	Local Planning Authority
NE	Natural England
NPPF	National Planning Policy Framework
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SIP	Site Improvement Plan
SMART	Specific, Measurable, Attainable, Relevant & Timely
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Specific Scientific Interest
UK	United Kingdom
UU	Unilateral undertaking
ZoI	Zone of Influence

## Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Authority Monitoring Report	Provides information on all aspects of a planning department's performance.
Community Infrastructure Levy	A charge which can be levied by local authorities on new development in their area to help them deliver the infrastructure needed to support development.
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
General Permitted Development Order	The Town and Country Planning (General Permitted Development) (England) Order 2015 is a statutory instrument that grants planning permission for certain types of development (such development is then referred to as permitted development).
House in Multiple Occupation	A property rented out by at least 3 people who are not from 1 'household' (for example a family) but share facilities like the bathroom and kitchen.
Habitats sites	Includes SPA, SAC & Ramsar sites as defined by NPPF (2018). Includes SPAs and SACs which are designated under European laws (the 'Birds Directive' and 'Habitats 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 habitats/Natura 2000 sites.
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.
In-combination effect	The cumulative effect of that a number of plans, policies, activities and developments can have on the coastal region.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Natural England	The statutory adviser to government on the natural environment in England.

National Planning Policy Framework	Sets out government's planning policies for England and how these are expected to be applied.
Recreational disturbance Avoidance and Mitigation Strategy	A strategic approach to mitigating the 'in-combination' recreational effects of housing development on Habitats sites.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1979.
Section 106 (S106)	A mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions' along with highway contributions and the Community Infrastructure Levy.
Section 278 (S278)	Allows developers to enter into a legal agreement with the council to make alterations or improvements to a public highway, as part of planning approval.
Special Area of Conservation (SAC)	Land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Special Protection Area (SPA)	Land classified under Directive 79/409 on the Conservation of Wild Birds.
Supplementary Planning Document (SPD)	Documents that provide further detail to the Local Plan. Capable of being a material consideration but are not part of the development plan.
Site of Specific Scientific Interest (SSSI)	A Site of Special Scientific Interest (SSSI) is a formal conservation designation. Usually, it describes an area that is of particular interest to science due to the rare species of fauna or flora it contains.
Unilateral undertaking	A legal document made pursuant to Section 106 of the Town and Country Planning Act 1990, setting out that if planning permission is granted and a decision is made to implement the development, the developer must make certain payments to the local authority in the form of planning contributions.
Zone of Influence (Zol)	The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation. This is based on visitor surveys.

## 1. Introduction

- 1.1 This Supplementary Planning Document (SPD) focuses on the mitigation that is necessary to protect the birds of the Essex coast and their habitats from the increased visitor pressure associated with new residential development in combination with other plans and projects, and how this mitigation will be funded.
- 1.2 This SPD accompanies the strategic approach to mitigation which is set out in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (the 'RAMS'). The RAMS provides a mechanism for Local Planning Authorities (LPAs) to comply with their responsibilities to protect habitats and species in accordance with the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.3 This SPD distils the RAMS into a practical document for use by LPAs, applicants and the public and provides the following information:
  - A summary of the RAMS;
  - The scope of the RAMS;
  - The legal basis for the RAMS;
  - The level of developer contributions being sought for strategic mitigation; and
  - How and when applicants should make contributions.
- 1.4 A 'frequently asked questions' (FAQ) document has also been produced to provide further information about the RAMS project. This is available on the Bird Aware Essex Coast website<sup>1</sup>.

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<sup>1</sup> Bird Aware Essex Coast: <https://essexcoast.birdaware.org/home>



## 2. Summary of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

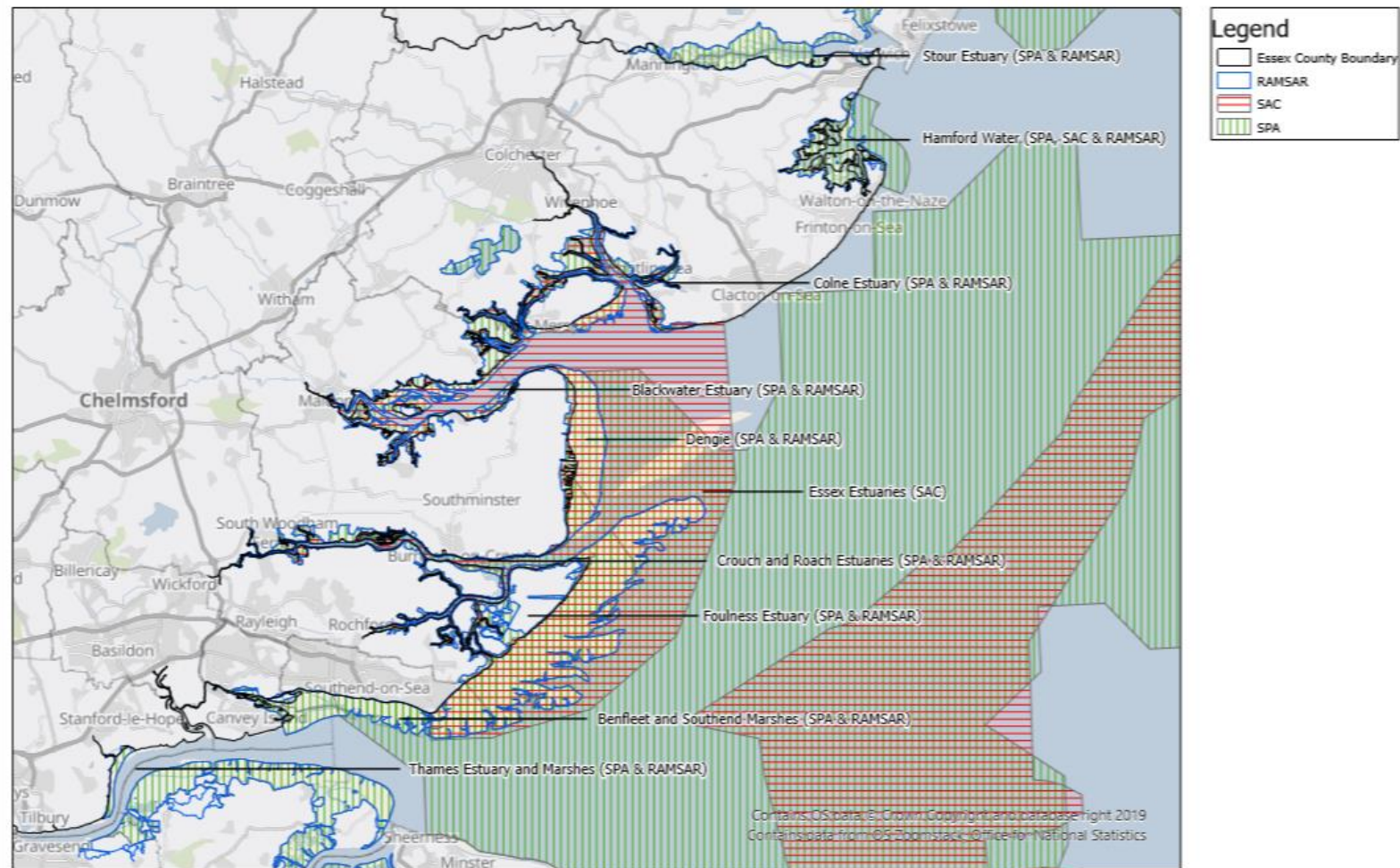
### The importance of the Essex coast

- 2.1 The Essex coastline is one of importance for birds and their habitat. It is home to internationally important numbers of breeding and non-breeding birds and their coastal habitats.
- 2.2 The coast is a major destination for recreational use such as walking, sailing, bird-watching, jet skiing, dog walking and fishing, including bait-digging. Evidence, described in detail in the RAMS, suggests that the majority of this activity is undertaken by people who live in Essex.
- 2.3 Although only Tendring District, Colchester Borough, Chelmsford City, Maldon District, Rochford District, Southend-on-Sea Borough, Castle Point Borough and Thurrock Councils lie on the coast, research has shown that residents from, Basildon Borough, Brentwood Borough, Uttlesford District and Braintree District are also likely to travel to the coast for recreational use.
- 2.4 A large proportion of the coastline is covered by international, European and national wildlife designations. A key purpose of these designations is to protect breeding and non-breeding birds and coastal habitats. Most of the Essex coast is designated under the Habitats Regulations as part of the European Natura 2000 network: for the purposes of this SPD these are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. These sites are also defined as 'Habitats Sites' in the National Planning Policy Framework (2019).
- 2.5 The Habitats Sites to which this SPD applies are as follows and these are shown overleaf on Figure 2.1:
  - Essex Estuaries SAC
  - Stour and Orwell Estuaries SPA and Ramsar
  - Hamford Water 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
- Outer Thames Estuary and Marshes SPA and Ramsar

**Figure 2.1: Habitats sites covered by the Essex Coast RAMS**

## Habitats (European) sites covered by the Essex Coast RAMS



Notes:

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

The duties of Local Planning Authorities (LPAs)

- 2.6 LPAs have the duty, by virtue of being defined as ‘competent authorities’ under the Habitats Regulations, to ensure that planning application decisions comply with the Habitats Regulations. If the requirements of the Habitats Regulations are not met and impacts on Habitats sites are not mitigated, then development must not be permitted.
- 2.7 Where a Habitats site could be affected by a plan, such as a Local Plan, or any project, such as a new hospital/housing/retail development, then a Habitats Regulations Assessment (HRA) screening must be undertaken. If this cannot rule out any possible likely significant effect either alone or in-combination on the Habitats site prior to the implementation of mitigation, then an Appropriate Assessment (AA) must be undertaken. The AA identifies the interest features of the site (such as birds, plants or coastal habitats), how they could be harmed, assesses whether the proposed plan or project could have an adverse effect on the integrity of the Habitats site (either alone or in-combination), and finally how this could be mitigated.
- 2.8 The aim of the HRA process is to ***'maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest'*** [The EC Habitats Directive, 92/43/EEC, Article 2(2)].

The requirement for delivery of strategic mitigation

- 2.9 The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have identified recreational disturbance as an issue for all of the Essex coastal SPAs, SACs and Ramsar sites.
- 2.10 Mitigation measures have been identified in the HRA (screening and/or AAs) 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. In recognition, this SPD and the RAMS are relevant to these ‘in-combination’ effects only, and do not focus on any other mitigation measures, such as those on-site, that might be required of development proposals in response to other types of effects on Habitats sites.



- 2.11 Natural England<sup>2</sup> recommended a strategic approach to mitigation along the Essex coast to enable the conclusion of ‘no adverse effect on the integrity of the international designated sites’ regarding in-combination recreational effects. Each Habitats site or complex of sites in England has a Site Improvement Plan (SIP), developed by Natural England. Recreational disturbance is identified as an issue for all ten of the Habitats sites considered in this strategy.
- 2.12 Mitigation measures are therefore necessary to avoid these likely significant effects in-combination with other plans and projects. 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.
- 2.13 Some housing schemes, particularly those located close to a Habitats site boundary or large-scale developments, may need to provide mitigation measures to avoid likely significant effects from the development alone, ***in addition to the mitigation*** required in-combination and secured for delivery through the RAMS. This would need to be assessed and, where appropriate, mitigated through a separate project level AA. The LPA, in consultation with Natural England, would advise on applicable cases. Therefore, the implementation of this SPD does not negate the need for an AA for certain types of development.
- 2.14 The Essex coast RAMS aims to deliver the mitigation necessary to avoid the likely significant effects from the ‘in-combination’ impacts of residential development that is anticipated across Essex; thus, protecting the Habitats sites on the Essex coast from adverse effect on site integrity. This strategic approach has the following advantages:
- 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 birds and their habitat of the Essex coast and will help to reduce the time taken to reach planning decisions;
  - 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 applicants, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate

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<sup>2</sup> An executive non-departmental public body and the government’s adviser for the natural environment in England

mitigation for residential schemes within the Zone of Influence (see paragraph 3.2 below) is provided in an effective and timely manner.

- 2.15 The RAMS approach is fair and seeks to mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it at a level consistent with the level of potential harm. It also obeys the 'precautionary principle'<sup>3</sup>. Existing visitor pressure at Habitats sites would be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the project HRA.
- 2.16 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 'net new' planned housing growth may lead to disturbance of birds in coastal Habitats (European) sites within and beyond each individual LPA boundary.

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<sup>3</sup> 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.' (Principle 15) of Agenda 21, agreed at the Rio Earth Summit, 1992.

### 3. Scope of the SPD

#### Where does the RAMS apply?

3.1 The 12 LPAs which are partners in and responsible for the delivery of the 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
- Uttlesford District Council

3.2 The SPD applies to new residential dwellings that will be built in the Zone of Influence (Zol) of the Habitats sites. It does not apply to any non-residential schemes, and all non-residential schemes are therefore exempt from the tariff. The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation.

3.3 The Zol was calculated by ranking the distances travelled by visitors to the coast based on their home town postcode data. Not all postcode data is used as this can skew the results and therefore the Zol is based on the 75th percentile of postcode data. This provides the Zol distance.

3.4 This method has been used for a number of strategic mitigation schemes and is considered by Natural England to be best practice. The distances used to create the Zol are illustrated in Table 3.1 (below).

**Table 3.1: Zones of Influence for the Essex Coast RAMS**

European designated site	Final distance to calculate RAMS Zol (km/miles)
Essex Estuaries SAC	-*
Hamford Water SPA and Ramsar	8.0 km / 4.9 miles
Stour and Orwell Estuaries SPA and Ramsar	13.0 km / 8.1 miles
Colne Estuary SPA and Ramsar	9.7 km / 6.0 miles
Blackwater Estuary SPA and Ramsar	22.0 km / 13.7 miles
Dengie SPA and Ramsar	20.8km / 12.9 miles
Crouch and Roach Estuaries Ramsar and SPA	4.5 km / 2.8 miles
Foulness Estuary SPA and Ramsar	13.0 km / 8.1 miles
Benfleet and Southend Marshes SPA and Ramsar	4.3km / 2.7 miles
Outer Thames Estuary and Marshes SPA and Ramsar	8.1km / 5.0 miles

\* The Essex Estuaries SAC overlaps with the Blackwater Estuary, Colne Estuary, Crouch and Roach Estuaries, Dengie, Foulness and Outer Thames Estuary SPA and Ramsar sites.

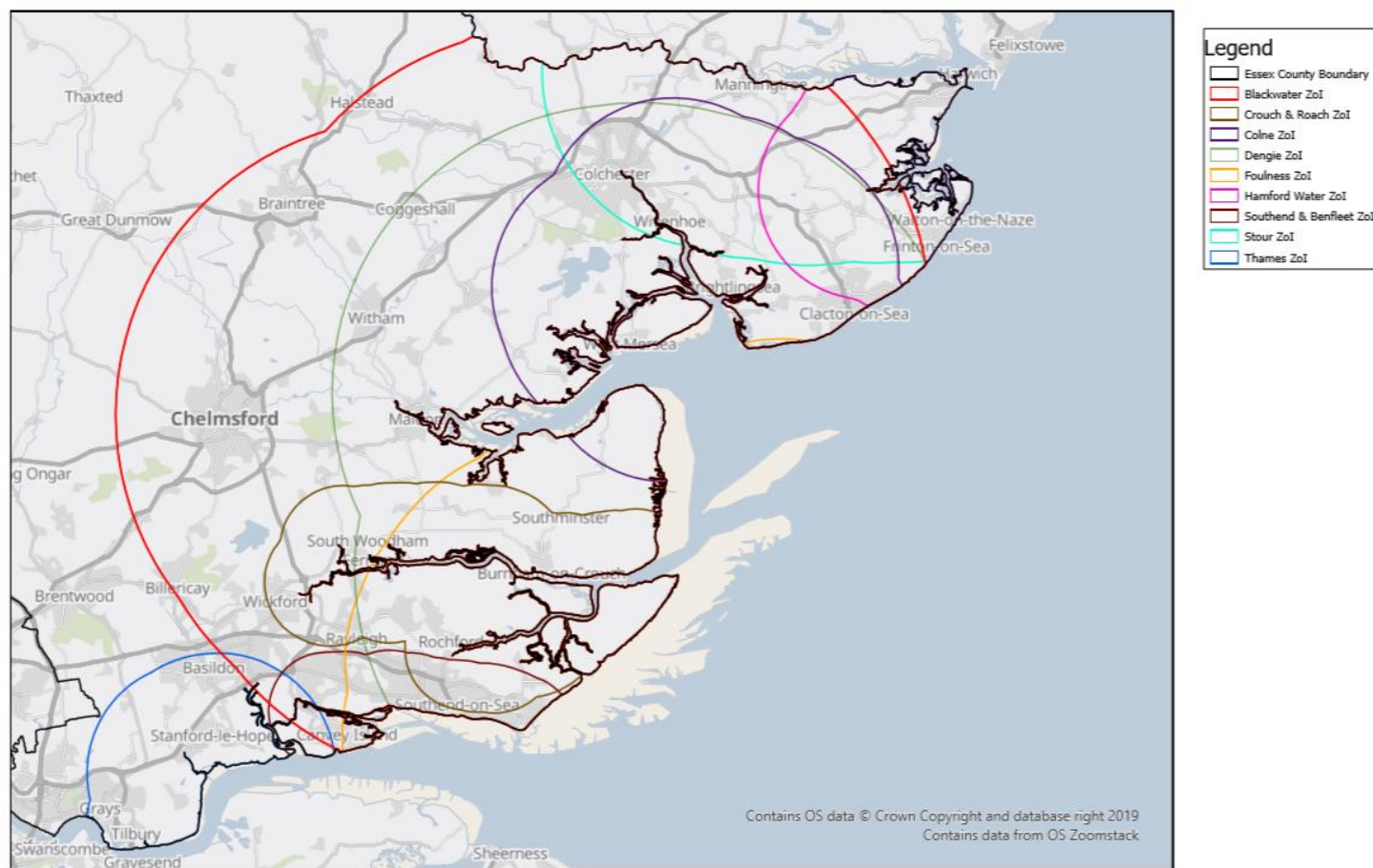
- 3.5 The Zol can be accessed via Magic Maps<sup>4</sup>, where you will find the definitive boundaries. Broad illustrations of the extent of all the individual Habitats sites' Zones of Influence and the overall Zol for the RAMS are shown below in Figure 3.1 and Figure 3.2 respectively.

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<sup>4</sup> MAGIC website: <https://magic.defra.gov.uk/MagicMap.aspx>

**Figure 3.1: Illustration of the individual Zones of Influence for the Essex Coast Habitats Sites**

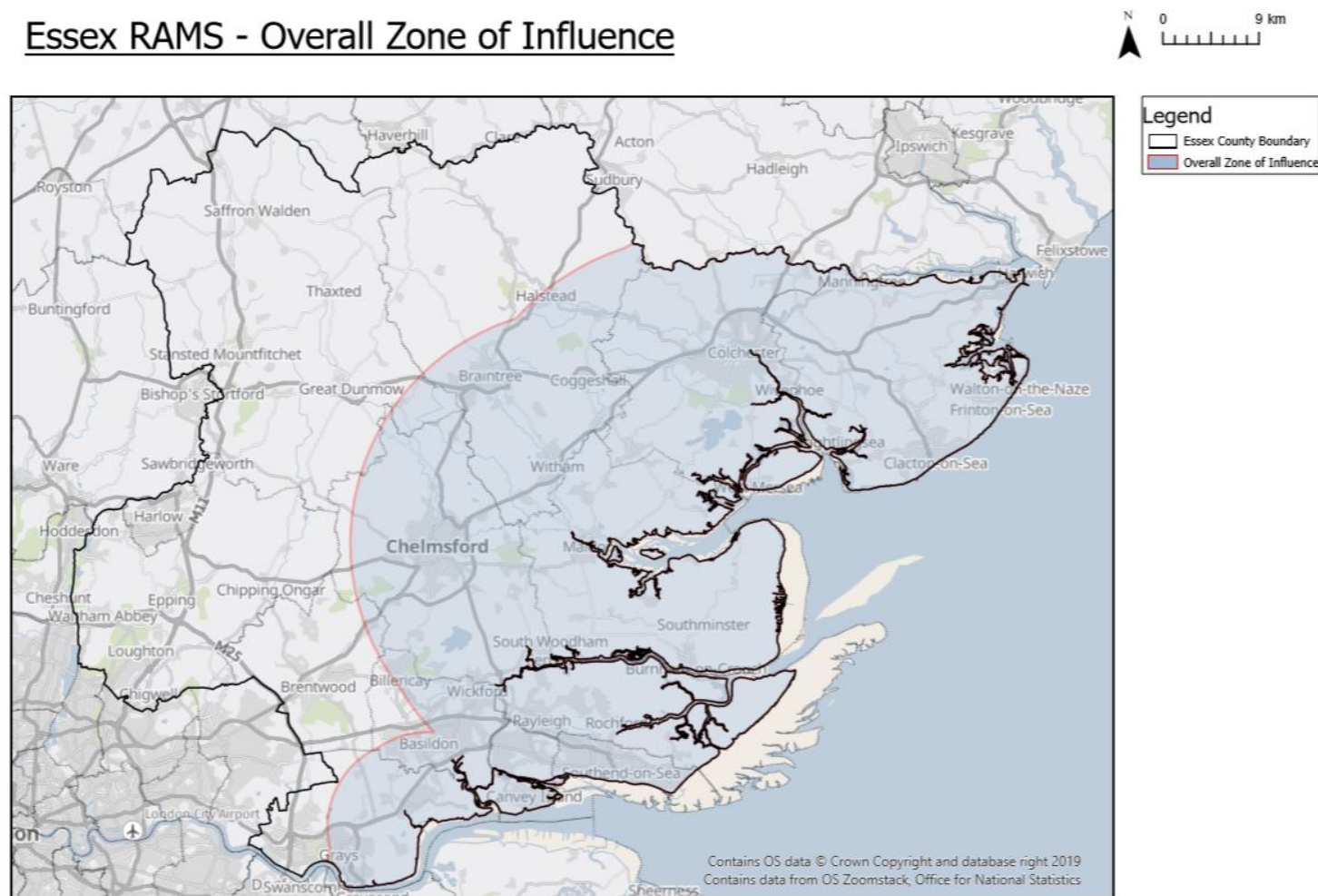
## Essex Estuaries Zones of Influences





**Figure 3.2: Illustration of the Zone of Influence for the Essex Coast RAMS**

## Essex RAMS - Overall Zone of Influence



### What types of dwellings does this apply to?

- 3.6 Only new residential developments where there is a net increase in dwelling numbers are included in the RAMS. This would include, for example, the conversion of existing large townhouses into smaller flats, or the change of use of other buildings to dwellings. It excludes replacement dwellings (where there is no net gain in dwelling numbers) and extensions to existing dwellings including residential annexes. Applicants are advised to contact the LPA if in any doubt as to whether their development is within the scope of the RAMS.

### Does it apply to all schemes?

- 3.7 The effects of recreational disturbance on the integrity of the Habitats Sites on the Essex coast are associated with the increase in population that new dwellings will ensure. This is because new residents can be expected to visit the coast, as evidenced by the visitor surveys undertaken. For this reason, the RAMS applies to all schemes regardless of size where there is a net gain in dwellings.
- 3.8 The contribution to RAMS is a simple way of allowing the AA of residential developments, including single dwelling schemes, to conclude that the in-combination effect will be mitigated. National Planning Practice Guidance<sup>5</sup> confirms that local planning authorities may seek planning contributions for sites of less than 10 dwellings to fund measures with the purpose of facilitating development that would otherwise be unable to proceed because of regulatory requirements. This means that the tariff proposed in this SPD will still apply for those residential proposals that are normally exempt from paying planning contributions under the Community Infrastructure Regulations, such as affordable housing proposals and single dwelling self-builds. These types of development are not exempt from the requirement under the Conservation of Habitats and Species Regulations 2017.
- 3.9 Natural England's revised interim advice to the Essex LPAs (ref: 244199, 16 August 2018) set out those relevant development types to which the tariff should apply. The RAMS and this SPD apply to the following Planning Use Classes:

**Table 3.2: Planning Use Classes covered by the Essex Coast RAMS**

Planning Use Class*	Class Description
C2 Residential institutions	Residential care homes**, boarding schools, residential colleges and training centres.

<sup>5</sup> Planning Practice Guidance: <https://www.gov.uk/government/collections/planning-practice-guidance>

Planning Use Class*	Class Description
C2A Secure Residential Institution	Military barracks.
C3 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 August 2018, 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 developments will be considered on a case-by-case basis according to the type of development proposed.

A guide on student accommodation and RAMS is included as Appendix 2.

3.10 As included above, C2 Residential Institutions and C2A Secure Residential Institutions are notionally included within the scope of the RAMS and tariff payments. This is due to an increase in population that would arise from any such developments, in the same vein as any other new residential development. It is proposed however that consideration as to whether such

developments qualify for the full extent of tariff payments should be done on a case-by-case basis. This is because some C2 and C2A proposals may provide a specific type of accommodation that would not result in new residents visiting the coast.

- 3.11 Other types of development, for instance tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an AA as part of the Habitats Regulations. As part of this assessment any mitigation proposals (including those which address any recreational pressure) will need to be considered separately from this strategy and taken into account by the appropriate authorities.

What types of application does this apply to?

- 3.12 The RAMS applies to all full applications, outline applications, hybrid applications, and permitted development (see 3.14 below). This includes affordable housing. Reserved matters applications will be considered on an individual basis having regard to whether the potential effects of the proposal were fully considered when the existing outline was granted or where information more recently provided would make for a different assessment of effects.
- 3.13 In order to consider RAMS contributions at the outline application stage, the application should indicate a maximum number of dwelling units.
- 3.14 The General Permitted Development Order (GPDO) allows for the change of use of some buildings and land to Class C3 (dwelling houses) without the need for planning permission, with development being subject to the prior approval process. However, the Habitats Regulations also apply to such developments. The LPA is therefore obliged by the regulations to scope in those GPDO changes of use to dwelling houses where these are within the Zol.
- 3.15 In practice, this means any development for prior approval should be accompanied by an application for the LPA to undertake an HRA on the proposed development. The development will need to include a mitigation package which would incorporate a contribution to the RAMS to mitigate the 'in-combination' effects.
- 3.16 The alternative is for the applicant to provide information for a project level HRA/AA and secure bespoke mitigation to avoid impacts on Habitats sites in perpetuity.

## 4. Mitigation

- 4.1 Measures to address adverse impacts on Habitats sites are statutory requirements and each proposal for residential development within the Zol will still be required to undertake a 'project-level' HRA/AA. These project-level HRA/AAs will explore the hierarchy of avoidance and mitigation. The recommendations of these project-level HRA/AAs may include measures to mitigate effects 'on-site' such as through open space provision or accessible alternative natural recreational green spaces which are relevant to individual developments only.
- 4.2 The RAMS seeks to mitigate 'in-combination' recreational effects only, to enable the conclusion of no adverse effect on the integrity of the international designated sites. Mitigation measures to address in-combination effects, which are required for any residential development within the areas of the LPAs that falls within a Zol, are identified in this SPD.
- 4.3 As the in-combination effects identified within the LPAs' Local Plan HRA/AAs are directly related to a cumulative increase in housing growth, the mitigation identified within the RAMS and this SPD is proportionate to that accumulation and necessary to make development acceptable in planning terms. The tariff is applicable to all residential development that will lead to a net increase in dwellings, as each new dwelling will lead to an increase in population and therefore an increase in the effects associated with recreational disturbance. This means that the mitigation is directly related to the development, as the source of the effects, and the requirement for the tariff to provide the mitigation is justified in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 4.4 The RAMS identifies a detailed programme of strategic mitigation measures which would be funded by contributions from residential development schemes. These measures are summarised in Table 4.1



**Table 4.1 – The Essex coast RAMS toolkit**

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

Action area	Examples
Cycle access	<ul style="list-style-type: none"> <li>Promote appropriate routes for cyclists to avoid disturbance at key locations</li> </ul>
Vehicular access and car parking	<ul style="list-style-type: none"> <li>Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”</li> </ul>
Enforcement	<ul style="list-style-type: none"> <li>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</li> <li>Rangers to explain reasons for restricted zones to visitors</li> </ul>
Habitat creation	<ul style="list-style-type: none"> <li>Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans</li> </ul>
Partnership working	<ul style="list-style-type: none"> <li>Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies</li> </ul>
Monitoring and continual improvement	<ul style="list-style-type: none"> <li>Birds and visitor surveys, including a review of the effectiveness of mitigation measures. Outputs of the review may include the introduction of new ways to keep visitors engaged</li> </ul>

- 4.5 Appendix 1 contains details of the full mitigation package. The overall cost for the mitigation package is £8,916,448.00 in total from March 2019 until 2038.

#### What is the tariff?

- 4.6 The current tariff is £125.58 per dwelling as of 2020/21. This will be indexed linked, with a base date of 2019. This will be reviewed periodically and re-published as necessary.
- 4.7 In order to arrive at a per dwelling contribution figure, the strategic mitigation package cost (including an additional 10% for contingency purposes) was divided by the total number of dwellings (72,907 dwellings) which are currently identified to be built in the Zol over Local Plan periods until 2038. This includes dwellings which have not received Full/Reserved matters consent. Any dwellings already consented in the Plan periods are not included in this calculation. This figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.

#### When will the tariff be paid?

- 4.8 Contributions from residential development schemes will be required no later than on commencement of each phase of development. This is necessary to ensure that the financial contribution is received with sufficient time for the mitigation to be put in place before any new dwellings are occupied.
- 4.9 Where development is built in phases this will apply to each phase of house building. A planning obligation will generally be used to ensure compliance.

#### How will the tariff be paid?

- 4.10 The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended) and Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). In addition, paragraphs 54 to 57 of the National Planning Policy Framework (NPPF) 2019 sets out the Government's policy on planning obligations. The obligation can be a 'Unilateral Undertaking'<sup>6</sup> or a multi-party agreement, referred to as a 'Section 106 agreement'<sup>7</sup>. The applicant will be required to enter into a formal deed with the LPA to secure the payment of the required financial contribution. The RAMS contribution may form a clause within a wider S106 agreement.

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<sup>6</sup> An offer to an LPA to settle obligations relevant to their planning application.

<sup>7</sup> A legal agreement under Section 106 of the Town and Country Planning Act 1990 made between local authorities and developers, and often attached to a planning permission, to make acceptable development which would otherwise be unacceptable in planning terms.

- 4.11 This contribution is payable in addition to any other contributions such as Community Infrastructure Levy liability or other S106 or S278 contributions and there may be other site-specific mitigation requirements in respect of Habitats sites and ecology as outlined above.
- 4.12 The mitigation measures identified in this SPD are specifically sought to avoid additional recreational pressures on Habitats sites and can be secured through Section 106 agreements (Regulation 123 of the Community Infrastructure Levy regulations). This approach is consistent with the views of other local authorities across the country in dealing with mitigation requirements for other Habitats sites and has been accepted by Planning Inspectors at appeal/examination.
- 4.13 Please contact Planning Officers at the relevant LPA at the earliest opportunity to discuss your application and the most appropriate method of paying your RAMS contribution as methods vary between authorities.

#### Section 106 (S106)

- 4.13 Planning obligations are legally binding on the landowner (and any successor in title). They enable the LPA to secure the provision of services (or infrastructure), or contributions towards them, which is necessary in order to support the new development i.e. by making an otherwise unacceptable development acceptable in planning terms.
- 4.14 Where S106 is used legal agreements for planning purposes should meet all the following tests in order to be taken into account when determining a planning application:

- They are necessary to make a development acceptable in planning terms;

*‘LPAs, as competent authorities under the Habitats Regulations, have the duty to ensure that planning application decisions comply with regulations.’*

- They are directly related to the development;

*‘Evidence in the RAMS demonstrates that visitors come mainly from within the Zol indicated above to the Habitats sites. The ‘in-combination’ impact of proposals involving a net increase of one or more dwellings within this Zol is concluded to have an adverse effect on Habitats site integrity unless avoidance and mitigation measures are in place.’*

- They are fairly and reasonably related in scale and kind to a development.

*The measures put forward in the RAMS represent the lowest cost set of options available which will be both deliverable and effective in mitigating the anticipated increase in recreational pressure from new residential development within the Zol. The costs are apportioned proportionately between all developments dependent on the scale of development. The contributions will be spent on both project-wide mitigations such as Rangers, and specific mitigations within the Zol in which the contribution was collected. This contribution is therefore fairly and reasonably related in scale and kind to the development.*

4.15 Applicants are expected to meet the LPA's legal fees associated with any drafting, checking and approving any deed. These legal fees are in addition to the statutory planning application fee and the contribution itself and must be reasonable. Details of the LPA's current legal fees can be found on the LPA's website. The website addresses for each LPA are included within Section 8 of this SPD.

#### Schemes under 10 dwellings

4.16 Applicants for schemes which will create up to 10 new units of residential accommodation can use a Unilateral Undertaking (UU). This should be submitted when the planning application is submitted.

4.17 Applicants will need to provide the following documents as part of their planning application where payment will be made through a UU:

- The original UU committing to pay the total RAMS contribution (index linked) before commencement of house building on the site/in accordance with the phasing of the development. This must be completed and signed by those who have a legal interest in the site including tenants and mortgagees;
- A copy of the site location plan signed by all signatories to the UU and included as part of the undertaking;
- Recent proof of title to the land (within the last month) which can normally be purchased from the Land Registry. Please note there are two parts to the proof of title: a Register and a Title Plan, both of which must be submitted;
- If the land is unregistered, the applicant must provide solicitors details and instruct them to provide an Epitome of Title to the LPA.



- 4.18 A payment for the LPA's reasonable costs of completing and checking the agreement will be necessary. The LPA will only charge for the actual time spent on this matter if the applicant follows the guidance. These legal fees are in addition to the statutory application fee and any contributions themselves. A separate payment for this fee should be submitted. This may be increased if the matter is particularly complex.
- 4.19 The LPA will require a payment towards the LPA's legal costs of completing and checking the UU. Current fees can be found on the respective LPA's website.

#### Schemes for 10 or more dwellings

- 4.20 In the case of larger or more complicated developments which include planning obligations beyond RAMS contributions, an appropriate route for securing contributions will be via a multi-party Section 106 Agreement.
- 4.21 Applicants must submit a Heads of Terms document for the Section 106 Agreement, identifying these requirements and specifying their agreement to enter into a planning obligation. Heads of Terms should be provided at the point of submission of the planning application.
- 4.22 Please contact Planning Officers at the relevant LPA at the earliest opportunity to discuss your application and the most appropriate method of paying your RAMS contribution.

## **5. Alternative to paying into the RAMS**

- 5.1 The 12 RAMS partner LPAs encourage mitigation to be secured via the strategic approach and prefer developer contributions to the RAMS. This approach will help to ensure planning applications are quicker and simpler to process and the adequate and timely delivery of effective mitigation at the Habitats sites. It is also likely to be more cost effective for applicants.
- 5.2 As an alternative, applicants may choose to conduct their own visitor surveys and provide information to support the LPA in preparing project level Habitats Regulations Assessment (HRA) Screening Reports (in order to ensure that they can demonstrate compliances with Regulation 63 of the Habitats Regulations) and secure the bespoke mitigation specified within. Where applicants choose to pursue this option, the LPA will need to consult Natural England on the effectiveness of the mitigation proposed.

## 6. Monitoring of this SPD

- 6.1 To monitor the effectiveness of the RAMS and this SPD, a strategic monitoring process is in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers.
- 6.2 Monitoring will be undertaken annually and a report will be provided to each LPA to inform their individual Authority Monitoring Report (AMR). As competent authorities under the Habitats Regulations, the delivery of the Essex Coast RAMS is the responsibility of each partner LPA needing it to ensure their Local Plan is sound and legally compliant.
- 6.3 A representative from each of the partner LPAs, together forming 'The RAMS Steering Group', shall work with the RAMS Delivery Officer to establish a monitoring process, which will include SMART targets<sup>8</sup> to effectively gauge progress. The work of the Steering Group will be overseen by the Essex Planning Officers Association Chief Officers Group (the Project Board). The Essex Coastal Forum which comprises Officers and Members from partner LPAs, will also discuss the Essex Coast RAMS at their meetings.
- 6.4 To ensure the monitoring process is fit for purpose, various monitoring activities will be undertaken at different times and at an appropriate frequency. The monitoring process will be used to inform future reviews of the RAMS and the SPD and details of the proposed monitoring framework are to be agreed on appointment of the delivery officer.
- 6.5 In addition to the monitoring of specific indicators, the progress of other relevant plans will be considered where they may require the consideration of a change to the RAMS or this SPD. At the time of writing, this includes the emerging South East Marine Plan, the East Inshore Marine Plan and the East Offshore Marine Plan. Once approved these plans will become part of the Development Plan for the relevant LPAs.

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<sup>8</sup> Targets that are Specific, Measurable, Attainable, Relevant and Timely (SMART)

## 7. Consultation

- 7.1 A draft SPD was published for consultation between **Friday 10<sup>th</sup> January to Friday 21<sup>st</sup> February 2020** in accordance with the planning consultation requirements of each LPA.
- 7.2 Following the close of the consultation all comments were considered and a 'You Said We Did' Consultation Report published which outlined a response to each comment and suggested several amendments to this SPD. Where amendments were deemed necessary as a result of any comments, this SPD has factored them in prior to adoption by each LPA.

## 8. Useful Links

- Essex Coast Bird Aware - <https://essexcoast.birdaware.org/home>
- Basildon Borough Council (planning and environment) - <https://www.basildon.gov.uk/article/4622/Planning-and-environment>
- Braintree District Council (planning and building) - [https://www.braintree.gov.uk/homepage/22/planning\\_and\\_building](https://www.braintree.gov.uk/homepage/22/planning_and_building)
- Brentwood Borough Council (planning and building control) - <http://www.brentwood.gov.uk/index.php?cid=531>
- Castle Point Borough Council (planning) - <https://www.castlepoint.gov.uk/planning>
- Chelmsford City Council (planning and building control) - <https://www.chelmsford.gov.uk/planning-and-building-control/>
- Colchester Borough Council (planning, building control and local land charges) - <https://www.colchester.gov.uk/planning/>
- Maldon District Council (planning and building control) - [https://www.maldon.gov.uk/info/20045/planning\\_and\\_building\\_control](https://www.maldon.gov.uk/info/20045/planning_and_building_control)
- Rochford District Council (planning and building) - <https://www.rochford.gov.uk/planning-and-building>
- Southend Borough Council (planning and building) - [https://www.southend.gov.uk/info/200128/planning\\_and\\_building](https://www.southend.gov.uk/info/200128/planning_and_building)
- Tendring District Council (planning) - <https://www.tendringdc.gov.uk/planning>
- Thurrock Borough Council (planning and growth) - <https://www.thurrock.gov.uk/planning-and-growth>
- Uttlesford District Council (planning and building control) - <https://www.uttlesford.gov.uk/article/4831/Planning-and-building-control>
- Natural England - <https://www.gov.uk/government/organisations/natural-england>
- MAGIC (Map) - <https://magic.defra.gov.uk/MagicMap.aspx>
- Planning Practice Guidance - <https://www.gov.uk/government/collections/planning-practice-guidance>



- The National Planning Policy Framework (NPPF) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Natural England - <https://www.gov.uk/government/organisations/natural-england>
- The Environment Agency - <https://www.gov.uk/government/organisations/environment-agency>

## Appendix 1: Strategic Mitigation

### 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 National Insurance (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 member

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		Partnership Executive Group		(LPA £1,000)	19	£0	This would need to be an 'in kind' contribution from the Local Planning Authority (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 Heritage Lottery Fund guidance. Approx. nine boards, one per Site. Cost allows for one replacement in the plan period.
	Monitoring	Levels of new development				£0	No cost as undertaken as part of LPA work in Development Management and S106 or Infrastructure officers.

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		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 £5,000/Habitats site. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path.
		Visitor numbers and recreational activities	£5,000 (£500 / Habitats site / year)			£5,000	Rangers, partner organisations, LPAs.
		Consented residential development within Zol.	£0 / Habitats site / year)			£0	S106 officers to Track financial contributions for each development for all LPAs; liaise with LPA contributions officers

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	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 user groups				£0	Covered by salary costs for Delivery officer
		Promotional materials				£5,000	Use Bird Aware 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 Bird Aware design for leaflets & website text, liaison with specialist consultants (Dog focussed), liaison with dog owners, dog clubs & trainers.
	Water sports zonation		£10,000			£10,000	Approx. costs only to be refined when opportunity arises.



Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
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 the plan period and include dog and water borne recreation focussed pages on RAMS/Bird Aware Essex Coast website plus merchandise e.g. dog leads.
	Monitoring	Update visitor surveys at selected locations in summer (with questionnaires)	£45,000			£45,000	Estimated cost £5,000 / Habitats site/year for nine sites. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path and LPAs regarding 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 RAMS which could be used for alternative measures.

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		Signage and interpretation	£13,500			£13,500	£13,500 allows for 3 sets of discs - 3 designs, £1,500 each; e.g. paw prints in traffic light colours to show where no dogs are allowed, dogs on lead and dogs welcome. This may link with a timetable e.g. Southend with dog ban 1 <sup>st</sup> May to 30 <sup>th</sup> September.
	Water based bailiffs 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 e.g. Colne Estuary, Hamford Water and other locations e.g. Southend to prevent damage during the summer. Explore shared use at different times of year e.g. winter use at other Habitats sites, given increased recreation predicted.
		Additional River Ranger where needed		£120,000	15	£2,029,342	
	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

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	Habitat creation - Alternatives for birds project – and long term management	Work with landowners & EA to identify locations e.g. 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 Little 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 Royal Society for the Protection of Birds, Natural England & Essex Wildlife Trust 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

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	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
Year 10, 15 & 20	Monitoring	Update visitor surveys at selected locations in summer (with questionnaires)	£45,000			£135,000	Estimated cost £5,000 / Habitats site. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path.
	Route diversions	Work with PROW on projects	£15,000			£15,000	Approx. costs only to be refined when opportunity arises.

\*Staffing costs and overheads have been based on similar projects to the RAMS and existing HRA Partnership Ranger provision elsewhere in the UK, including a review on travel time / mileage provided by Habitats Site managers.

**TOTAL MITIGATION PACKAGE COSTS**

**£8,104,862**

**+10% contingency**

**£810,486**

**TOTAL COST**

**£8,915,348**

## **Appendix 2: Essex Coast RAMS Guidelines for proposals for student accommodation**

### Introduction

A2.1 The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the “Essex coast RAMS”) 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 effects on site integrity. All new residential developments within the evidenced Zones 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.

A2.2 This note includes guidance for proposals for student accommodation to help understand the contribution required. It has been agreed by the Essex Coast RAMS Steering Group. The purpose of this note is to ensure that a consistent approach is taken across Essex when dealing with proposals for student accommodation within the Zones of Influence of the Essex Coast RAMS.

### Student Accommodation

A2.3 In their letter to all Essex local planning authorities, dated 16 August 2018, Natural England included student accommodation as one of the development types that is covered by the Essex Coast RAMS.

A2.4 It would not be appropriate to expect the full RAMS tariff for each unit of student accommodation. This would not be a fair and proportionate contribution. Nevertheless, Natural England has advised that there needs to be a financial contribution towards the RAMS as there is likely to be a residual effect from student accommodation development even though it will only be people generated disturbance rather than dog related. Natural England has advised that the tariff could be on a proportionate basis. It may also be possible for the on-site green infrastructure provision to be proportionate to the level of impact likely to be generated by the student accommodation, particularly as one of the main reasons for having on site green infrastructure is to provide dog walking facilities, which wouldn't be needed for student accommodation. The general model for calculation, set out below, explains how to obtain a fair and proportionate contribution for student accommodation.

A2.5 In the first instance, 2.5 student accommodation units will be considered a unit of residential accommodation.

A2.6 Secondly, it is recognised that due to the characteristics of this kind of residential development, specifically the absence of car parking and the inability of those living in purpose built student accommodation to have pets, the level of disturbance created, and thus the increase in bird disturbance and associated bird mortality, will be less than for dwelling houses (use class C3 of the Use Classes Order a).

A2.7 Research from the Solent Disturbance Mitigation Project showed that 47% of activity which resulted in major flight events was specifically caused by dogs off a lead. As such, it is considered that level of impact from student accommodation would be half that of C3 housing and thus the scale of the mitigation package should also be half that of traditional housing.

*So, a scheme for 100 student accommodation units would be considered 40 units. 40 units would then be halved providing that future occupiers are prevented from owning a car and keeping a pet:*

$$100/2.5 = 40$$

$$40/2 = 20$$

$$20 \times £125.58^9 = £2,511.60$$

A2.8 Please note that the calculation outlined above is to be used as a guide. The level of contribution would also need to consider the proximity of the accommodation to the Habitats sites in question and the total number of units being built.

#### Chelmsford City Council

A2.9 Proposals for student accommodation in Chelmsford will have a de minimis effect. Unlike Colchester and Southend, Chelmsford only has a small area of Habitats sites in the far south-eastern part of its administrative area. Purpose built student accommodation generally includes restrictions preventing students from owning a car or a pet. These restrictions will make it extremely unlikely that a student will visit a Habitats site, owing to the difficulty in accessing Essex coast Habitats sites from Chelmsford by public transport. Consequently, proposals for purpose-built student accommodation in Chelmsford will not lead to likely significant effects on Habitats sites from increased recreational disturbance. Therefore, for the avoidance of any doubt, the RAMS tariff does not apply to student accommodation in Chelmsford.

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<sup>9</sup> 2020/21 tariff





This publication is available in alternative formats including large print, audio and other languages.

If required, please contact:

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Telephone: 03330 322130  
Weblink: <https://consultations.essex.gov.uk/place-services/the-essex-coast-rams-spd>

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# Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

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## Supplementary Planning Document (SPD)

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You Said We Did - Consultation Report  
April 2020

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## Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Annual Monitoring Report	Provides information on all aspects of a planning department's performance.
Community Infrastructure Levy	A charge which can be levied by local authorities on new development in their area to help them deliver the infrastructure needed to support development.
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
General Permitted Development Order	The Town and Country Planning (General Permitted Development) (England) Order 2015 is a statutory instrument that grants planning permission for certain types of development (such development is then referred to as permitted development).
House in Multiple Occupation	A property rented out by at least 3 people who are not from 1 'household' (for example a family) but share facilities like the bathroom and kitchen.
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.
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.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Natural England	Natural England - the statutory adviser to government on the natural environment in England.
National Planning Policy Framework	Sets out government's planning policies for England and how these are expected to be applied.

Recreational disturbance Avoidance and Mitigation Strategy	A strategic approach to mitigating the 'in-combination' recreational effects of housing development on Habitats sites.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1979.
Section 106 (S106)	A mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions' along with highway contributions and the Community Infrastructure Levy.
Section 278 (S278)	Allows developers to enter into a legal agreement with the council to make alterations or improvements to a public highway, as part of planning approval.
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.
Site or Specific Scientific Interest	A Site of Special Scientific Interest (SSSI) is a formal conservation designation. Usually, it describes an area that is of particular interest to science due to the rare species of fauna or flora it contains.
Unilateral undertaking	A legal document made pursuant to Section 106 of the Town and Country Planning Act 1990, setting out that if planning permission is granted and a decision is made to implement the development, the developer must make certain payments to the local authority in the form of planning contributions.
Zone of Influence	The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation.



## Acronyms

AA	Appropriate Assessment
AMR	Annual Monitoring Report
CIL	Community Infrastructure Levy
EA	Environment Agency
EC	European Commission
EEC	European Economic Community
EWT	Essex Wildlife Trust
FAQ	Frequently Asked Questions
GPDO	General Permitted Development Order
HMO	House in Multiple Occupation
HRA	Habitat Regulations Assessment
LPA	Local Planning Authority
NE	Natural England
NPPF	National Planning Policy Framework
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SIP	Site Improvement Plan
SMART	Specific, Measurable, Attainable, Relevant & Timely
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site or Specific Scientific Interest
UK	United Kingdom
UU	Unilateral undertaking
ZoI	Zone of Influence

## 1. About the RAMS

### **Background context**

- 1.1 The Essex Coast RAMS was initiated by Natural England, the government's adviser for the natural environment in England, in 2017. Natural England identified the Habitats sites and local planning authorities that should be involved in the Essex Coast RAMS based on existing evidence of visitor pressure. Essex County Council provides an advisory role but are not one of the RAMS local authority partners.
- 1.2 The Essex Coast is rich and diverse and has many protected habitats sites (also referred to as European sites and Natura 2000 sites). These sites are protected by the Conservation of Habitats and Species Regulations (2017). Joint working offers the opportunity to protect the Essex Coast from increased recreational disturbance as a result of new housing across Essex. Likely significant effects to habitats sites from non-residential development will be considered, through Habitat Regulations Assessments, on a case by case basis by the relevant local planning authority in consultation with Natural England. A Habitat Regulations Assessment has been/ will be completed for each of the projects that form part of the England Coast Path.
- 1.3 There are numerous examples elsewhere around the country of mitigation strategies that avoid and mitigate the impacts of recreational disturbance on habitats sites, such as Bird Aware Solent, Bird Wise North Kent and Thames Basin Heaths. This is a new and growing area in the conservation community and those working on mitigation strategies regularly share good practice and assist each other.
- 1.4 Visitor surveys were carried out at key locations within each of the Habitats sites. Zones of Influence (Zoi) were calculated for each Habitats site using the survey data and these are used to trigger developer contributions for the delivery of avoidance and mitigation measures.

### **Development of the strategy**

- 1.5 The Essex Coast RAMS Strategy Document was completed in January 2019. Natural England provided advice throughout the preparation of the Essex Coast RAMS Strategy and 'signed off' the RAMS Strategy Document before it was finalised and adopted by local planning authorities. The local planning authority partners are collecting RAMS contributions for development within the Zone of Influence (Zoi), which will be spent on the mitigation measures package detailed in the RAMS Strategy Document. Mitigation measures are listed as: immediate, shorter to medium-term, and longer-term projects. A contingency is included and an in-perpetuity fund will be established. The first measure is staff resources: The Delivery Officer and then two rangers.

- 1.6 Through the provision of a per dwelling tariff, the RAMS enables the achievement of proportionate mitigation measures and enables development proposals of all scales to contribute to necessary mitigation. The RAMS is fully funded by developer contributions.
- 1.7 During development of the Strategy Document workshops were held with key stakeholders with local and specialised knowledge to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure.

### **A flexible approach to mitigation**

- 1.8 The costed mitigation package (Table 8.2 of the RAMS Strategy Document) includes an effective mix of measures considered necessary to avoid likely disturbance at key locations with easy public access. The package is flexible and deliverable and based on best practice elsewhere in England. A precautionary approach has been adopted, with priority areas for measures identified as those which have breeding SPA birds which could conflict with high numbers of summer visitors to the coast and those with important roosts and foraging areas in the winter. Sensitive habitats have also been identified for ranger visits. The mitigation package prioritises measures considered to be effective at avoiding or mitigating recreational disturbance by Habitats sites managers. For example, Maldon District Council are managing water sports on the Blackwater estuary. Encouraging responsible recreation is a key measure endorsed by land managers of important wildlife sites across the country, including Natural England, RSPB and the wildlife trusts. These bodies regularly provide educational material at sites to encourage visitors to comply with key objectives.
- 1.9 The RAMS is intended to be a flexible project that can adapt quickly as necessary. The rangers will quickly become familiar with the sites and areas that are particularly sensitive, which may change over time, and sites that experience a high number of visitors. The rangers on the ground experience will steer the project and necessary measures.

### **Monitoring and review process**

- 1.10 The Essex Coast RAMS will provide a flexible and responsive approach, allowing it to respond to unforeseen issues. Close engagement will continue with Natural England who will be able to advise if recreational disturbance is increasing at particular Habitats sites and specific locations. Thus, enabling these locations to be targeted by the rangers to have an immediate impact. Updated visitor surveys, which are included in the mitigation package, will enable the Zol to be reviewed and expanded if it is shown that visitors are travelling further than previously found. There is scope to adjust the tariff too if it is shown that contributions are not covering the identified measures, if the Zol is made smaller or to respond to changes in housing numbers across Essex.

- 1.11 The Essex Coast RAMS will be monitored and reviewed on a regular basis by the RAMS project staff. 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 visitors to the coastal sites for recreation (paragraph 1.7 of the RAMS Strategy). The baseline has been identified in the RAMS Strategy Document and will be used to assess the effectiveness of the RAMS.
- 1.12 The effectiveness of the Essex Coast RAMS has been considered/examined as part of Chelmsford City Council's Local Plan Examination. Chelmsford City Council's Local Plan Inspector's Report states that: *"Overall, the HRA concludes that there will be no adverse effect on the integrity of European protected sites, either alone or in-combination with other plans or projects, subject to the mitigation set out in the Plan policies. Natural England agrees with these conclusions and I have no substantive evidence to counter these findings. The requirement to undertake an appropriate assessment in accordance with the Regulations has therefore been met."* The mitigation set out in the Plan policies includes reference to the Essex Coast RAMS. The Inspector states that it is necessary to incorporate RAMS into strategic policies to ensure that all relevant development within the Zol contribute accordingly and reference to RAMS should be incorporated into several site allocation policies. These modifications will be incorporated into the adopted Local Plan.

## 2. Introduction

- 2.1 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) focuses on the mitigation that is necessary to protect the wildlife of the Essex Coast from the increased visitor pressure associated with new residential development in-combination with other plans and projects, and how this mitigation will be funded.
- 2.2 The SPD has been produced by a total of 12 Local Planning Authorities (LPAs) in Essex, which are partners in and responsible for the delivery of the RAMS. These partner LPAs 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
- Uttlesford District Council

## 3. Consultation

- 3.1 A draft SPD was published for consultation between Friday 10<sup>th</sup> January 2020 and Friday 21<sup>st</sup> February 2020 in accordance with the planning consultation requirements of each LPA.

- 3.2 These consultation requirements require the publication of a 'You Said We Did' report, which outlines details on who and how the public, organisations and bodies were consulted, the number of people, organisations and stakeholders who submitted comments, a summary of the main issues raised in the comments received, and the proposed amendments to the SPD that the LPAs intend to make in response to them.
- 3.3 Following the close of the consultation, all comments have been considered and the main issues summarised within Section 4 of this report. Where amendments have been deemed necessary as a result of any main issues, these will be factored into a new iteration of the SPD, prior to its adoption by each LPA. These amendments are set out in Section 5 of this report.

### **Who was consulted?**

- 3.4 The consultation was undertaken jointly by the 12 Councils and hosted by Essex County Council. The 12 Councils consulted the following bodies and persons:
- Statutory bodies including neighbouring councils, local parish and town councils, utility companies, health representatives and Government bodies such as Highways England, Natural England, Historic England and the Environment Agency;
  - Local stakeholders including the Business Forums, Essex Wildlife Trust, Sport England, and the Police;
  - Developers and landowner and their agents;
  - Local businesses, voluntary and community groups, and
  - The public.
- 3.5 For more details on the bodies consulted please contact the relevant partner council.

### **How did we consult?**

- 3.6 The consultation was available to view and comment on the Essex County Council Citizen Space consultation portal during the consultation period. The consultation material was also available to view on partner council's websites, from their main offices and at a number of local public libraries. Information was also provided on the project Bird Aware website [www.essexcoast.birdaware.org](http://www.essexcoast.birdaware.org).

- 3.7 For those who do not have access to computers, paper response forms were made available.
- 3.8 The councils sent direct emails/letter notifications to all consultees registered on their Local Plan consultation databases. A public notice was also included in the Essex Chronicle advising how to respond and the consultation dates. Information on the consultation was also posted on social media.

#### **4. Consultation comments**

- 4.1 The Essex Coast RAMS draft SPD consultation received a total of 146 comments, 87 of these being from Essex residents and 59 being from various organisations. All the comments received can be viewed in full on Essex County Council's Consultation Portal at <https://consultations.essex.gov.uk/place-services/the-essex-coast-rams-spd/>.
- 4.2 Of the resident responses, the following numbers of responses were received from individual administrative areas:
- 21 were made from residents of Chelmsford;
  - 18 were made from residents of Tendring;
  - 16 were made from residents of Basildon;
  - 14 were made from residents of Braintree;
  - 12 were made from residents of Rochford;
  - 11 were made from residents of Colchester;
  - 8 were made from residents of Maldon;
  - 6 were made from residents of Uttlesford;
  - 2 were made from residents of Brentwood;
  - 2 were made from residents of Castle Point;
  - 2 were made from residents of Southend-on-Sea; and
  - 0 were made from residents of Thurrock.

#### **5. The main issues raised**

- 5.1 Comments were received on a wide range of themes, relating to the SPD, the RAMS itself and also the format of the consultation exercise.



- 5.2 A number of themes emerge through reviewing the comments received. These themes respond to the comments that were made by a number of respondents, or otherwise pointed out areas of improvement for the SPD as consulted upon.
- 5.3 Table 1 below sets out the main issues received during the consultation. Table 2 (in Section 6) then details the changes to be made to the SPD. A summary of all representations received is included later in this report.

**Table 1 – Main issues raised**

<b>Main issues raised</b>
<b>Confusion about the purpose and aims of the RAMS</b> – including the need for jargon and acronyms to be explained; the SPD to cover all wildlife on the coast not just birds and to also address sea level rises and coastal erosion caused by climate change; confusion regarding the role of Essex County Council in implementing RAMS; confusion over who pays the tariff; and that mitigation payments should be ring fenced towards care for people not wildlife.
<b>Scope and detail of mitigation measures</b> – only relevant and necessary mitigation should be provided, based upon the scale of the proposal, its use and the site context, to accord with the Community Infrastructure Levy Regulations. SPD could also provide some examples of physical mitigation measures, for instance prevention of powered water sports or exclusions for wind powered watersports, and restrictions on off-lead dogs near areas known for ground nesting birds.
<b>Concern regarding the effectiveness of the RAMS approach</b> – concerns include it's an overly bureaucratic process to collect small sums, there is a lack of scientific evidence to demonstrate provision of alternative green space will detract from visits to SPA/Ramsar sites; question deliverability of mitigation, question provision for enforcement of tariff collection.
<b>Query whether key stakeholders have been involved in the RAMS</b> - including Essex Wildlife Trust, RSPB, Bug Life, Woodland Trust, National Trust, CPRE, British Trust for Ornithology, and local ornithology groups.
<b>Will habitats sites continue to be protected as a result of Brexit?</b>
<b>The RAMS will allow inappropriate development</b> – RAMS will allow harmful development to proceed; will fast track planning applications; no control or scrutiny of cumulative impact of smaller planning applications; does not consider development outside Zones of Influence; total avoidance of disturbance should be an option; should be no more building in Essex, and none on or adjacent to important coastal wildlife sites.
<b>Money should be spent on other projects</b> - funding should not be taken away from essential services to fund the strategy.
<b>Concern with the Zones of Influence</b> – regarded by some as too small and by others as too big; also the zoned tariff should be based upon the number of Zones of

### Main issues raised

Influence a site is within and the distance it is away from the Zone of Influence should be applied. In addition, the mapped Zones of Influence for the Blackwater Estuary, Stour Estuary and Hamford Water stretch into the Suffolk Coast RAMS area. This could be confusing for developers of new dwellings in south Suffolk, as it implies that a contribution is required to the Essex Coast RAMS, in addition to the Suffolk Coast RAMS.

**The tariff is set too high, or alternatively too low** – e.g. not realistic, should be based on a percentage of the purchase price of a property. Also considered that the number of dwellings which are currently identified to be built over Local Plan periods until 2038 does not accurately reflect the number which will actually come forward, so the contributions collected would exceed the overall cost for the mitigation package. The tariff should also reflect the size of the dwelling so that more is paid for larger dwellings. All authorities must also test the level of contribution, alongside all their policy requirements contained in their Local Plans to ensure that the contributions are viable.

**Adequacy of proposed budget and staff to deliver project across such a wide area** – staff level and costs are too low; alternative view is that funding for personnel is excessive and the work duplicates that of other stakeholders. Also unclear what assumptions have been made in respect of overheads on top of salary costs for the staff identified as being needed.

**Concerns about monitoring (the tariff and Zones of Influence)** – monitoring should be more frequent.

**Other land uses should come within the scope of the tariff** - including tourist accommodation and caravan parks/chalets, airport related development, other commercial development.

**Perceived conflict of RAMS purpose and aims with the England Coast Path project which will increase access to the coast, and existing and future strategies for tourists and residents to access and enjoy the coast, for economic growth and health and wellbeing.**

**Alternative to paying into the RAMS should not be allowed, or if it is the process should be clarified** - developers may use this alternative as a way of avoiding the payments without showing any real commitment to the alternative. If allowed, the SPD would be more effective if it clearly sets out the process for agreeing bespoke mitigation for strategic sites.

## 6. Proposed amendments to the Supplementary Planning Document (SPD)

- 6.1 In response to the main issues summarised in Section 5, this report sets out a number of amendments that will be forthcoming in a new iteration of the SPD. These amendments have been agreed by all of the partner LPAs. The following table outlines this schedule of changes.

**Table 2 – Schedule of amendments to the SPD**

Amendment	
1	A glossary and list of acronyms and a description of what they mean is included within the Supplementary Planning Document (SPD); however, it is proposed that the Glossary and Acronym sections are moved to the beginning of the SPD. Further amendments to expand the Glossary and list of Acronyms included within these sections to reflect all of those used in the SPD, RAMS and supporting documents.
2	Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD.
3	The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife' to make it clearer from the outset as to what wildlife the RAMS and the SPD seek to protect.
4	Once approved the South East Marine Plan as well as the East Inshore and East Offshore Marine Plans will become part of the Development Plan for the relevant LPAs. An amendment to recognise these Plans, and their policies, within the SPD is proposed.
5	An amendment to include fishing / bait digging to paragraph 2.2 is proposed.
6	An amendment to refer to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA' is proposed.
7	Amendments to replace existing maps with higher resolution images are proposed.
8	An amendment introducing additional clarification within Paragraph 3.7 is proposed. This will ensure that the SPD is more explicit regarding proposals for single dwellings being subject to the RAMS tariff.
9	An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.

Amendment	
10	An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.
11	Within the 'useful links' section, an amendment to include the National Planning Policy Framework (NPPF) is proposed.
12	It is proposed that the SPD is amended to set out that all non-residential proposals are exempt from the tariff.
13	It is proposed that the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended to reference the Outer Thames SPA designation.
14	Amendments are proposed that reiterate the requirement for project-level HRA/AA of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.
15	Amendments are proposed to the SPD and the Essex Coast RAMS SPD SEA/HRA Screening Report to clearly set out that the intention of Essex Coast RAMS mitigation to enable the conclusion of no adverse effect on the integrity of the international designated sites.
16	An amendment to the relevant map in the SPD and RAMS is proposed, which will remove all areas of Suffolk from the Zone of Influence.
17	It is proposed that an amendment explaining more clearly the relationship between the effects of a population increase resulting from net new dwelling increases is included within the SPD.
18	An amendment is proposed to include all measurements in miles as well as kilometres.

## 7. Detailed summaries of the comments received

7.1 Tables 3 to 13 of this report shows a summary of the comments received during the consultation on the Essex Coast RAMS draft SPD. The summaries do not seek to identify all the issues raised in the representations. These tables however show:

- The name and type (resident / organisation) of each respondent;
- A summary of the main issues raised in the comments per section of the draft SPD; and

- The LPAs' response to each main issue and whether actions and / or amendments are considered necessary as a result.

7.2 A number of respondents suggest ideas for how to better manage visitors to the Essex Coast e.g. keep dog on leads, fencing, restore Oyster reefs. These will be reviewed by the project Delivery Officer and Rangers once they are appointed and have not been specifically responded to in tables 3 to 13.



## Section One - Introduction

**Table 3 – Section One: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	There should be no use of acronyms in the Report.	A list of acronyms and a description of what they mean is included within the Supplementary Planning Document (SPD). It is however proposed that the Acronym section is moved to the beginning of the SPD. No amendment proposed.
2	Mr Alan Hardy	Resident	I believe there is a need for clear policies and regulation and the whole document seems to take that approach. Future policy must support and enhance all Government and legal policies already existing and where necessary provide greater protection than required by statute. I think there should be greater reference to flood risk, management and mitigation and how this can impact or be integrated into recreational use and habitat protection.	The SPD is related only to those 'in-combination' recreational impacts identified through the Local Planning Authorities' (LPAs) Local Plan Habitats Regulations Assessment / Appropriate Assessment. No amendment proposed.
3	Mrs Frances Coulsen	Resident	No comments as this section seems to set out the facts.	Noted. No amendment proposed.
4	Mrs Amy Gardner-Carr	Resident	The building of homes is the threat to the natural habitat. The suggestion of a tariff for avoidance is ridiculous in the face of mounting and current evidence that destruction of habitat is having disastrous effects on wildlife. Move the builds to somewhere else, not the habitats.	The SPD is related only to 'in-combination' recreational impacts and not habitat loss. No amendment proposed.
5	Mr Brian Springall	Resident	Before protecting wildlife, the Council needs to get its housing development plans sorted & improve the district's infrastructure i.e. roads, flood protection etc.	The need for the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and the SPD stems from planned growth. Local Plans have been prepared or are in preparation and set out the housing need and infrastructure requirements for each Council area. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
6	Mr Terry Newton	Resident	No comments. It's an introduction and no information is given, other than to outline how you have set out the sections, and in what format you have set out the document.	Noted. No amendment proposed.
7	Mr Brian Mills	Resident	Cannot see any contingency for enforcement or punitive action, if required results are not obtained / maintained.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, or if suitable mitigation is not provided, then planning permission should not be given. No amendment proposed.
8	Mr Charles Joynson	Resident	I don't think £8.9 million is enough to cover mitigation over such a long time period. Developers could and should contribute far more than £122.30 per dwelling. I do not believe that this is sufficient funding to fully mitigate the effects of new housing on the Essex Coast.	The Essex Coast RAMS SPD sets out a tariff that will be used to fund mitigation related to 'in-combination' recreational effects only. The tariff is 'evidence based' and has been calculated by dividing the cost of the RAMS mitigation package by the number of dwellings (housing growth) proposed in LPA Local Plans. The tariff will be subject to review during the life of the RAMS project. Other mechanisms and requirements exist outside the scope of the SPD for other required and related mitigation. No amendment proposed.
9	Mr Nigel Whitehouse	Wildlife Defenders	We believe we need to protect all wildlife on our coast not just birds. Protected areas for wildlife should be provided.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. Other forms of mitigation addressing any effects on other designations across Essex are not within the specific scope of the SPD. The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife'

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				to make it clearer from the outset as to what wildlife the RAMS and the SPD seek to protect.
10	Mrs Mary Drury	Resident	Documents and plans are on paper, and it is only man power that will make any positive outcome for wildlife, wherever it manages to survive. The only change necessary is to stop building on the Green Belt, as it acts as rich habitats and has benefit to humans. It is vital that building on flood plains is stopped. There is a need to stop ignoring local advice and knowledge.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. The tariff is proposed to fund a RAMS Delivery Officer and Rangers. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD. The distribution of new development growth is a matter for individual LPAs through their Local Plans. No amendment proposed. Not all of Essex is within the Green Belt.
11	Mrs Alwine Jarvis	Resident	I agree that changes are necessary although I don't quite follow the costs broken down in Appendix 2.1. The cost of a delivery officer at £45k seems very high and the cost of a ranger at £36k is also high. I am also questioning the table which shows for year 2 - one ranger then on the next line year 2 one ranger again. So is the suggestion we recruit 2 rangers at year 2, or is there a mistake in the table whereby this line has been duplicated?	The mitigation package 'total costs' for the Delivery Officer and Rangers include the salary cost and necessary overheads. Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD. A total of three Rangers are proposed in the mitigation package: two for Year 2 and one additional ranger from Year 5. No amendment proposed.
12	Ms Rachel Cross	Resident	What are the aims of the SPD? Have the Essex Wildlife Trust, RSPB, Bug Life, Woodland Trust, National Trust, CPRE, British Trust for Ornithology, local ornithology groups and Site of Special Scientific Interest (SSSI) councils been involved or consulted? How have other areas like	The SPD sets out a mechanism for funding mitigation, which is outlined in more detail in the RAMS document, a link to which was provided as part of this consultation. The approach is

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			Pembrokeshire approached this? Has the local government association got some best practice examples to benchmark against?	similar to other strategies across the country as endorsed by Natural England; a common stakeholder regarding Habitats sites. Various groups have been invited to respond to this consultation including Essex Wildlife Trust (EWT) and the Royal Society for the Protection of Birds (RSPB). Amendments proposed to the SPD in response to the comments received are set out in section 5 of this Report.
13	Ms Caroline Macgregor	Brightlingsea village councillor	I believe that developer contributions should be more per dwelling to offset the costs of protecting wildlife. I also believe protected areas should be extended.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Protecting wildlife from development is and can be ensured and funded through other mechanisms. The extension of protected areas is not within the scope of the RAMS or the SPD. No amendment proposed.
14	Mr Christopher Marten	Resident	Planners do not necessarily have the appropriate knowledge about understanding the type of habitat required for wading wildfowl. The RSPB must be consulted on every application. If wetland wildfowl are disturbed, they will not return.	The Essex Coast RAMS has been devised and will be managed by specialist ecologists and proposes strategic mitigation regarding in-combination recreational effects only. Habitat creation forms part of the mitigation package, and the Strategy and SPD recognise that there will be a need to work with landowners and the Environment Agency. The RSPB are consulted on relevant planning

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				applications in line with LPA procedures. No amendment proposed.
15	Mr Peter Dervin	Resident	Funding should not be taken away from essential services to fund this.	The funds collected will not take any funding away from essential services. The RAMS funding will help support critical environmental services and initiatives along the Essex Coast. No amendment proposed.
16	Mr Neil Hargreaves	Resident	<p>I am uneasy with creating or extending yet another bureaucracy. This one to collect very small sums from new housing developments, in our case some way from the coast. This is hypothecation which normally is frowned on, because among other things it requires a heavy admin cost. I think these things should be properly funded at a national level. It needs a continuing funding from all of us not one-off payments from landowners / developers with no certainty of income stream and 99.9% of the nation not contributing.</p> <p>And what about the reverse? New developments near the coast will burden for example Stansted Airport. On this same principle Uttlesford should receive payment to mitigate the impacts of surrounding development on our area.</p> <p>Perhaps we should be contributing towards marine conservation?</p>	<p>The Zone of Influence has been justified through visitor surveys at the Essex Coast, determining that existing residents within it travel to the Essex Coast for recreation. The SPD is required to fund the mitigation required of the effects from future housing growth within the Zone of Influence, and it is considered appropriate that these are paid for through a planning contribution. The impacts of development in Uttlesford are a matter for the Uttlesford local plan</p> <p>No amendment proposed.</p>
17	Mr Brian Jones	Resident	The section is clear enough, except the use of jargon is likely to deter people.	Noted. Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear, minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
18	Dr John L Victory	Resident	The proposed England Coast Path will directly affect these areas and should be highlighted in this process of mitigation. Consultation with interested bodies must include that of the Essex Local Access Forum - a	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Members

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			statutory body that advises authorities on strategy for Public Rights of Way.	of the Essex Local Access Forum were consulted where they appear on LPA databases. No amendment required.
19	Mr Andrew Whiteley	Resident	I would like to see less focus on developers' requirements and more focus on Essex residents, wildlife, climate impact and infrastructure support.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Local Plans are dealing with the other impacts of new development. No amendment required.
20	Mr Peter Bates	Resident	No changes required.	Noted. No amendment proposed.
21	Mr Stephen Ashdown	Resident	The document is not written in plain English and is confusing to the reader, especially those not aware of jargon and specific language used. This document is not written with the entire residents of the area in mind and excludes many who would benefit from inclusion, many of whom would be users of the coastal areas supporting wildlife.	Noted. Where technical terminology and acronyms are used, these are defined in a glossary. Efforts have been made to ensure that the SPD is clear, minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
22	Mr Graham Womack	Resident	<p>It is unclear what other 'plan and projects' (in addition to residential developments) are to be considered as within the scope. The Essex County Council's Green Space Strategy (2019), encouraged organisations responsible for managing wildlife sites to become self-funding through commercial activities provided at their sites. This is likely to increase the footfall at these sites (including those on the coast), even before new developments are considered.</p> <p>Has any work been done to estimate the expected visitor numbers to the Essex Coast, both now and for future years?</p>	The Essex Coast RAMS has been developed in response to the recommendations of each partner LPA's HRA/AA work for their emerging or adopted Local Plans. These HRA/AAs set out those other plans and projects that in combination with the Local Plans may have effects on recreational disturbance at the Essex Coast. The Essex Coast RAMS process began with visitor surveys and counts at the Essex Coast to determine the extent of the Zone of Influence. No amendments are proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
23	Mr Kevin Smith	Resident	The Geese overwintering on Hanford Water appear to be greatly reduced this year (2019/20); this would be to wild-fowlers rather than local development, this seems to be too narrow minded to easily blame developers.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only on the Essex Coast. The SPD therefore, does not blame the developers, but assesses the impact of increased visitors to the coast as a result of increased population within most of Essex. No amendment proposed.
24	Mrs Anne Clitheroe	Essex County Council	Essex County Council is satisfied with the content of the Essex Coast RAMS SPD and confirms that it wishes to continue to be engaged in this process.	Noted. No amendment proposed.
25	Mrs Joanna Thornicroft	Resident	It was difficult to locate the RAMS which needed better signposting.	Noted. The RAMS was available as a supporting document during the consultation period and is available at <a href="https://essexcoast.birdaware.org/home">https://essexcoast.birdaware.org/home</a> . No amendment proposed.
26	Mr Mark East	Resident	I do not consider that the proposals in the first instance avoid harm. It appears that the strategy is to fast track planning applications and there is insufficient evidence that alternative site allocation for development outside of the Zone of Influence has been considered. On the contrary it is clear that proposals tend to concentrate development within the Zone of Influence. I believe the intent of the author(s) of the legislation are to avoid harm and if it can't be avoided then to move to mitigation and finally compensate. It is understood that English High Court's ruling that mitigation was acceptable without consideration of avoidance was over-ruled by the ECJ.	The SPD does not promote fast tracking planning applications and makes little difference to the speed of applications or prioritising applications for developments which make a contribution. The impact on habitats is one of many considerations in determining planning applications, and agreement to pay the contribution does not mean that an application will be granted if other factors mean it should be refused. The consideration of alternative site allocation outside of the Zone of Influence represents Stage 3 of the HRA process and if deemed necessary would be applicable to the



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				HRAs of the LPAs' Local Plans. The HRAs of the LPAs' Local Plans all considered, at Stage 2 of that process (AA), that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. The RAMS exists to set out that mitigation, and the approach has been endorsed by Natural England as the relevant statutory authority. As such, there was no need for any of the Local Plans to progress to Stage 3 of the HRA process. No amendment proposed.
27	Mrs Michelle Endor	Resident	Mitigation is purely speculative and unproven. The expansion of London Southend Airport with its added noise and pollution has already done untold damage to wildlife. The Council would rather build on land that may disrupt the habitat of endangered wetland birds and wildlife than utilise urban and industrial sites.	The Essex Coast RAMS toolkit (Table 4.1 of the SPD) sets out monitoring arrangements, amounting to 'birds and visitor surveys, including a review of the effectiveness of mitigation measures.' The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
28	Mr David Gollifer	Resident	The outline of proposals are satisfactory to protect wildlife particularly migrating birds.	Noted. No amendment proposed.
29	Mrs April Chapman	Resident	A map of the Zone of Influence would help at this earlier stage.	Noted. An improved map of the Zone of Influence is proposed to be included earlier on in the SPD where it is first mentioned.
30	Mrs Linda Findlay	Resident	Good to see a raise in profile of environmental concerns. Congratulations on work to restore wetlands for the benefit it brings.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
31	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>I feel that disturbance being avoided totally should be stated more clearly as an option. If we are to halt the decline in the UK's wildlife, there are undoubtedly areas where the habitat needs to take a precedence and be left undisturbed.</p> <p>At the moment the introduction appears to immediately be putting forward a message that LPA's have the go ahead to accommodate people disturbing natural areas through mitigation.</p>	The specific scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth. Imposing restrictions on access to areas of the Essex Coast is a possible mitigation measure. No amendment proposed.
32	Councillor Frank Belgrove	Alresford Parish Council	There could be some explanation in this section - so at an early stage in the document - of the type of physical arrangements that could be implemented to mitigate the effects of increased visitor pressure.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of on-site mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.
33	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Pollution from sewerage works is a problem. Anglian Water are not keeping pace with the explosion of new housing being built in the south east. There is now a very serious lack of infrastructure, which includes road and fresh water run off. The sea wall, tidal mud flats and salt marshes, etc do make a good natural barrier.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Local Plans take into consideration the wider impacts of new development on infrastructure such as sewerage and water supply. No amendment proposed.
34	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	It would appear that this document thinks that simply raising money will protect the birds and the wildlife on the Essex Coast. There are many other aspects to consider, e.g. The coastal footpath should be abandoned / The Essex Wildlife Trust should cease bringing coachloads of children to the Walton cliffs looking for fossils / The right to roam should be restricted / Planning committees should restrict development in Conservation Areas	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			/ An artist's impression 2019 of a proposal between Crossrail and the RSPB to develop Wallasea Island into a wetland site for birdlife shows a maze of pathways and viewing areas for the public.	The SPD sets out how the tariff, and how the money will be collected and spent. No amendment proposed.
35	Mr Peter Steggles	Resident	There must be allocated areas for similar activities namely jet skis, water skiing, sea kayaking etc and education of the general public too. New homeowners should be included and given the opportunity to take 'pride of ownership' and take part in clean-up projects etc.	The RAMS document outlines and justifies the various strategic mitigation measures proposed. No amendment required.
36	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	First, the BWA supports the principle of preventing an increase to disturbance of wetlands on the Essex coastal area. Secondly, we recognise that some level of visitors to the wetlands is both necessary and unavoidable and would like to consider the current state as a baseline.	Noted. No amendment proposed.
37	Councillor Jenny Sandum	Braintree District Council	Very much welcome the requirements for mitigation.	Noted. No amendment proposed.
38	Mr Mark Nowers	RSPB	Whilst we were an active and willing participant in the workshops that took place in 2018, we were not invited, nor given the opportunity to comment on the Habitats Regulations Assessment for this strategy. Crucial to the success of this strategy is: 1. effective monitoring of recreational activity; 2. effective monitoring and analysis of impacts on waterbird populations (WeBS data is useful but this only covers roosts at high tides and will not cover the impacts on feeding birds on mudflats or functionally-linked cropped lands for foraging dark-bellied brent geese); 3. access management strategies that are tailored to each site; 4. effective coverage of sites by the right number of rangers at key sites and at key times of the week/weekends and the right periods in the day, i.e. early morning dog-walks; 5. rangers should be full-time throughout the year to ensure expertise and site knowledge is retained and face-to-face time with the public is prioritised over administration and other tasks; 6. The strategy must take advantage of the best practice developed elsewhere in the country, i.e. Bird Aware Solent, and seek to continually evolve and avoid re-inventing the wheel.	The Essex Coast RAMS SPD Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA) Screening Report accompanied the SPD as part of this consultation and was separately subject to consultation with the statutory consultees of Natural England (NE), Historic England (HE) and the Environment Agency (EA).  It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The involvement of the RSPB is welcomed and once approved, the Delivery Officer will engage directly with key local stakeholders including RSPB. The effectiveness of the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				mitigation will be monitored as outlined within Section 6 of the SPD. The project is considered best practice elsewhere and in 2019 become part of the Bird Aware brand. No amendment proposed.
39	Mrs Jackie Deane	Great Dunmow Town Council	The Town Council is supportive of the proposals.	Noted. No amendment proposed.
40	Mr Gavin Roswell	Resident	In 1.1, the wording 'is necessary' is alarmist, as it is only the opinion of a relatively small amount of people. There are studies out there that are in complete contradiction to the whole RAMS ethos, but the agenda cloaking has already started, with narrow focus groups promoting their thoughts as fact.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. The RAMS is evidence-based and has been developed in conjunction with Natural England. No amendment proposed.
41	Mr Stephen Tower	Resident	Protecting wildlife is of upmost importance.	Noted. No amendment proposed.
42	Miss Georgie Sutton	Marine Management Organisation (Planning)	<p>Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the SPD, the draft South East Marine Plan is of relevance. The South East Marine Plan is currently out for consultation until 6th April 2020. As the plan is out for consultation, it is now a document for material consideration.</p> <p>All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the draft South East Marine Plan, or the UK Marine Policy Statement (MPS) unless relevant considerations indicate otherwise. Please see suggested policies from the draft South East Marine Plan that we feel are most relevant. They are provided only as a</p>	Once approved the South East Marine Plan as well as the East Inshore and East Offshore Marine Plans will become part of the Development Plan for the relevant LPAs. An amendment to recognise these Plans, and their policies, within the SPD is proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>recommendation and we would suggest your own interpretation of the South East Marine Plans is completed: MPAs, Tourism and Recreation, Biodiversity, Disturbance, Marine Litter, Water quality, Access.</p> <p>The area in the Stour Estuary Zone of Influence and the Hamford Water Zone of Influence also extend into the East Marine Plan area. Therefore, you may need to consider the East Inshore and East Offshore Marine Plans as well. Please see suggested policies which may be of relevance: Social, Ecology, Biodiversity, MPAs, Governance, Tourism and Recreation.</p>	
43	Ms Liz Carlton	Resident	<p>While we understand the need for more housing, we feel very strongly that mitigation in this area is essential. We are not sure that the tariff of £122.30 per dwelling will suffice to protect the area for wildlife. We believe that it will be imperative to ensure that some areas are restricted and protected as wildlife only areas. There will need to be a budget for ensuring that damage is monitored, and repair is carried out before becoming irreversible.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.</p>
44	Mr Steve Betteridge	Resident	<p>While we understand the need for more housing, we are not sure that the plan to charge residents for this mitigation will be sufficient to protect the area for future generations.</p>	<p>The tariff is charged to developers not residents. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of on-site mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
45	Mr Bernard Foster	Resident	Some projects that would mitigate potential damage to RAMS areas flounder for a variety of unnecessary reasons. There should be a specific section, referenced, that would cover areas in and around the Zone of Influence that would assist in protecting various sections within the RAMS format. It should enable LPA's, parish councils etc to support and draw support from governing bodies in areas that they cannot directly control such as Essex Highways. Regulations around unauthorised developments need to be changed for these types of areas to give the planning and enforcement groups some support, stopping the irritating and harmful occupations that can go on for years.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. Essex Highways and LPA planning enforcement are outside the scope of the SPD. No amendment proposed.
46	Mr Mark Marshall	Resident	The consultation is a great step forward for conservation. It may not address all problems, but awareness is the key.	Noted. No amendment proposed.
47	Mr Tim Woodward	The Country Land & Business Association (CLA)	No comments on this introductory section.	Noted. No amendment proposed.
48	Parish Clerk Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
49	Mrs Jenny Clemo	Langford & Ulting Parish Council	Langford & Ulting Parish Council agree that it is necessary to protect the wildlife of the Essex Coast from increased visitor pressure associated with new residential development. There is also a need to protect the wildlife on the rivers and canals in Essex as the increase in population will lead to an increase in the use of them for amenity purposes (walking, boating, fishing, dog walking, cycling etc).	Noted. No amendment proposed.
50	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	It is worth explaining here that Bird Aware Essex Coast is the brand name of the Essex Coast Recreational disturbance Avoidance and Mitigation Partnership.	An amendment is proposed to explain the role of Bird Aware Essex Coast within this section of the SPD.
51	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	The AONB team is not proposing any changes to the Introduction section of the RAMS SPD.	Noted. No amendment proposed.
52	Mrs Cecilia Dickinson	Resident	I don't like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.



## Section Two – Summary of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

**Table 4 – Section Two: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Frances Coulson	Resident	As we cannot stem building unfortunately, this seems to set out the facts.	Noted. No amendment proposed.
2	Mrs Aileen Cockshott	Resident	Apply protective measures for protected areas of the coast - prevent powered water sports and set out exclusion zones for wind powered water sports. Dogs should be kept on lead near areas known for ground nesting birds. If protective measures are broken, then hefty fines should be imposed.	The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
3	Mrs Amy Gardener-Carr	Resident	Do not build here.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
4	Mr Philip Dangerfield	Resident	Ensure that protection of the coast is spread evenly across the whole of Essex. Those who visit areas that are now more populated may visit more remote areas of the coastline home to nesting birds.	This is a principal aim of the RAMS and SPD. No amendment proposed.
5	Mr Bob Tyrrell	West Bergholt Parish Council	Agree and support the SPD.	Noted. No amendment proposed.
6	Mr Brian Springall	Resident	Before protecting wildlife, the Council needs to get its housing development plans sorted & improve the district's infrastructure i.e. roads, flood protection etc.	The need for the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. Local Plan progression is

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				ongoing within each of those partner LPAs that do not have an adopted Local Plan. No amendment proposed.
7	Mrs Julie Waldie	Resident	Happy to see wildlife taken into consideration.	Noted. No amendment proposed.
8	Mr Terry Newton	Resident	Use counties in the West Country as case studies for successful coastal management.	Elements of RAMS across the country have been considered in the formulation of the Essex Coast RAMS, where relevant to the Essex Coast. No amendment proposed.
9	Mr Brian Mills	resident	I agree with assessment.	Noted. No amendment proposed.
10	Mrs Angela Harbottle	Resident	Include wildlife protection measures such as RAMS within Essex Local Authority Local Planning documents.	The need for strategic mitigation in the form of the RAMS has been included in relevant emerging and recently adopted LPA Local Plans. No amendment proposed.
11	Mr David Kennedy	Resident	Expansion of Southend Airport contradicts Essex RAMS commitments by supporting development that would impact on nesting birds on Wallasea Island. Air traffic collision with bird population could result in disaster.	The SPD is related only to in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
12	Mr Charles Joynson	Resident	Why does the Essex RAMS document not include the protection of seals / seahorses? How will the tariff fund the protection of the coast? Include more manned exclusion zones along the coast to prevent disturbance from dog walkers.	The Essex Coast RAMS SPD relates only to in-combination recreational effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. Other forms of mitigation addressing other effects and on other designations across Essex are not within the specific scope of the SPD. No amendment proposed.
13	Mr John	Resident	Development should not be permitted on or adjacent to important coastal wildlife sites.	Noted. This is matter for individual Local Plans. The RAMS allows for new

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	McCallum			coastal residential development subject to providing appropriate mitigation measures. No amendment proposed.
14	Mrs Mary Drury	Resident	Implement more sets of coastal pathways. Stop speed boat usage along protected coastline. Prevent blocking of PROW. Ensure footpaths are open 24/7 and include more bins and maps. Clear pathways at coastal sites such as Danbury Common – brambles force members of public to overuse specific paths.	Noted. Maintenance of footpaths is not within the scope of the SPD. No amendment proposed.
15	Mrs Alwine Jarvis	Resident	Mitigation package costs should be split across entire borough – including existing households. Free parking for local residents – paid parking for those visiting from afar.	The Essex Coast RAMS SPD is applicable within the Zone of Influence only and the tariff cannot be retroactively applied to consented / existing development. The SPD sets out a tariff that will be used to fund mitigation related to ‘in-combination’ recreational effects relevant to planned growth in Essex. Car parking charges are a matter for individual LPAs and landowners. Local residents should be encouraged to walk or cycle to the coast. No amendment proposed.
16	Ms Rachel Cross	Resident	What is best practice for Ramsars, SPAs and SACs? Any policy must exceed the provisions to protect wildlife and respect the environment. What about representation from the ports?	The SPD is related only to those recreational impacts identified within the LPAs’ Local Plan HRA/AAs and related to residential growth. The RAMS draws on best practice from elsewhere and has been developed in conjunction with Natural England. No amendment proposed.
17	Mrs Joanna Spencer	Resident	Planes release fuel over designated sites.	The SPD is related only to those recreational impacts identified within the LPAs’ Local Plan HRA/AAs and related to residential growth. The

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				impact of aviation on the environment is taken into consideration in local plans which promote airport growth, masterplans for airports, planning applications for airport facilities and regulations on pollution through the environmental and aviation regulatory bodies. No amendment proposed.
18	Ms Caroline Macgregor	Brightlingsea village councillor	Town councils should be given more weight in deciding planning applications for development whereas local councils should be more concerned with preservation and conservation.	The SPD is related only to those recreational impacts identified within the LPAs' Local Plan HRA/AAs and related to residential growth. Decision-making on planning applications is outside the scope of this SPD. No amendment proposed.
19	Mr Christopher Marten	Resident	Development in designated areas is completely inappropriate.	Noted. No amendment proposed.
20	Mr Alan Lycett	Resident	How will BREXIT impact on coastal designations?	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.
21	Mr Brian Jones	Resident	The SPD is clear and effective if actually put into practice.	Noted. No amendment proposed.
22	Mr Kenneth Dawe	Resident	There needs to be a balance between safeguarding wildlife and providing access for wellbeing.	The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
23	Mr Frederick Ager	Resident	The increase in local housing will increase visitors to this area of the path and in turn increase danger to public with the Wildfowlers Club using this area.	The SPD is related only to the in-combination recreational impacts identified within the LPAs' Local Plan HRA/AAs. The effectiveness of the mitigations will be monitored during the life of the project. No amendment proposed.
24	Mr Aubrey Cornell	Resident	Housing should not be in proximity to designated areas. New residents/visitors will not respect the wildlife/countryside, making the tariff redundant. Existing visitors already disturb birds whether they are children or dogs off lead.	The need for the Essex Coast RAMS and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
25	Mr Andrew Whiteley	Resident	A similar plan to RAMS could be implemented for inland habitats. Infrastructure should be evenly distributed across Essex to prevent future isolation issues.	Noted. No amendment proposed.
26	Mrs Angela McQuade	Resident	Extend designated areas to create wildlife corridors.	Protecting wildlife from development is and can be ensured and funded through other mechanisms. The extension of protected areas is not within the scope of the RAMS or the SPD. No amendment proposed.
27	MR John Camp	Resident	Exclusion zones for jet skis should be introduced.	Noted. No amendment proposed.
28	Mr Peter Bates	Resident	No. The section seems reasonable.	Noted. No amendment proposed.
29	Mr Stephen Ashdown	Resident	The section should include the benefits for community mental health.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. The mitigation proposed within the RAMS does not seek to prevent visitors to the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
30	Mr Graham Womack	Resident	How will Brexit impact European Directives that the RAMS is based on?  The strategy only covers the coast, but some waterfowl species may also rely on inland sites.	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.  The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD. No amendment proposed.
31	Mr Michael Blackwell	Resident	Tourists also visit the coast.	The SPD sets out that tourism related development will be considered on a case-by-case basis through a project level HRA. If adverse effects on integrity are predicted, appropriate mitigation will be required, which could relate to the tariff proposed in the SPD. No amendment proposed.
32	Mr Mark East	Resident	How are the effects of smaller planning applications taken into consideration? It is evident from comments above that visitors travel some distance to SPA/Ramsar sites and whilst Local Plans and major projects consider the cumulative effect there is no objective evidence that I have seen that planning applications are controlled and come under the same scrutiny. This is leading to over development in sensitive areas.	All residential development proposals, including planning permission for an individual net new dwelling within the Zone of Influence will be required to undertake a project-level HRA/AA within which specific and in-combination effects of specific proposals will be considered. The



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Zones of Influence extend beyond local authority boundaries and show that many people travel far to visit the coast. No amendment proposed.
33	Mrs Michelle Endsor	Resident	Mitigation does not guarantee that adverse effects will not occur. The only route to success would be to completely isolate nesting bird species and prevent disturbance altogether. Housing development should seek to be located on areas that would result in the least amount of environmental impact.	Locational criteria for development are a matter for Local Plans / development management at the LPA level and not within the scope or remit of the RAMS or SPD. The mitigation proposed within the RAMS focuses on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
34	Mr. David Gollifer	Resident	The proposals are satisfactory.	Noted. No amendment proposed.
35	Mrs April Chapman	Resident	The RAMS should also consider the future expansion of recreational establishments alongside housing.	The SPD is related only to those recreational impacts resulting from residential development identified through the LPAs' Local Plan HRA/AAs. Any Habitat Site mitigation associated with other types of development (e.g. retail, education, business) would be considered at individual planning application stage by the relevant LPA. No amendment proposed.
36	Mrs Linda Findlay	Resident	Restore oyster reefs alongside emerging coastal wind turbines.	The SPD is related only to those recreational impacts resulting from residential development identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
37	Mr Barrie	Resident	No, looks good and sensible.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Ellis			
38	Mr David Evans	Resident	Hamford Water is a man-made environment and does not fall under the EC Habitats Directive. Protection also needs to be attributed to other wildlife such as shellfish and sea mammals.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. This includes the Hamford Water SPA and Ramsar. No amendment proposed.
39	Mrs Susie Jenkins	Brightlingsea Nature Network	There is not enough focus on situations where mitigation is not possible, too much focus on accommodating development. I find the way this statement has been used misleading "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." (Principle 15) of Agenda 21, agreed at the Rio Earth Summit, 1992. " My understanding of the precautionary approach is well described here by J. Hanson, in Encyclopaedia of the Anthropocene, 2018, "The process of applying the Precautionary Principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action." No action has to be a clear option available to LPA's to enable them to properly consider the genuine disturbance avoidance of vulnerable and valuable habitats.	Alternative means would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process and the RAMS follows the process of the Stage 2 determinations / recommendations. No amendment proposed.
40	Councillor Frank Belgrove	Alresford Parish Council	At this stage in the document the actual "mitigation measures" are not clearly defined. "Alternative means" - needs to be defined.	Section 4.1 details the planned mitigation to be implemented as part of the Essex Coast RAMS. Alternative means would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process and the RAMS follows the process of the Stage 2 determinations / recommendations. No amendment proposed.
41	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Boat movements are declining. Speed boats should be kept to low speeds to prevent disturbance. Main activity is Autumn, Winter and very early spring.	Noted. No amendment proposed.
42	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	Hamford Water area requires the amalgamation of existing organisations managing the area. Hamford Water has seen many signs of degradation: sand dunes at Walton Hall marshes lost, healthy saltmarsh destroyed, Stone Point beach disappeared, cliff erosion, Naze Tower under threat and Walton Navigation channel also threatened.	Noted. The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
43	Mr John Fletcher	Resident	Wildlife at Hamford Water can be disturbed by boat, despite this the 450 boat Marina has not caused ill-effect on wildlife. Locals do not disturb wildlife, disturbance is caused predominantly by those visiting from out of the area. The England Coast Path and Essex Wildlife Centre encourage disturbance, as do dog walkers and general public.	Noted. No amendment proposed.
44	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	Paragraph 2.2 – add fishing / bait digging and wildfowling. BWA monitors member activity. Litter and effluent also impacts on designated areas.	An amendment to include fishing / bait digging is proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
45	Mr Mark Nowers	RSPB	Paragraph 2.5 – The Outer Thames Estuary SPA should also be included. Impacts will not be limited to terrestrial activities; powered watercrafts will also need to be accounted for.	Natural England initiated the RAMS project and advised on the 10 Essex coastal sites that should be included within this project. The Outer Thames Estuary is included within Table 3.1 of the SPD as 'Thames Estuary and Marshes SPA and Ramsars'. An amendment to include the word 'Outer' is proposed.
46	Mr Gavin Rowsell	Resident	Natural England promoted increased access for public on all foreshores along the England Coast Path. Using this access as a 'land-grab'. RAMS is not seen as fair and uses 'left-wing' principals.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. The RAMS is an evidence-based project and has been produced in conjunction with Natural England. No amendment proposed.
47	Mr Gerry Johnson	Essex Birdwatching Society	In order to reduce disturbance to wildlife: - Dogs should be kept on leads - Fencing should be used to protect ground nesting birds - Signage should be erected to warn walkers to take care in areas of nesting birds	Section 4.1 details the planned mitigation to be implemented as part of the Essex Coast RAMS. No amendment proposed.
48	Mr Bernard Foster	Resident	Online maps should have greater clarity. Both HRA & AA are negative policies. The RAMS project like the NPPF does not carry enough weight to promote areas that would divert footfall from designated areas. More co-operation between LPAs and associated bodies (Highways) would prevent the refusal of mitigation projects. Decisions need to be justified more clearly.	Amendments to replace existing maps with higher resolution images are proposed.  The SPD, in conjunction with the RAMS, ensures that mitigation is enshrined / adopted in local policy of all the LPAs. No amendment required.
49	Mr Mark Marshall	Resident	Designated areas need to be protected to prevent irreversible loss.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
50	Mr Tim Woodward	The Country Land & Business Association (CLA)	England Coast Path will increase recreational pressure on the coast by providing access to areas that previously did not. Why should those delivering housing be targeted by the RAMS strategy when a government body is facilitating recreational pressures on the Essex Coast?	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
51	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.
52	Mrs Jenny Clemo	Langford & Ulting Parish Council	Impacts are unable to be mitigated, developments that are predicted to impact should not be granted planning permission.	Each LPA within Essex has a statutory duty to address housing need in their area. The mitigation proposed in the RAMS ensures that 'no significant effect' on the integrity of the Habitats sites will be realised regarding recreational disturbance. No amendment proposed.
53	Ms Jo Steranka	Resident	<p>RAMS is inadequate to deal with future issues as there are limits to the amount of development that can take place in Essex. There will come a point where further development will have detrimental impact on the quality of the environment. Wildlife is already pressured by inappropriate behaviour; increased visitors will exacerbate these. The habitats are incredibly important as there is so little left across Europe.</p> <p>Essex County Council should provide guidance that restricts recreational development that would act to disturb wildlife populations at the coast, as well as, development that would act to connect undesignated areas to designated sites. Essex County Council should also recognise that continued development will impact on existing international commitments.</p>	The need for the Essex Coast RAMS and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. The mitigation proposed in the RAMS ensures that 'no significant effect' on the integrity of the Habitats sites will be realised regarding recreational disturbance. It is the LPAs that are responsible for preparing, adopting, delivering and implementing the RAMS and the SPD, not Essex County Council (ECC). No amendment proposed.
54	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Similar strategies endorsed by Natural England are not tried and tested.	The effectiveness of the mitigation will be monitored as outlined within

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Paragraph 2.6 – Who is the regulatory body that ensures Habitats Regulations are met? Will NE, RSPB and EWT be statutory consultees on all planning applications?</p> <p>Paragraph 2.13 – Requires strengthening – variable tariff required?</p> <p>Paragraph 2.14 – Independent bodies are not endorsing the strategy. Strategy is a ‘soft’ approach, no code of conduct for water sports clubs currently available. By-laws will require updating as they are not directly related to birds or wildlife. Those caught littering should be fined as part of updated by-laws.</p> <p>Paragraph 2.15 – The tariff charged to developers could be passed to home owners – increasing property prices.</p>	<p>Section 6 of the SPD. No amendment proposed.</p> <p>Natural England are the statutory body that ensure the Habitats Regulations are met, as a consultee for HRA/AA documents. Other bodies are permitted to comment on all live planning applications.</p> <p>A variable tariff has not been supported within the RAMS and SPD as overall ‘in-combination’ effects are not variable and distinguishable across the County.</p> <p>The remit of the RAMS and SPD is to ensure the strategic mitigation package is delivered. No amendment proposed.</p>
55	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>For consistency the following text should be added to the notes section:</p> <p>Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds and are designated under the Birds Directive.</p> <p>Special Areas for Conservation (SACs) are sites which support high-quality habitats and species and are designated under the Habitats Directive.</p>	An amendment to move the glossary to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced.
56	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The importance of the Essex coastline for wildlife - as evidenced by the extent of designated Habitats sites - cannot be over emphasised. CPRE very much supports the strategic approach to mitigation measures outlined in this section - not least, for the consistent, pragmatic and fair process which it provides. The provisions of the SPD need to be	Noted. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
			implementable and effective and this combined approach creates the robust framework to achieve the objectives of RAMS.	
57	Mrs Cecilia Dickinson	Resident	I don't like this format - section by section - my comments are general.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

### Section 3 – Scope of the SPD

**Table 5 – Section Three: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Do not build so many homes.	All of the LPAs have a statutory requirement to plan for new housing growth. How this is achieved is set out in Local Plans. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
2	Mrs Aileen Cockshott	Resident	Tourist accommodation and caravan parks should be within scope.	The effects and subsequent mitigation of tourist related development proposals will be considered on a case by case basis. Section 3.9 of the SPD states that, 'tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an Appropriate Assessment as part of the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Habitats Regulation.' No amendment proposed.
3	Mrs Amy Gardener-Carr	Resident	Instead of building properties, fence this land off and make them sanctuaries.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS SPD does not propose new development. The mitigation proposed within the RAMS focuses on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
4	Mr Bob Tyrrell	West Bergholt Parish Council	Fully agree.	Noted. No amendment proposed.
5	Mrs Julie Waldie	Resident	Sounds fair.	Noted. No amendment proposed.
6	Mr Terry Newton	Resident	How do you collect post code data from visitors? If property has not been built on these sites, then no data will be available yet. Could it also be that a small number of visitors to the coastal areas of concern are the same repeat visitors, and that the majority of local residents never, or rarely visit most of the coast.	Survey data was collected from the general public who visited the coast prior to the new development to best understand where visitors come from and are likely to come from in the future. The Zones of Influence were then calculated to determine what areas would be required to contribute to the RAMS tariff to provide strategic mitigation across Essex. No amendment proposed.
7	Mrs Angela Harbottle	Resident	I agree with the measures outlined.	Noted. No amendment proposed.
8	Mr David	Resident	The tariff should apply to commercial development as well.	The SPD is related only to recreational impacts identified through the LPAs'

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Kennedy			Local Plan HRA/AAs and as a result of recreational effects caused by new housing. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
9	Mr Charles Joynson	Resident	This all seems very sensible.	Noted. No amendment proposed.
10	Mrs Mary Drury	Resident	<p>Maldon riverside is becoming a commercial venue- a mock attempt at a seaside, as it is easy to drive to but it is spoilt along the Promenade now and charging for a huge car park is not being returned to improve anything in the way of doing anything to help the wildlife.</p> <p>Hullbridge riverside has many birds but as each new development takes out more hedges and trees where do they go? The once narrow Hullbridge riverside path is now cut right back for public access and tall grass edges mown and that is along a natural riverside walk - why?</p>	<p>The need for the Essex Coast RAMS and the SPD stems from planned residential growth within the LPAs' adopted or emerging Local Plans. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD.</p> <p>No amendment proposed.</p>
11	Mrs Alwine Jarvis	Resident	Mitigation package costs should be split across the entire borough – including existing households. Free parking for local residents – paid parking for those visiting from afar.	The Essex Coast RAMS SPD is applicable within the Zone of Influence only and the tariff cannot be retroactively applied to consented / existing development. The SPD sets out a tariff that will be used to fund mitigation related to 'in-combination' recreational effects relevant to planned growth in Essex. Car parking charges are a matter for individual LPAs and landowners. Local residents should be encouraged to walk or cycle to the coast. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
12	Mr Matt Eva	Resident	The Zone of Influence for Southend and Crouch/Roach estuaries seem too small.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. No amendment proposed.
13	Mrs Jane Rigler	Resident	Why is the measurement in kilometres - we still use miles in the UK so I think it should be changed.	An amendment is proposed to include both kilometres and miles within the SPD.
14	Ms Caroline Macgregor	Brightlingsea village councillor	Distance boundaries should be extended.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. No amendment proposed.
15	Mr Peter Dervin	Resident	People should at every stage be the number one consideration, while we have people living on the streets and sofa surfing, and a lack of care for the elderly and disabled sorry but wildlife has to come second.	The SPD and RAMS ensures that residential development schemes within the Zone of Influence can come forward with an assurance that there will be no significant in-combination recreational effects on Habitats sites on the Essex Coast. No amendment proposed.
16	Mr Brian Jones	Resident	Ok.	Noted. No amendment proposed.
17	Mr Andrew Whiteley	Resident	No mention of improved infrastructure. Essex roads, trains and buses are already stretched and that's without the impact on social services.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan and infrastructure delivery plans. No amendment proposed.
18	Mrs Angela McQuade	Resident	Regulations should be upheld in all cases.	The SPD provides the robust framework for ensuring the regulations are upheld. Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
19	Mr Peter Bates	Resident	Zone of Influence for both Benfleet and Southend Marshes and Thames Estuary and Marshes should be larger. Commercial development should also be considered within the RAMS.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
20	Mr Stephen Ashdown	Resident	Should include Hanningfield Reservoir as this also supports wildlife relevant to this document and has the same pressures as those discussed in the subject matter.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. No amendment proposed.
21	Mr Graham Womack	Resident	With regards to para 3.10. What happens if outline permission has already been granted (without consideration of RAMS). Will it become compulsory to add it to the subsequent full application?	The SPD proposes that if in-combination recreational effects have been suitably addressed at the outline stage, in the form of mitigation, then the tariff would not apply at the reserved matters stage. If such effects have not been addressed of individual proposals at the outline stage, then the tariff would be applicable to that proposal at the reserved matters stage. No amendment proposed.
22	Mrs Joanna Thornicroft	Resident	Visitors to the Essex Coast are not just residents, general public from all over the country visit also.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
23	Mr Mark East	Resident	Why do the Zone of Influence distances vary greatly? How were the Zones of Influences calculated from visitor surveys?	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys, such as postcode data of visitors. This exercise helps to determine where and

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				how far residents will travel to the Essex Coast, and has been approved by Natural England. No amendment proposed.
24	Mrs Michelle Endsor	Resident	<p>The wetland areas along The River Crouch also makes the village of Great Stambridge and surrounding areas a flood plain which is at risk of extreme flooding approx. every 50-100 years.</p> <p>Whilst we take this into consideration when insuring our properties and are lucky enough to be surrounded by farmers who will "double ditch" when the rain levels increase, to consider building housing in areas of flooding seems completely irresponsible. Not to mention that increasing the population in an area with no facilities, no doctor's surgery, no bus services, no shops, etc ensures that roads that were not built to take large amounts of traffic are stretched to the limit as road travel is the only way to access work and necessities for a larger population. That larger population and their road travel, as well as visitor influx will again only serve to disrupt the wildlife population further.</p> <p>As long standing residents that have been witness to the wildlife decline in this area over the last 3 generations, we cannot object enough to any development of the wetland areas.</p>	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. Issues raised relate to the distribution of new development and supporting infrastructure as matters for Local Plans. This includes the possible impacts on and mitigations for flooding. No amendment proposed.
25	Mrs Linda Findlay	Resident	More emphasis on environmental impact in the long term. Infrastructure must come before greater demand is generated.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. The impact of the RAMS will be regularly monitored. Infrastructure to support new housing growth is a matter for Local Plans. No amendment proposed.
26	Mr David Evans	Resident	There are significant and important other Statutory Bodies with strong legal and commercial interests in Hamford Water - Harwich Harbour Authority, who has control over the navigation and collect Port Dues for	Noted. Joint working arrangements can be acted upon by the Delivery Officer. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
			shipping movements to Bramble Island; Crown Estates, who own most of Hamford Water below the low tide level.	
27	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>Please include the point that certain habitats cannot be mitigated against and are too valuable to have building close by which will increase the disturbance.</p> <p>There should be clear provision and targets to leave some habitat entirely undisturbed.</p>	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. Under the Habitats Regulations each development proposal will need a project-level HRA. This is still the case for proposals within the Zone of Influence, and any resultant AA will set out recommendations to mitigate effects that are directly related to the proposal. No amendment proposed.
28	Councillor Frank Belgrove	Alresford Parish Council	This section is well written and explores the practicalities.	Noted. No amendment proposed.
29	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Yes, South East Essex, is now past breaking point with the recent addition of new dwellings. Release all farmland around London, say a radius of 8 miles. This also would mean less journey times.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
30	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	<p>Increase the Zone of Influence to include boroughs of London due to weekend visitors to areas of the Essex Coast.</p> <p>The only possible way Recreational disturbance Avoidance can be applied is to control the number of dwellings permitted in designated areas.</p>	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. The ZOI were informed by visitor surveys. No amendment proposed.
31	Mr John	Resident	A very unfair and totally unnecessary 'tax'.	The RAMS seeks to mitigate recreational impacts on protected

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Fletcher			Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. The tariff is 'evidence based' and has been calculated by dividing the cost of the RAMS mitigation package by the number of dwellings (housing growth) proposed in LPA Local Plans. The tariff is paid by developers of new houses, not residents, and as a one-off payment. It is not a tax. No amendment proposed.
32	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	The BWA is not planning any building work within the RAMS Zone of Influences. Predatory species such as foxes thrive in urban areas, potentially increasing pressure on ground nesting birds.	Noted. No amendment proposed.
33	Mr Mark Nowers	RSPB	3.4 The Outer Thames Estuary SPA should be added here. Paragraph 2.2 above sets out the coast is "a major destination for recreational use such as walking, sailing, bird-watching, jet skiing and dog walking."	The Outer Thames Estuary is included within Table 3.1 of the SPD as 'Thames Estuary and Marshes SPA and Ramsar'. An amendment to include the word 'Outer' is proposed.
34	Mr Stephen Tower	Resident	No residential housing should be built around this area as it is vital to protect the region and its wildlife. How about using housing that is not currently being used?	Under the Habitats Regulations each development proposal will need a project-level HRA. This is still the case for proposals within the Zone of Influence, and any resultant AA will set our recommendations to mitigate effects that are directly related to the proposal. New housing growth is a matter for Local Plans. No amendment proposed.
35	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We feel the Zones of Influence are understated.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				approved by Natural England. No amendment proposed.
36	Mr Bernard Foster	Resident	<p>It is being recognised more and more that the changes to where people live along with other publicity has started to change the way many residents are behaving. In some areas it has already changed the way councils are looking at housing design, road design and development.</p> <p>In these areas, roads are only built where they are needed to feed residents' requirements and earlier designations no longer directly feeding dwellings are changed to paths and cycle ways to develop green links between areas. This is not only important so as to encourage healthier life styles as designated in the NPPF but to give an acceptable alternative to paths within the Ramsar or SPA areas which do not currently exist for the many cyclists, horse riders and strollers within the various communities.</p> <p>This will not happen by chance it needs the legislation adjusted to give greater backing to LPA and parish councils who understand what is needed for their areas.</p>	Noted. These issues relate to Local Plans rather than specifically to this SPD. No amendment proposed.
37	Mr Tim Woodward	The Country Land & Business Association (CLA)	<p>CLA members in the areas and Zones of Influence covered by the SPD may be considering small-scale residential developments on their land, and others may be considering setting up tourism enterprises. These enterprises will provide employment opportunities and will make a valuable contribution to the rural economy. Housing developments on our members' land will help the Government and local authorities to meet housing targets and may include low-cost "starter" units on rural exception sites.</p> <p>These projects will be affected by the financial contributions proposed, when combined with any Community Infrastructure Levy (CIL) contributions additionally levied.</p>	The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from an increase in population associated with housing growth. This includes both allocations in the LPAs' Local Plans and also non-allocated growth that may come forward within Local Plan periods. No amendment proposed.
38	Mr Steven Smith	Comments offered on behalf of Lower Farm,	In line with the NPPF and Local Plan Policy the definition of exclusions within Table 3.2: Planning Use Classes covered by the Essex Coast RAMS, under the Sui Generis Planning Class should be amended to clarify that it applies to: leisure and tourism facilities:	The SPD wording regarding residential caravan sites reflects the permanency of residents, with those associated with tourism (holiday caravans and

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		East End Green, Brightlingsea	<p>Amend: - Residential caravan sites (excludes holiday caravans and campsites) To: - Residential caravan sites (excludes leisure and tourism facilities)</p> <p>In addition, para 3.9 of the SPD states that "... tourism accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure ...". It is proposed that this should be amended to: "... tourism accommodation, could potentially effect protected habitat sites related to recreational pressure ..."</p> <p>It is recognised that any contribution that may result from an Appropriate Assessment of leisure and tourism facilities would be assessed on a "case by case basis" (clarified within footnote *** of Table 3.2). However, the level of contribution should be benchmarked and clarified within the SPD i.e. £5 per facility/unit (similar to an all-day parking fee at an Essex Wildlife Trust site), or in line with the Tourism Sector Deal (November 2018) local Environmental and Tourism Trust Funds could be set up between a developer/operator and the relevant District Authority whereby a contribution of £1 per tourist per day is paid to support the management of the specific habitat site that may be affected by the development.</p>	<p>campsites) being subject to consideration on a case-by-case basis.</p> <p>The wording 'may be likely to have significant effects' is specifically in line with the wording of the Habitats Regulations, and in reference to the test in those regulations to assess 'likely significant effects'. No amendment proposed.</p> <p>Regarding the extent of the tariff that may be applicable to tourist related development, it would be inappropriate to benchmark this per unit, as the level of recreational effect may vary from proposal to proposal. No amendment proposed.</p>
39	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
40	Mrs Jenny Clemo	Langford & Ulting Parish Council	Support the approach.	Noted. No amendment proposed.
41	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Para 3.6 A case could be made for new large business units over a certain square footage contributing to the mitigation strategy here. Large corporate companies, such as Amazon, could help cover the cost of their environmental impact.	The SPD is related only to those recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Para 3.9 Tourist accommodation: To stop people flying, we need to encourage "stay locations", Many small businesses like family run B&amp;B's will probably not be able to succeed financially if a tariff or tax for the strategy was imposed on them. Again, larger, corporate entities such as hotel chains need to carry the cost if this is going to be looked at.</p> <p>Para 3.10 We already have experience where HRA's have not been completed as part of a reserved matter planning application where the original outline application is over 2 years old. How will parallel or twin tracked applications be dealt with that exist under one outline application?</p>	<p>Any tariff imposed on tourist related development would not be retroactively sought, and will apply only to new development proposals No amendment proposed.</p> <p>The tariff will be imposed to those proposals at the reserved matters stage that have not considered recreational effects at the outline stage. No amendment proposed.</p>
42	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>The scope of the RAMS SPD is considered appropriate. The AONB team agrees with the Use Classes and the types of developments that will be subject to a RAMS tariff.</p> <p>Paragraph 3.7 of the SPD could be more explicit and state that proposals for single dwellings will be subject to a RAMS tariff.</p>	Noted. An amendment introducing additional clarification within Paragraph 3.7 is proposed.
43	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch (CPRE)	<p>This is a key section of the SPD because it identifies where the RAMS is applicable. The Zones of Influence (Zone of Influence) map is critical. It attempts to show the sphere of influence - based on the postcode of coastal visitors - as roughly concentric circles. The result is nonsensical in that up to 40-50% of some of the Zones is North Sea. A methodology which centres a Zone of Influence on a designated Habitats site is therefore flawed. Instead the Zone should reflect the fact that many visitors come from without a tight circular catchment, often living in major centres of population and close to the main highway network. Linear Zones therefore stretch beyond the immediate local catchment area. In this respect, there is no indication as to how the Zones are defined - i.e. the proportion of total visitor numbers and from which postcodes.</p> <p>This is exemplified by the influence of the main sailing centres - notably on the Stour and Blackwater estuaries but also elsewhere - where considerable numbers of boat owners (regular visitors) live much further</p>	The Essex Coast RAMS project and associated methodology has been recognised and approved by Natural England. The methodology that determined the Zones of influence was also approved by NE. The Essex Coast RAMS is also only concerned with recreational pressures arising as a result of proposed development found within emerging and adopted Local Plans. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>afield. Also, this approach results in high proportions of certain Zones of Influence stretching outside of Essex and there is no indication of the existence or relationship with similar SPDs adopted by the appropriate Suffolk and Kent local authorities.</p> <p>CPRE supports the range of applications, schemes and Use Classes covered by the SPD. However, given the potential for significant and higher impact from proposals for tourist accommodation, CPRE suggests there should be more explicit guidance in the SPD as to how LPAs would make "a different assessment of effects".</p>	
44	Mrs Cecilia Dickinson	Resident	I do not like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Four - Mitigation

**Table 6 – Section Four: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	The per tariff detail seems somewhat irrelevant when I have no idea how much money this will generate per annum and how much money is actually needed per annum.	The mitigation package has been calculated based upon the period of March 2019-2038. Details of this can be found in Section 4.3 which details the overall cost. The RAMS itself includes phasing details of Local Plan housing allocations, and the tariff will be collected for these dwellings. Therefore, the money collected per annum reflects housing growth directly. No amendment proposed.
2	Magister Debbie Bryce	Landlord	The Essex Coast cannot be 'recreated', 'moved elsewhere' or 'compensated for'.	Each LPA within Essex has a statutory duty to address housing need in a way that will not cause significant effects on



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			<p>Birds do not Need People visiting and disturbing them. You should therefore not do anything that would cause this. One example is to build more houses such that this will happen. It is simply a point of logic.</p> <p>A tariff is no use to birds. You have stated that their survival depends on preserving their environment and not disturbing them. How does a 'tariff' assist that?</p> <p>Your reasoning is faulty. Clearly there is conflict in what you say. You cannot mitigate the effects of disturbance. Especially not with money.</p> <p>If, as you say, you want to prevent disturbance to European bird sites, do not create more disturbance by recreation, housing or anything else. You are kidding yourselves if you think you can have your cake and eat it.</p>	Habitats sites. The RAMS and SPD ensures that this can be done. No amendment proposed.
3	Mrs Frances Coulson	Resident	Seems a small financial contribution so long as developers can't fiddle their way out of it as they seem to with social housing commitments.	Section 5.2 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
4	Mrs Amy Gardener-Carr	Resident	Make more actuaries for wildlife.	Noted. No amendment proposed.
5	Mr Bob Tyrrell	West Bergholt Parish Council	The proposals seem reasonable.	Noted. No amendment proposed.
6	Mrs Julie Waldie	Resident	I am glad the developers will foot the bill, sounds right to me.	Noted. No amendment proposed.
7	Mr Terry Newton	Resident	Without doing the sums this figure of 9 million pounds seems a bit vague, as there seems a lot of unknown variables, which are not easy to quantify. Am I right in thinking that this is an annual payment by each household?	The Essex Coast RAMS tariff is a one-off cost that applies to residential developments within the Zone of

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			Also, that the property must be a future build within certain designated zones?	Influence when they are consented. No amendment proposed.
8	Mr Brian Mills	Resident	I see no mention of actual measures to enforce the requirement -- money will not always correct a poor situation.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
9	Mrs Linda Samuels	Resident	Are the contributions compulsory? What will be consequences of non-payment?	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
10	Mr David Kennedy	Resident	Should apply to commercial development also.	The SPD is related only to recreational impacts identified through the LPAs' Local Plan HRA/AAs and as a result of recreational effects. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
11	Mr Charles Joynson	Resident	The fact that there may be other site-specific mitigation requirements in respect of Habitats sites and ecology gives me some hope that effective mitigation can be implemented. I still suspect the cash contribution for each dwelling will be far too low.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigating the effects of 'in-combination' recreational effects only. Other types of effect can be expected to be mitigated in other ways. No amendment proposed.
12	Mr John	Resident	You cannot mitigate for loss of wildlife habitat. I fundamentally disagree that there should be any permitted development in protected zones.	The Essex Coast RAMS SPD addresses development within the

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	McCallum			defined Zones of Influence. Each LPA within Essex has a statutory duty to address housing need in their area. No amendment proposed.
13	Mrs Mary Drury	Resident	Money will not fix the problem - it is care of natural places. All roads should be made with tunnels for animals to cross and all new developments should have to leave wild verges and hedges and trees. Destroying old hedges/trees should be banned, as it takes a whole generation - 50 years to grow a mature tree. Tariffs of £100,000,000 will not fix up a river overnight and meanwhile the animals look for homes to breed where theirs have been destroyed.	The SPD is related only to those recreational effects identified through the LPAs' Local Plan HRA/AAs. The tariff provides the funding to take mitigation measures to address the impacts of increased visitors to the coastal areas. No amendment proposed.
14	Mrs Joanna Spencer	Resident	The Section 106 agreement, is this based on the agreement between the Council and Southend Airport?	Section 106 is a mechanism to secure infrastructure or funding to address the impacts of new development. The Section 106 agreement for Southend Airport is a separate matter. No amendment proposed.
15	Mr Matt Eva	Resident	Need to think about unintended consequences. Will this lead to greater development just outside of the proposed Zone of Influence - which will impact the habitats but lead to no revenue for mitigation.	Zones of Influence (Zols) have been identified based upon visitor surveys conducted to determine the distance at which visitors to the Essex Coast can be expected to travel from. The Local Plans of each Local Planning Authority allocate land to meet required housing growth, and some of this land falls within the Zol. Local Plan allocations are not changed as a result of the Zol and some partner LPAs' Local Plan areas fall entirely within the Zol. No amendment proposed.
16	Ms Caroline Macgregor	Brightlingsea village councillor	Mitigation costs should be vastly increased and also be required to produce sustainable zero carbon footprint buildings to increase protection of areas.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation

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				required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
17	Mr Christopher Marten	Resident	Placing a tax on developers to dissuade them from submitting an application is not a solution in my view. It is not possible to enforce any of these statutes, people cannot be trusted to obey the law. Existing laws are broken on a daily basis, adding new ones would only make policing them more difficult.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. The tariff is not designed to dissuade applications, but to ensure that funding is in place to address the impacts of increased visitors to the Essex coastal area. No amendment proposed.
18	Cllr Malcolm Fincken	Halstead, Hedingham and District Branch Labour Party	We agree with these proposals.	Noted. No amendment proposed.
19	Mr Peter Dervin	Resident	The mitigation payments should be ring fenced towards care for people not wildlife. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. It is pure madness to add an additional payment to developers that is not people-centred.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
20	Mr Alan Lycett	Resident	Tariffs should be progressive so that larger properties pay more. Perhaps charge by number of bedrooms?	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. The tariff is evidence based and proportionate so as to not make new development unviable. It is considered inappropriate to apply a

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				'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the Zol. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.
21	Mr Brian Jones	Resident	OK.	Noted. No amendment proposed.
22	Mr Aubrey Cornell	Resident	Increase the tariff significantly in order to deter the initiation of such developments close to these sites.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
23	Mr Andrew Whiteley	Resident	No mention of improved infrastructure. Essex roads trains and buses are already stretched and that is without the impact on social services.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
24	Mrs Angela McQuade	Resident	Payment is not enough.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
25	Mr Peter Bates	Resident	It is essential to ensure that all financial contributions [including for part-projects] meet all costs identified and that they are paid before commencement of the work [or stage of project], and that all funds are held securely and that they are used in the local community directly	The tariff will need to be paid before the commencement of the development in all cases. As effects are related to housing growth in the

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			affected and not in other locations. Funding should only be used for physical measures, not legal advice, administration etc.	entirety of the Zone of Influence, mitigation will be limited to within the Zone of Influence as appropriate. No amendment proposed.
26	Mr Stephen Ashdown	Resident	Developers of larger sites must as well as paying levies make suitable arrangements to integrate the disturbed wildlife. Examples being tunnels under roadways, extra plantations of hedgerows/trees, or sponsorship of a suitable wildlife scheme developed for that zone.	The on-site requirements of large scale housing development proposals are not within the remit of the RAMS or SPD and will be identified through project-level HRA/AAs. Developers of strategic sites are encouraged to engage with the relevant LPA for specific guidance on what is considered appropriate. No amendment proposed.
27	Mr Graham Womack	Resident	<p>I support the concept of requiring the payments to be made at the start of a development phase.</p> <p>I have reviewed several planning documents over the past 12 months. I cannot recall having seen any specific reference to the tariff that is now being proposed.</p> <p>How will the tariff funding be allocated to mitigation work. Who will ensure that the relevant funds are only allocated to RAMS mitigation, and not to other local projects? I can recall several instances where local councils have proposed uses for S106 monies, only to be told that the funds are no longer available.</p>	The SPD, once adopted, will form a planning document that sets out the implications of the RAMS for developers. The Essex Coast RAMS mitigation will be managed by a dedicated RAMS Delivery Officer who will liaise with each LPA's own monitoring officers. Mitigation will be delivered at a strategic level ensuring it is applied to mitigate the effects of housing growth. No amendment proposed.
28	Mr Michael Blackwell	Resident	This seems reasonable.	Noted. No amendment proposed.
29	Mrs Joanna Thornicroft	Resident	I think the tariff is too low. I also have concerns that the buyer actually ends up paying this. I would prefer to see more ecological building material and a focus on sustainability for houses within these zones. If you want to live near a beautiful place that attracts wildlife, then your property and lifestyle should not cause damage. A one-off fee for a house that will	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging



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			last hundreds of years seems pretty insignificant in the great scheme of things. Could building limits be considered? I do agree that something should be put in place.	Local Plans. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
30	Councillor Richard van Dulken	Braintree District Council	I question the acceptability of Section 106 monies generated in Braintree, for instance, being used 20 or 30 miles away for totally unconnected purposes.	The Essex Coast RAMS aims to deliver a strategic approach to mitigation that was recommended within each LPAs' Local Plan HRA/AA, including that of Braintree District Council. Zones of Influence were based upon visitor surveys conducted to determine the distance at which visitors can be expected from new development. The collection of the tariff does not prejudice investment in infrastructure by developers in the locality of the new development. No amendment proposed.
31	Mr Mark East	Resident	The tariff is a drop in the ocean against the margin of profit for developers. The document implies that it is avoiding harm, but it is in fact fast tracking planning applications which are the source of harm. It is inconceivable that the provision of a small green space will deter residents from visiting the sites. Is there any scientific evidence or survey to objectively demonstrate any notable change of movement away from visiting SPA/Ramsar sites when green space is provided?	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. It can be expected that other mitigation requirements and contributions will be expected of developments, to address other effects on Habitats sites identified within project-level HRA/AAs. No amendment proposed.
32	Mrs Michelle Endsor	Resident	As previous stated, these factors are speculative and unproven. Once these "mitigations" fail, which with the delicate wildlife balance in this area, we have no doubt they will, it is too late, and we have lost valuable breeding areas for future generations.  It is also stipulated that payments will be charged to fund this gamble with	The Essex Coast RAMS toolkit (Table 4.1 of the SPD) sets out monitoring arrangements, amounting to 'birds and visitor surveys, including a review of the effectiveness of mitigation measures.' The scope of the SPD, and

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			our native wildlife but there is never any guarantee that these monies will not at some point in the future be absorbed into other projects that are deemed more relevant to the climate of the time. The same happened with the funds from council house sales with very little being ploughed back in to finance new social housing at the time. There is always a cause considered more important down the road but in this case, unsuccessful mitigation and cuts in future funding could see the devastation of our wetland wildlife, something which can never be rectified.	the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
33	Mrs Linda Findlay	Resident	<p>This must be actioned before development takes place.</p> <p>Too often developers try to reduce their section 106 agreements having built the most profitable part of the development. E.g. reducing number of "Affordable" housing or finding reasons why agreed access changes aren't practical.</p> <p>There need to be realistic penalties for later alterations that reflect loss to the community at large. Too often reneging on commitment remains more profitable, which should never be the case.</p> <p>Use local, possibly smaller companies to develop housing, as these have more stake in the local environment and have a more transparent reputation</p>	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, and alternative bespoke mitigation is not forthcoming (and agreed as suitable by Natural England) then planning permission would not be given. The tariff will need to be paid before the commencement of the development in all cases. No amendment proposed.
34	Mr David Evans	Resident	<p>The whole basis of how this income from a tax on new development is to be spent seems skewed to provide resources for semi-police activities and restrictions on human activity.</p> <p>Hamford Water has managed itself and the wildlife present to a very high standard, without draconian legal powers and without constant surveillance.</p> <p>The Hamford Water Management Committee, upon which all statutory bodies, Tending District Council, Essex County Council, the Environment Agency, users of the area, Yacht Clubs, the Royal Yachting Association, Wildfowlers, Riparian Landowners, Marinas plus all the various</p>	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. The tariff is proposed to fund a RAMS Delivery Officer and Rangers to address recreational impacts identified through the LPA's Local Plan HRA/AAs, but not to impose restrictions beyond these specific effects. No amendment proposed.

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			commercial interests are all members of this organisation and which supervises the area at nil cost. Anyone except those organisations that willingly contribute, has not been mentioned once in the RAMS documentation.	
35	Mrs Dawn Afriyie	Resident	<p>Essex is already overpopulated, the road network is in a dire state, the sewer systems are old and falling apart, more housing is not needed in Essex, coastal and non-coastal.</p> <p>Our wildlife must be preserved at all costs. How many more natural habitats must be destroyed before Essex council stops building.</p>	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. Each LPA within Essex has a statutory duty to address housing need in a way that will not cause significant effects on Habitats sites. It is the LPAs who are responsible for determining development proposals and delivering and implementing the RAMS and SPD, not Essex County Council. No amendment proposed.
36	Mrs Karen Hawkes	South Woodham Ferrers Town Council	<p>Bullet point 4 states "Information on alternative sites for recreation". Whilst it is appreciated that the area needs to be protected, the preferred message should be with information signage and alternative routes within the same location. This would also support tourism in the area and encourage sustainability and health benefits. If visitors are being sent to alternative locations this would result in increased motor vehicle usage; visitors may be less likely to visit the site which would affect their health and wellbeing.</p> <p>Bullet point 6 "Interpretation and signage". Members would welcome universal / uniform signage throughout all the Essex Coastal Habitats. This would assist visitors when visiting other sites as the signage format would be recognisable which would aid enforcement as visitors would be familiar with the signage.</p> <p>Page 12 Action Area Table Members would request that relevant Town and Parish Council are detailed as partnership organisation.</p>	<p>The message regarding 'alternative sites for recreation' can be expected to apply to future trips for recreation.</p> <p>Noted. Comments regarding uniform signage and additional stakeholders in the partnership organisation can be acted upon by the Delivery Officer, once appointed. The project has the brand: Bird Aware Essex Coast, which Bird Aware Solent is seeking to extend around the country. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. The Delivery Officer, once appointed, will engage</p>

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			<p>Page 13 Budget and Appendix 1 Strategic Mitigation.</p> <p>Whilst members are supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Mitigation package is £8,916,448 from March 2019 – 2038. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects.</p> <p>Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.</p> <p>Page 15 Schemes under 10 dwellings</p> <p>There are concerns that item 4.16 with regard to reasonable costs of completing and checking the agreement is not required and that a more straight forward method would be as a matter of course to charge the £122 a home once the location is identified within a zone as detailed on page 7.</p>	<p>with key local stakeholders. No amendment proposed.</p> <p>The mitigation package costed within the RAMS responds to new initiatives or resources required only, and similarly the tariff will not be used to pay for any existing initiatives. There will therefore be duplication of projects. No amendment proposed.</p> <p>Some LPA partners do not charge a legal fee for minor applications; however these applicants are required to pay the tariff. No amendment proposed.</p>
37	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>I feel it necessary to recognise that the disturbance of some habitats cannot be mitigated with financial payments. It is not clear under which circumstances this would be the case and is therefore more likely to leave habitats open to disturbance to the integrity of the habitat through a planning system weighted towards mitigation.</p> <p>We need clearer thought translated into understanding of when mitigation is not appropriate.</p> <p>Certain areas should be protected from development and disturbance.</p>	<p>The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.</p>
38	Mrs Lesley Mitchelmore	Danbury Parish Council	<p>Any costs involved in protecting the Coastal Recreational Areas should be funded by legally binding section 106 agreements with developers without impacting on local councils.</p>	<p>Noted. Coastal Protection Areas are outside the scope of the RAMS. No amendment proposed.</p>

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39	Mr Graham Pike	Resident	A flow chart determining your obligations dependent on the development's size would be helpful.	The on-site requirements of large scale housing development proposals are not within the remit of the RAMS or SPD and will be identified through project-level HRA/AAs. No amendment proposed.
40	Councillor Frank Belgrove	Alresford Parish Council	The use of Rangers to enforce / upkeep protected areas is good. In addition, Water Bailiffs could be employed. The £122 levy does seem low as Essex has a long coastline to "police".	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. No amendment proposed.
41	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Planning must not be passed, where new builds increase the lack of ground soak, and will increase flooding to established property in low lying areas	The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. No amendment proposed.
42	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This is just another form of tax which will affect the less well off in society. 1. Who will be responsible for the setting of the tax levels? 2. How will the tax be collected? 3. How will this tax be used? 4. Who will oversee the administration? 5. It will prove to be very unpopular 6. It will affect the housing market and the national economy	The SPD sets out who is responsible for the setting of the tariff, how it will be collected, how it will be used and who will oversee the administration of the project. No amendment proposed.
43	Mr John Fletcher	Resident	How do you mitigate? Here we have a superb Warden who is employed by Tendring District Council. He is experienced and has been doing the job for many years. He patrols Hamford Water and ensures the rules are not broken. I would have thought you would have understood that birds adapt. Apart from the boats, the marina has two helicopter landing sights which cause no problems. Incidentally, at Culdrose in Cornwall, the Royal	The good work of existing wardens / rangers is recognised, and a key part of the mitigation package is the employment of additional coastal rangers to patrol the area and educate visitors. The SPD is related only to

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			Navy has the largest helicopter base in Europe, and they have to keep Lanner hawks to keep the birds away.	those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. Mitigation is set out in the costed mitigation package included within Appendix 1 of the SPD. No amendment proposed.
44	Councillor Jenny Sandum	Braintree District Council	Anything that can be done to strengthen the requirement to avoid adverse impacts on Habitats sites (e.g. strengthened requirements to retain existing hedges, trees and vegetation) would be extremely well received.	The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.
45	Mr Gavin Rowsell	Resident	£9 million of tax to be spent on telling people how they should not scare birds... just imagine how much that could help change people's lives for the better if spent on making sure ex-servicemen/women had psychological support, jobs training and housing help, or assisting rape victims of grooming gangs, or a multitude of other social issues.	The Habitat Regulations require likely significant effects on Habitats sites to be mitigated. The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
46	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	The mitigation amount as a whole, and the amount per dwelling, seem ridiculously small, considering the cost of housing in this area.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.
47	Mrs Katherine Kane	Rettendon Parish Council	Rettendon Parish Council supports the tariff to fund mitigation measures.	Noted. No amendment proposed.



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48	Mr Bernard Foster	Resident	Before you decide if tariffs work you have to be clear on your goals. If it is to cover the costs of a scheme to reduce harm, then the tariff system with continuous monitoring may well achieve this. This does by definition mean the acceptance of gradual decline of these areas due to increasing human activity with the certainty but hopefully rare occurrence of serious failures being inevitable. Adding 0.03% to the price of a dwelling is unlikely to restrict access except possibly to the less well-paid local residents, so to constrain the developments in these sensitive areas is the only real answer. The pressure and legislation that is being used to drive the mass erosion of the Green Belt needs to be matched by an equal pressure to provide open areas, parks with the roads being balanced with paths, cycle tracks and bridle ways to provide residents an acceptable alternative. The constant erosion of PRow's due to inadequate protection and enforcement drives walkers, riders etc to the only areas left accessible inflicting unnecessary damage. Localism suggests that listening even to rural locals might on occasion bear fruit when it comes to understanding residents' attitudes and that of those most likely to visit.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals.  Additionally, the effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
49	Mr Mark Marshall	Resident	Developer tariffs and control should be enforced more. In my area a developer tore out a protected ancient hedgerow with little more than a slap on the wrist. If there was a large fine and enforcement other developers would think twice about flouting the rules.	Payment of the tariff will be required when development is consented. No amendment proposed.
50	Mr Tim Woodward	The Country Land & Business Association (CLA)	CLA members in the areas and Zones of Influence covered by the SPD may be considering small-scale residential developments on their land, and others may be considering setting up tourism enterprises such as camping sites, farm shops, and other retail outlets. These enterprises will provide employment opportunities and will make a valuable contribution to the rural economy. Housing developments on our members' land will help the Government and local authorities to meet housing targets and may include low-cost "starter" units on rural exception sites.  These projects will be affected by the financial contributions proposed, when combined with any CIL contributions additionally levied.	The tariff has been calculated based on the level of growth of the LPAs' Local Plans, including allocations and windfall allowances. As the tariff is applicable on a per dwelling basis, it will also apply to unplanned growth that may come forward in the timeline of the project. The tariff is evidence based and proportionate so as to not make new development unviable. This can however be reviewed annually by the Delivery Officer once appointed.

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				No amendment proposed. No amendment proposed.
51	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.
52	Mr Alasdair Daw	Billericay Action Group (part of Billericay District Residents Assoc)	<p>The Zones of Influence are based on clumsy radii, in the west and north-west of Basildon Borough this excludes (and only just) the source of the Crouch in Billericay and some of the headwaters of the Mid-Blackwater catchment such as the Mountnessing Brook.</p> <p>The Mountnessing Brook will be affected by the development of 1700-2000 new houses (Policy H17 of the Basildon Local Plan). 2000 x £144 amounts to £288,000 so there would be a significant benefit in altering the boundary in this case.</p> <p>The Crouch would also be effected in a similar way, but it is hard to determine whether the edge of the Zone of Influence includes sites such as H18, H19 and H20.</p> <p>So it is proposed that the Zone of Influence be adjusted very slightly to reflect catchments, at least within Basildon Borough. This could apply to the Blackwater, though the arguments for the Crouch would be weaker (smaller draft Zone of Influence) and those for the Thames weaker again (only parts of it a RAMS site).</p>	The Zones of Influence found within the RAMS document have been calculated based upon data collected through visitor surveys and are only relevant to Habitats Site designations. Any future adjustments to the ZOI are required to be data driven and subject of ongoing monitoring proposed. No amendment proposed.
53	Mr James Taylor	Resident	I support the mitigation tariff.	Noted. No amendment proposed.
54	Ms Jo Steranka	Resident	The SPD's current approach to mitigation appears at this stage to be simply one of 'doing something that might help, although the Council accepts that in the long term it will be quite unable to protect these precious habitats'.	Many of the suggested actions are considered relevant for exploration by the Delivery Officer, once appointed. This includes the annual review of both

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			<p>I would suggest the mitigation package is a very defeatist approach to protecting the Designated Sites, particularly since 5 people is an insufficient resource to police public access and environmental degradation on 350 miles of coastline.</p> <p>The mitigations need to include many more pro-active measures giving the County Council powers to manage access in a much more proactive manner. Such measures might include:</p> <ul style="list-style-type: none"> <li>* Bye-laws governing access to and public behaviour specific to each Designated Site.</li> <li>* Periods of site closure at sensitive times such as nesting of ground-nesting birds or seal pupping.</li> <li>* Imposition of significant on-the-spot fines on members of the public caught disturbing wildlife.</li> <li>* Prosecution of members of the public caught damaging Designated Sites, whether through littering and fly-tipping, theft of shingle and sand or other actions which degrade the quality of a Site.</li> </ul> <p>Whilst the public education approach is a start, this is too little and ineffectual.</p> <p>There is no attempt to even suggest mitigations for the pollution to the Designated Sites from land-based sources. The Essex coastline is littered with plastics which have escaped from recycling bins.</p> <p>Having set out a minimalist approach to protection of the Designated Sites, the tariff per new dwelling is then calculated by the simple division of total cost for this inadequate programme by the expected number of new dwellings. In February 2020, the average cost of a house in Essex was £377,984. The Tariff therefore represents 0.032% of the average purchase price of the new developments. This is a drop in the ocean compared to the cost of purchasing a newly-built house.</p>	<p>the effectiveness of the mitigation package and the extent of the tariff over the lifespan of the RAMS project. No amendment proposed.</p> <p>The RAMS and SPD are relevant to housing growth at the LPA level. It is the relevant LPAs who are responsible for preparing, adopting, delivering and implementing the RAMS and SPD, not ECC. No amendment proposed.</p> <p>The RAMS toolkit includes many of the proposed mitigations included in the response. The Essex RAMS toolkit includes, within the 'education and communication' Action Area, direct engagement with clubs and relevant organisations. The implementation of this can begin once the Delivery Officer is appointed. Additionally, the effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			I suggest that the approach to calculating the financial requirements for mitigating the effects of new residential development over the next 20 years needs to be revised. For the reasons above, there is no reason why the Council should not increase the budget to protect the Designated Sites fourfold to £35,661,792 so that a more credible set of mitigations can be implemented. This would increase the tariff on each new dwelling to a mere £489, or 0.13% of the average purchase price.	
55	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	<p>4.3 The cost has been worked out based on figures from February 2019. Before this strategy is accepted, an increase in line with inflation will have to take place.</p> <p>Tariff 4.4: A tariff of £122.30 per new dwelling is being discussed as a way of paying for this mitigation strategy but (as I understand it), it is not currently adopted by all councils and therefore revenue is being lost.</p> <p>4.5: Have pay rises been factored into this cost, or does that come under the tariff being index linked? The contingency is already tight. What happens if not all the homes planned get built? Will fines contribute to the cost of the strategy going forward?</p> <p>4.12 I refer to a previous comment that LPA's are under pressure to provide housing numbers, thus, potentially, the tariff may not be collected if developers push back.</p>	<p>The final SPD will factor in inflation to reflect accurate costs at the time of adoption and index-linked (using Retail Price index (RPI)) to 2038. This includes salary pay rises, which are factored into the mitigation costs and not part of the 10% contingency. Contributions are already being collected by the LPAs. No amendment proposed.</p> <p>The tariff will need to be paid before the commencement of the development in all cases and as a requirement of planning permission, unless alternative bespoke mitigation is delivered and agreed as suitable by Natural England. No amendment proposed.</p>
56	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The current tariff of £122.30 per dwelling is a minuscule proportion of the development cost of a new home and CPRE questions why the costed mitigation package (and resultant tariff) is therefore not larger. This could be affected by a phased or dual zoning - as evident in the Suffolk approach. It is therefore considered to be too simplistic an approach and dwellings already consented in the Local Plan periods - but where building has not already commenced - could surely be retrospectively included to	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and specifically in relation to in-combination recreational effects resulting from planned housing growth contained within the LPA's adopted or emerging

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>provide a higher overall level of total contributions.</p> <p>It is reassuring that the RAMS contribution is in addition to the payment of any Community Infrastructure Levy or other form of developer contribution. Similarly, it is right and proper that the LPAs legal costs associated with the drafting and checking of the deed are covered by the applicant and are in addition to the statutory planning application fee.</p>	Local Plans. Other mitigation can be expected to be delivered to address other effects identified on Habitats sites to address the recommendations of project-level HRA/AAs. The tariff payment is in addition to any relevant CIL payments. No amendment proposed.
57	Mrs Cecilia Dickinson	Resident	I do not like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.
58	Mr Gerald Sweeney	Carney Sweeney on behalf of Seven Capital (Chelmsford)	<p>Whilst the SPD seeks to provide a mechanism for how a RAMS contribution has been calculated and how it is payable, we do not agree with the implementation of a 'blanket tariff' for a RAMS contribution. The SPD proposes the collection of RAMS contribution through a Section 106 Agreement or Unilateral Undertaking.</p> <p>The proposed tariff of £122.30 per dwelling is in our opinion premature, as some developments may have less or more harm than others. As such, the implementation of a 'blanket tariff' does not take into account whether the planning obligation to secure the proposed RAMS contribution is necessary; directly related to the development and fairly and reasonably related to the scale and kind of development as required at Paragraph 56 of the NPPF.</p> <p>It is noted at Appendix 2 that a RAMS contribution in respect of Student Accommodation schemes is proposed to be applied on a 'proportionate basis'. From our reading of Appendix 2, it appears that part of the justification for this approach is due to such uses having an absence of car parking and the inability for students in purpose-built student accommodation to keep pets, and therefore, "... the increase in bird disturbance and associated bird mortality, will be less than dwelling houses...". This approach demonstrates that there is an ability to make some concession for certain types of 'housing developments' depending</p>	<p>The RAMS and SPD applies only to 'in-combination effects' which have been identified within the HRAs of the LPAs' Local Plans. Each Local Plan's resultant AA, and consultation with Natural England, has identified the need for the RAMS to mitigate in-combination effects and enable development.</p> <p>The Essex Coast is unique and cannot be replicated. Evidence shows that residents living within the Zone of Influence visit the coast, thus the tariff is applicable to mitigate the effects of new housing growth.</p> <p>The tariff is evidence based and proportionate so as to not make new development unviable. It is considered inappropriate to apply a 'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>on the nature of the use, but we would go further as matters relating to the location and sustainability credentials of a site and the proposed scheme should also be taken into account.</p> <p>Therefore, we request that any contribution should be proportionate as to the degree of proven harm from a scheme, and in addition to this, where it is commercially viable for the scheme to make a RAMS contributions (over and above any CIL liability and other requested S106 contributions). As such, Paragraph 4.4. should be amended to include the following:</p> <p>"Contributions from developments towards mitigation and measures identified in the Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) will be sought against the identified harm of that scheme. The level of contribution will also be tested in the context of commercial viability of the overall scheme to avoid non-delivery of allocated sites."</p> <p>The basis for the RAMS contribution is noted as being to "... mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it at a level consistent with the level of potential harm" (Paragraph 2.15 of the draft SPD).</p> <p>The payment of any RAMS contribution prior to commencement of development is therefore not deemed necessary as a scheme during the construction phase would not generate additional population. It is more appropriate that any RAMS contribution should be payable prior to the occupation of the development. and Paragraph 4.6 should be amended accordingly.</p>	<p>RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the Zol. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.</p> <p>Paragraph 4.6 of the SPD justifies that the tariff will be payable prior to commencement as 'this is necessary to ensure that the financial contribution is received with sufficient time for the mitigation to be put in place before any new dwellings are occupied.' Elements of the mitigation package, such as the appointment of staff, can take time to implement. Others, such as surveying work, can only be undertaken at</p>



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				certain times of the year. It is considered important that mitigation relevant to the RAMS is delivered first, rather than potentially retrospectively, in order to ensure there is no possibility of harm resulting from development. No amendment proposed.

## Section Five – Alternative to paying into the RAMS

**Table 7 – Section Five: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I am concerned that there is a conflict of interest if the developers are contributing and in return this helps speed up the planning/approval process. Tight measures need to be in place.	Noted. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Mitigation or compensation? Local authorities are not aware of the distinction. Do you want to prevent damage or just feel better and kid yourself that you can recreate Habitat elsewhere? The fact that the Habitat does not occur naturally elsewhere should tell you that you can't mitigate or compensate.	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. The tariff can only legally be utilised to deliver the detailed mitigation included within the RAMS and reiterated within Appendix 1 of the SPD. No amendment proposed.
3	Mrs Frances Coulson	Resident	I would rather trust council visitor data than applicants'.	Noted. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	RAMS seems a more pragmatic solution and we should not offer an alternative.	Although the tariff is introduced, applicants may wish to propose bespoke mitigation as an alternative to the tariff, if it is deemed suitable by

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Natural England and the LPA. No amendment proposed.
5	Mrs Amy Gardener-Carr	Resident	Do not build here.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
6	Mrs Julie Waldie	Resident	Para 5.1 seems more sensible to me. Fairer and more cost effective too.	Noted. No amendment proposed.
7	Mr Terry Newton	Resident	I think a more inclusive survey would be necessary at this time. With the emphasis on what local households would prefer at this time and going forward for future generations. This would be prudent, whoever is paying for mitigation to take place.	Noted. No amendment proposed.
8	Mr Brian Mills	Resident	The proposals look ok.	Noted. No amendment proposed.
9	Mrs Angela Harbottle	Resident	I agree developer contributions are the better option.	Noted. No amendment proposed.
10	Mr Charles Joynson	Resident	It hardly seems likely that the developer will go to all the effort to perform visitor surveys in order to reduce the £122.30 payment. However, if they do attempt to do this before the dwellings are occupied it will under-represent the true figure. Many future residents will discover the full geography available to them and their dogs. So, both before and after occupation visitor surveys will under-represent the true wildlife disturbance situation.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. Alternatives must be equal to or better than a payment of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				the RAMS tariff. No amendment proposed.
11	Mr John McCallum	Resident	My alternative to paying into RAMS is to not allow the developments in the first place.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
12	Mrs Mary Drury	Resident	Asking for money is not the answer; it will make for resentment as it will not be used properly. Councils waste money.	The tariff can only legally be utilised to pay for the mitigation contained within the RAMS and included within Appendix 1 of the SPD. The RAMS project will be overseen by a working group lead by a newly appointed Delivery Officer. No amendment proposed.
13	Mrs Joanna Spencer	Resident	All residents should be asked for comments on how they feel the wildlife would best be serviced.	A range of stakeholders were engaged during the preparation of the RAMS. No amendment proposed.
14	Cllr Malcolm Fincken	Halstead, Hedingham and District Branch Labour Party	We do not agree that an alternative to paying into the RAMS should be allowed. We consider that some developers may use this alternative as a way of avoiding the payments without showing any real commitment to the alternative.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
15	Mr Peter Dervin	Resident	They could instead build more houses at a cheaper cost, if they did not have to pay an additional tax as this seems to be.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
16	Mr Neil Hargreaves	Resident	For c£100-ish per house no-one is going to bother paying for their own visitor survey.	Noted. No amendment proposed.
17	Mr Aubrey Cornell	Resident	All visitor surveys should be carried out by an independent, unbiased organisation.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
18	Mr Peter Bates	Resident	No. Seems reasonable.	Noted. No amendment proposed.
19	Mr Stephen Ashdown	Resident	Any surveys must be peer assessed to prevent bias by a third party. Evidence must not be solely reliant on private parties and must include studies by relevant educational institutions (e.g. University).	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
20	Mr Graham Womack	Resident	This is a bad idea. The whole idea is to plan mitigation measures at a strategic level. Allowing developers to propose their own measures contradicts this and will be seen as a 'loophole' to include measures that only they will benefit from.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
21	Mrs Joanna Thornicroft	Resident	Individual assessments should have some sort of national recognised certification otherwise unscrupulous developers will be able to bypass the requirements.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
22	Mr Mark East	Resident	The above suggests that the proposals are in place to benefit applicants/developers and not the environment which the population are legally entitled to see protected.	Noted. No amendment proposed.
23	Mrs April Chapman	Resident	I cannot see any need to provide this alternative and see several drawbacks. It will delay schemes, cause court procedures where disputes occur which could add to local councils' costs and will engender resentment. It also encourages the idea that the RAMS mitigation system is flawed.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
24	Mrs Linda Findlay	Resident	Worth and cost needs to be viewed long term. Many possible benefits will be lost when only short-term effects are taken into account.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
25	Mr David Evans	Resident	Use concerned organisations to self-police.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
26	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Section 5 Alternative to paying into RAMS - Para 5.2 should be removed. There should be no option for developers to carry out their own surveys. If the surveyor evidenced that there was no requirement to fund the tariff; this would result in a shortfall in the anticipated income and as a result projects detailed may not be able to be funded. The tariff should be mandatory for all developments as identified and all applicants should be subjected to the same scrutiny.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
27	Councillor Frank Belgrove	Alresford Parish Council	Town and Parish Councils could assist with surveys.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
28	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	<p>I would suggest the mitigation fee should be mandatory or not at all.</p> <p>Any alternative choice would be too difficult to manage and involve long winded negotiations.</p> <p>Mitigation is too big to be 'in house' (i.e. RAMS) Who elects the officers of RAMS? What authority do they have to raise a form of prohibition tax? What will RAMS do with the money raised?</p> <p>Any mitigation scheme should be applied by government taxation for protection.</p>	<p>The RAMS responds to the requirement of the LPAs' Local Plan HRA/AAs, that strategic mitigation is needed to ensure there would be no significant in-combination effects on the integrity of Habitats sites at the Essex Coast as a result of housing growth. The RAMS proposed a suite of mitigation measures that will be funded by the tariff contributions. This satisfies the requirements of the Habitats Regulations and is endorsed by Natural England. No amendment proposed.</p> <p>The provision of mitigation is mandatory for all proposing net new dwellings in the Zone of Influence. Developers have the option to conduct</p>



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
29	Councillor Jenny Sandum	Braintree District Council	I am a bit concerned about applicants conducting their own visitors' surveys. I would prefer if an independent environmental conservation agency such as the Essex Wildlife Trust could be involved.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
30	Mrs Jackie Deane	Great Dunmow Town Council	No objection to the proposals.	Noted. No amendment proposed.
31	Mr Gavin Rowsell	Resident	The alternative in para 5.2 at least gives a slither of hope against this bird tax.	Noted. No amendment proposed.
32	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We hope this would be very vigorously monitored.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mr Bernard Foster	Resident	I am not sure there should be an alternative to paying into RAMS as having consistency can often be the best policy as it allows for quicker modification to be introduced should the current adopted standards be proven to fall short of what is required. Is it however currently accepted that paying into RAMS is an entrance fee to build and not an analysis prior to a decision that would ensure the inevitable damage that would occur when evaluated can be justified to future generations?	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				project-level. No amendment proposed.
34	Mr Mark Marshall	Resident	Progress can be positive as long as enforcement and funding is adequate.	Noted. No amendment proposed.
35	Mr Tim Woodward	The Country Land & Business Association (CLA)	<p>We would agree that a "developer contribution" could be more cost-effective for an applicant than carrying out a visitor survey. A properly-conducted survey can be a time-consuming and expensive business, and so applicants might have to engage external consultants to carry out the work.</p> <p>This does not mean, however, that we support the imposition of a developer levy, when extra visitor access (and hence disturbance) to the coast is being actively encouraged by Natural England, and when some local authorities will be imposing a CIL charge on development projects as well.</p>	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. The SPD and RAMS ensures that residential development schemes within the Zone of Influence can come forward with an assurance that there will be no significant in-combination recreational effects on Habitats sites on the Essex Coast. No amendment proposed.
36	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
37	Mrs Jenny Clemo	Langford & Ulting Parish Council	Delete para 5.2. I do not support applicant/developer conducting their own visitor surveys.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				project-level. No amendment proposed.
38	Mr James Taylor	Resident	No alternative route should be provided.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
39	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Why would Natural England not be consulted on both scenarios? Natural England could then undertake an independent review of the HRA and the timings of the surveys.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
40	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	This section is disconcerting, as despite the rigorous and consistent approach provided by the SPD, it also allows an applicant to take alternative action to secure bespoke mitigation to avoid impacts on Habitats sites. In spite of the identified mitigation measures provided by the costed package in Appendix 1, the provision for an applicant to negotiate alternatives to remain in perpetuity will involve considerably more time and cost for the Local Planning Authority (and English Nature). This should be reflected in the level of charge levied by the LPA on the applicant.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
41	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Six – Monitoring of this SPD

**Table 8 – Section Six: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I think there should be an independent body monitoring the RAMS to ensure there is no conflict of interest and correct measures etc. are actually in place.	The RAMS project will be overseen by a working group and a Delivery Officer once appointed, a Steering Group, Project Board and elected members group. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Monitoring is not conducted. Only enforcement after damage has been done. For example, at Bath & North East Somerset Council, they state they do not monitor mitigation and compliance in S.106 Agreements. What sort of monitoring do you seriously think you can afford? You are an under-resourced small local authority with one tree officer. Try to be realistic.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. Monitoring will be undertaken by the project staff which will include a full-time Delivery Officer. No amendment proposed.
3	Mrs Frances Coulson	Resident	Seems adequate.	Noted. No amendment proposed.
4	Mrs Julie Waldie	Resident	I agree but there is need to check this works. More checks the better.	Noted. No amendment proposed.
5	Mr Terry Newton	Resident	How will visit surveys be carried out? Also, will Essex residents be consulted on what is needed for local recreational needs and green and sustainable wildlife needs? Future generations will not be able to self-monitor if they do not understand their local environment.	Visitor surveys will be carried out by the RAMS delivery team at the Essex Coast. Postcode data will be sought. No amendment proposed.
6	Mr Brian Mills	Resident	What action will be taken if monitoring shows an unacceptable or irreversible situation?	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
7	Mrs Linda Samuels	Resident	Will the RSPB have a role within the monitoring process?	It can be considered that the finer details of the monitoring process may be addressed if appropriate through

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				the actions of the Delivery Officer, but it is envisaged that the RSPB will have a role. No amendment proposed.
8	Mr David Kennedy	Resident	Explanation as to how this activity will be funded is needed.	Further monitoring will be funded by the contributions collected through the RAMS project. No amendment proposed.
9	Mr Charles Joynson	Resident	This is good. But what action can they take with limited funds if they find mitigation is not working. Also, what about after 2038? I take it the residents will not be evicted and the houses demolished. Will any mitigations be surrendered, fences removed, and signs left to rust?	As the effects that the RAMS addresses are identified as occurring as a result of LPA Local Plans, the lifetime of the mitigation must reflect that of the Local Plan lifetimes, to 2038. As explained in the RAMS Strategy Document, an in-perpetuity fund will be developed to ensure that mitigation will be delivered in-perpetuity. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
10	Mr John McCallum	Resident	The monitoring process should include bodies like Essex Wildlife Trust who already have protected reserves on the coast.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
11	Mrs Mary Drury	Resident	Monitoring and delivery officers, why? How?	The mitigation package identifies the need of a full-time RAMS Delivery Officer to oversee and manage the RAMS. The effectiveness of the mitigation will be monitored as outlined

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				within Section 6 of the SPD. No amendment proposed.
12	Ms Rachel Cross	Resident	Monitoring of the process needs to happen in year 3 as well or even annually as climate change gains momentum. How will wildlife be monitored?	The Essex Coast RAMS monitoring process, undertaken annually, will be used to inform future reviews of the RAMS and the SPD; therefore, any necessary changes will be made following this process. No amendment proposed.
13	Mrs Joanna Spencer	Resident	An independent wildlife person should be involved.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
14	Ms Caroline Macgregor	Brightlingsea village councillor	Involvement of local town councils would better express the views of local people rather than district councils.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
15	Mr Christopher Marten	Resident	Parish wildlife groups and the RSPB must be consulted on any application and the RSPB must be compensated for their involvement.	Natural England are the statutory body that ensure the Habitats Regulations are met, as a consultee for HRA/AA documents. Other bodies are permitted to comment on all live planning applications. No amendment proposed.
16	Mr Peter Dervin	Resident	We do not have enough carers for our old and disabled, nurses in our hospitals, and in almost every other council funded field, but you are now finding the money for monitoring?	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. The SPD proposes a tariff to fund mitigation, and no other sources of funding will be used to



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				ensure its delivery. No amendment proposed.
17	Mr Alan Lycett	Resident	What happens to the results of monitoring. If wildlife is to be protected effectively someone needs to have authority to take appropriate remediation.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
18	Mr Neil Hargreaves	Resident	This is an example of the bureaucratic cost of this scheme. Please just read how much work and staffing is in the paragraphs above. Add to this the work at LPAs, including putting in Local Plans and doing the s106 requirement and collection and payment!	Noted. No amendment proposed.
19	Mr Andrew Whiteley	Resident	Monitoring should be set for every 2 years	The RAMS sets out 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 Zones of Influence. 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 Officer, however, once they are in post. No amendment proposed.
20	Mrs Angela McQuade	Resident	Please monitor closely and robustly.	Noted. No amendment proposed.
21	Mr Stephen Ashdown	Resident	Any major structural changes must result in a public consultation process being repeated.	Any fundamental updates or revisions to the SPD resulting from future monitoring will be subject to consultation in line with the requirements of the Statement of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Community Involvement (SCI) of each LPA. No amendment proposed.
22	Mr Michael Blackwell	Resident	This is a good checking system.	Noted. No amendment proposed.
23	Mrs Joanna Thornicroft	Resident	I would like to see more regular scrutiny than annually.	Noted. A review of the monitoring arrangements proposed will be undertaken by the Delivery Officer, once appointed, as stated in Section 7.19 of the RAMS Strategy. No amendment proposed.
24	Mr Mark East	Resident	This all seems rather vague and lacking detail. The public cannot have confidence in its robust delivery.	Noted. No amendment proposed.
25	Mrs Michelle Endor	Resident	This is paper pushing, meeting after meeting that is being funded when all that is needed is for proposed housing development to take place elsewhere other than an area of natural beauty that requires wildlife conservation, not destruction, not mitigation. There are many urban areas that have fallen into decay and require refurbishment or rebuilding and we would urge that these be utilised before destruction of the few historic wetlands that England has left.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The SPD relates to all residential development resulting in a net increase of new dwellings within the Zone of Influence, extending 22km from the coast. This includes many town centres across the county. No amendment proposed.
26	Mrs Linda Findlay	Resident	Once decision made the committee and its leader need to have the power to enforce or penalise.	Section 5.2 of the SPD sets out that if the tariff is not paid on qualifying proposals, then planning permission would not be given. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
27	Mr David Evans	Resident	<p>If monitoring this process and the sites, is anything like the level of evidence submitted in the report then this will be a worthless activity. I point to the statement about the so-called damage being done to Hamford Water.</p> <p>1) It clearly states that there is Jet-Ski activity in Hamford Water and to contain this, the launching of Jet Skis will be prohibited by legislation at Titchmarsh Marina and in the area around Mill Lane in Walton. I would submit that there is no Jet-Ski activity in Hamford Water, the last one was seen several years ago, the launching of Jet-Skis is not permitted at Titchmarsh Marina or at the Walton &amp; Frinton Yacht Club or at the Walton Town Hard. The only place that Jet-Skis launch in this area is in Dovercourt Bay, which is a Tending District Council designated small craft area. Additionally proscribing Jet-Skis totally is contrary to the United Nations Charter of the Seas and Freedom of Navigation to which the UK is a signatory. This applies to all coastal areas that do not dry out at low-tide.</p> <p>2) It states (without clearly identifying the precise location) that people walking on the salt-marsh in the south-eastern corner of Hamford Water, is causing significant damage. Whilst being unsure quite where this alleged activity is occurring, I visit Hamford Water on a daily basis and have done so for over 55 years, I have not seen any such activity and the only places of access in the south eastern area where the foreshore is accessible are at Island Lane and a very small area in Foundry Creek which is a designated industrial site. Even at these sites you would disappear in soft mud if such activity was tried.</p> <p>3) The document includes the Naze area, and states that this is part of the Nature Reserve and has issues with the effect of people going there especially with dogs off the lead, which is seriously affecting the wildlife. It should be noted that this area is not controlled by Essex Wildlife Trust, it is owned by TDC, and was sold to Frinton and Walton Urban District Council (TDC is the successor Council) by Essex County Council on the condition</p>	Effects have been identified within the HRA/AAs of the LPAs Local Plans, regarding future growth, and the RAMS and SPD deals with recommended mitigation. The Essex Coast RAMS monitoring process will be used to inform future reviews of the RAMS and the SPD; therefore, any necessary changes will be made following the review process. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			that it remained a Public Area with the public having complete freedom of access in perpetuity, plus banning dogs off the lead would cause a revolution. There never has been much in way of wildlife up there, a couple of Muntjacs and a few rabbits that have escaped the recent myxomatosis outbreak and a few gulls are about the sum total, nothing has changed there since I first visited the area on the first day it opened to the public in the 1950s after the Ministry of Defence vacated it.	
28	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Page 17, 6.3 Steering Group - This should include relevant partners as detailed in table 4.1 including as proposed previously in this sub-mission in respect of page 12 above. With reference to the steering group, members would welcome a representative from all partnership organisations as detailed on page 13 with the addition of town and parish councils. As currently stipulated in the plan there is no input from RSPB, Essex Wildlife Trust and town and parish councils.	It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
29	Mrs Susie Jenkins	Brightlingsea Nature Network	Will the general public be able to view the monitoring data?  Monitoring data should be transparent to enable the community directly affected by the disturbance of their designated habitats to be alerted to oversights or lack of proper data.  This section should inform the public where this information will be available to view and where to raise the alert if the data is not sufficient or available.	All monitoring data will be made publicly available. No amendment proposed.
30	Councillor Frank Belgrove	Alresford Parish Council	Town and Parish Councils could be involved in the monitoring process.	It can be considered that this point may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
31	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River	There are plenty of groups who do this such as Essex Wildlife Trust.	It can be considered that this point may be addressed if appropriate through the actions of the Delivery

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch		Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
32	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	<p>RAMS will be yet another organisation on top of the existing 31 organisations.</p> <p>Who monitors the care of the designated areas? The proposed scheme is purely to raise money for mitigating purposes. The scheme is so complicated, layered and requiring a large army of enforcers to be employed, meaning that money raised for mitigation will simply be used up in salaries. This is just creating jobs for the boys.</p>	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mr John Fletcher	Resident	The area is already well monitored by the Environment Agency, Natural England, RSPB and Marine Management Organisation. How many more monitors do we want?	The effectiveness of the specific mitigation proposed will be monitored as outlined within Section 6 of the SPD. The effectiveness of the RAMS is not currently monitored by any other party. No amendment proposed.
34	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	Regarding paragraph 6.4, the BWA maintains a record of all visits by members to its sites. The BWA also places limits on the number of visitors allowed per site, frequency and overall numbers within the organisation. Through this we have managed to maintain a fairly consistent level of activity, which is judged to minimise disturbance while balancing the demands of our members.	Noted. No amendment proposed.
35	Mr Mark Nowers	RSPB	The RSPB would welcome being part of the RAMS Steering Group (section 6.3).	The Delivery Officer and Rangers can explore joint working arrangements, once appointed. No amendment required.
36	Mr Gavin Rowsell	Resident	<p>How can this project have any measurable outcome?</p> <p>Maybe the RSPB will arrange huge catch nets, usually triggered by loud explosives, to tangle up and capture hundreds of birds, then weigh them,</p>	A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			tag them, and note down that they seem happy having not been disturbed due to RAMS.	LPA's own monitoring officers. No amendment proposed.
37	Mr Bernard Foster	Resident	<p>It is essential that for the effectiveness of the RAMS and this SPD, a strategic monitoring process is in place and that it will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers.</p> <p>One problem is that it is reactive with monitoring only taking place annually and the report being provided to each LPA to inform their individual Authority Monitoring Report (AMR). Also, I fear it will become another meeting someone has to attend like buses or highways as long as the box is ticked that is OK. Who will be responsible for activating fit for purpose checks and be responsible for the results if less than satisfactory? A lot can happen in five years, once bad habits can become the acceptable norms. It is common to have personnel progress as part of a career path so how do you intend to create a responsive environment within the group. Does responsibility stay within the group or stay with the decision makers? It does not help you build any trust when individuals, communes or travellers move onto a site in a Ramsar area and years later are still there playing the planning system.</p>	It can be considered that this point may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers. No amendment proposed.
38	Mr Mark Marshall	Resident	A lot can happen in a year, 6 monthly monitoring should be considered.	The RAMS sets out 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 Zones of Influence. 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 Officer, however, once they are in post. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
39	Mr Tim Woodward	The Country Land & Business Association (CLA)	<p>As pointed out above, extra recreational access to the Essex Coast will be encouraged and facilitated by the delivery of the England Coast Path by Natural England. This will inevitably increase disturbance to habitats and resident and migratory bird species, regardless of the extent of any development in the area. In some sections of the coast, there will now be formalised recreational access for walkers and dogs where hitherto there has been no public access.</p> <p>It is hoped that monitoring will have regard to this and will not lay responsibility for the effects of increased access solely at the door of landowners and developers.</p>	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
40	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
41	Mrs Jenny Clemo	Langford & Ulting Parish Council	Monitoring should be after 1 year and subsequently every 2 years.	The RAMS sets out 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 Zone of Influences. 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 Officer, however, once they are in post. No amendment proposed.
42	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Para 6.1 - Will the RAMS Officer be truly independent of the LPA's?	It can be considered that this point may be addressed if appropriate through the actions of the Delivery

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Para 6.2 - Will the annual report be submitted to independent bodies, such as the RSPB and EWT?</p> <p>Para 6.3 - EWT are not part of the steering group and they are present at Abberton Reservoir which is a key site for birds. General Comment: Similar schemes have been created in other parts of the country, but they haven't been running long enough to ascertain if these schemes actually work.</p>	Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers. The Delivery Officer will be employed by one of the partner LPAs and engage with key local stakeholders once appointed. The RAMS annual report will be published. No amendment proposed.
43	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Seven - Consultation

**Table 9 – Section Seven: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	There is not enough detail to comment at this stage. I need to understand what areas could be affected, what is actually being done to mitigate. If there is a breeding season, then possibly pathways need to be closed off etc.	Noted. No amendment proposed.
2	Magister Debbie Bryce	Landlord	There should be no development that will lead to more disturbance of European protected sites.	The principle of the RAMS and the SPD ensures that in-combination recreational effects will not be realised on the Essex Coast's Habitats sites as a result of residential development. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
3	Mrs Frances Coulson	Resident	It is important to maintain the wildlife. Mitigation of damage is vital, and I think the suggestions are good for a code, designated paths etc.	Noted. No amendment proposed.
4	Mrs Amy Gardener-Carr	Resident	Why is this even being considered with growing flood concerns, destruction of habitat of wildlife.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
5	Rev. Ian Scott-Thompson	Resident	These consultations seem designed for planning professionals. The language and response format are difficult for ordinary residents to use.	Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
6	Mr Charles Joynson	Resident	I wonder what the environmental charities Royal Society for the Protection of Birds, Essex Wildlife Trust etc have to say about this plan. The excessive use of acronyms makes these documents hard to read.	The RSPB and EWT have been invited for comment as part of the consultation. Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
7	Mrs Mary Drury	Resident	The subject of ecology/environment care should be started as soon as a child starts to read.	Noted. No amendment proposed.
8	Mrs Alwine Jarvis	Resident	I think it is great that the general public are consulted for their views. However, the papers are extensive to read and not many people will find the time to read them. I would have felt it would have been better to do this as a survey with suggestions and tick boxes to obtain people's' view, with a section at the end for additional comments.	Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
9	Mrs Joanna Spencer	Resident	This consultation should have been widely advertised in papers and local communities.	Noted. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
10	Ms Caroline Macgregor	Resident	This consultation should have been more widely publicised by alerts and newspaper and radio articles.	Noted. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
11	Mr Alan Lycett	Resident	The SPD is a very high-level document. It needs to be converted into a more detailed document so that important features such as metrics can be added.	Noted. Further detail is provided in the RAMS. No amendment proposed.
12	Mr Brian Jones	Resident	All sections are clear but it seems likely that outside pressures to ignore some of the rules will occur.	The RAMS and SPD will be subject to annual monitoring regarding effectiveness, as outlined in Section 6 of the SPD. No amendment proposed.
13	Mr Peter Bates	Resident	I consider that the letter informing residents about this consultation is designed not to encourage responses: it was not written with anyone except planners or solicitors in mind. It is necessary to scroll down to see the entire text - many people will not realise the full extent of the document they are answering questions on.	Noted. LPAs will seek to ensure that future consultation notifications are as clear as possible. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
14	Mr Graham Womack	Resident	When is the SPD expected to be implemented? How will it be applied retrospectively to the Local Plans that are currently out for consultation?	The SPD is expected to be adopted by each authority by Summer 2020. The collection of the tariff by partner LPAs has been ongoing since the emergence of the RAMS document in 2018/19.
15	Mrs Joanna Thornicroft	Resident	The consultation did not seem to be too well advertised. It has also asked me for a lot of personal information, and I cannot see anything telling me how data will be used as per the General Data Protection Regulation.	Noted. The consultation was undertaken in accordance with each authority's Statement of Community Involvement (SCI) and was advertised accordingly. No personal information will be published and it will be kept by Place Services only for the purposes of notifying respondents on the progression of the SPD. The 'Statement of Representations' includes details on how comments will be used and GDPR. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
16	Councillor Richard van Dulken	Braintree District Council	Local Authority and related documents never seem to have summaries of the contents, to avoid the need to plough through page after page, and in the case of this consultation, document after document.	Sections 2 and 3 of the SPD provide summaries of the RAMS and scope of the SPD. Additionally, the SPD signposts a 'frequently asked questions' (FAQ) document' which is available on the Bird Aware Essex Coast website. No amendment proposed.
17	Mr Mark East	Resident	The consultation lacks evidence of data collected to date to formulate the RAMS. This should be made available for transparency purposes.	The RAMS document, signposted within the SPD and linked within the consultation portal, includes the data

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				collected in formulating the RAMS. No amendment proposed.
18	Mr. David Gollifer	Resident	Satisfactory.	Noted. No amendment proposed.
19	Mrs Linda Findlay	Resident	Give feedback. Justify decision made relating to consultation points. Do not allow repeated consultations to delay positive decisions.	This 'You Said We Did' report intends to justify decisions made related to points raised during the consultation. No amendment proposed.
20	Mr Barrie Ellis	Resident	No amendments proposed. The document is clear.	Noted. No amendment proposed.
21	Mr David Evans	Resident	We believe the spending of tax-payers money to impose restrictions on the lawful and peaceful use of this very unique area is totally unwarranted and may even prove to be counterproductive. If it is bird life you are concerned about, I strongly suggest that you look at the Hamford Waters Bird surveys conducted by the Warden, these show consistent healthy increases. It should also be questioned why the EA licence the blowing of eggs of the Lesser Black Backed Gull on Hedge End Island, or is it that only certain parts of the natural world are to be allowed to blossom?	The RAMS and SPD relate to future planned growth, and the recreational impact that housing can be expected to have across the 12 partner LPAs. Current conditions act as a baseline against which future effects and mitigation can be identified. No amendments proposed.
22	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This Essex Coast RAMS Supplementary Planning Document was not sufficiently promoted. It was only by word of mouth that this document has been circulated. This scheme is unnecessary, unworkable and dictatorial.	The RAMS and SPD have been identified as required through compliance with EU law, namely the 'Habitats Directive' and 'Birds Directive'. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
23	Mr Hugh Toler	Blackwater Wildfowlers Association	In principle we support the objectives of the SPD. We limit disturbance in two ways first by limiting the numbers in our organisation and secondly by minimising public access to our wetlands by appropriate signs.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
24	Mr Gavin Rowsell	Resident	I look forward to my comments being considered properly, as at every stage of the process so far, concerns of anyone other than those with a vested interest in the project, have fallen on deaf ears.	Noted. All comments received to the consultation will be considered and used to inform the final SPD. More details will be set out within a 'You Said We Did' document. No amendment proposed.
25	Mr Bernard Foster	Resident	The consultation system is reasonably easy to work through.	Noted. No amendment proposed.
26	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
27	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	<p>Will the comments taken from the NEGC Inspector Review Workshops in January 2020 also be taken into account? Points that were made include: Other RAMS that exist in the country are new and mitigation measures have not been tried and tested due to their infancy / The RAMS are based on soft measures / The bye-laws will need to be updated as they are out of date as they look at things like vessel speeds / There is no code of conduct at present for clubs that organise water sports such as paragliding / Rangers will need to interact with users and the zones of interest are under-estimated / Paragliding, one of the worst offenders for bird disturbance, is a niche activity and it can be tourists to the area that have the worst impact, not the housing itself.</p> <p>Natural England wanted to be an independent body for wildlife, but the last coalition government told them they could not be truly independent and thus mitigation strategies were born rather than protecting areas of interest from development. RSPB has not endorsed this particular scheme, although it has been asked to be part of the steering group. What if not all the housing supply comes forward and the strategy is left in a deficit position? You cannot replace what is lost. The Essex Coast RAMS</p>	<p>The Essex Coast RAMS has been accepted by the Inspector who examined the Chelmsford Local Plan. It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The SPD sets out a funding mechanism for the delivery of the mitigation included within the RAMS.</p> <p>Regarding effectiveness of the mitigation, Section 6 of the SPD outlines monitoring arrangements of the SPD and the RAMS. This will, alongside other monitoring requirements of the LPAs, cover housing delivery. The tariff may be liable to change over time to ensure effective mitigation can be delivered.</p>



No.	Name	Organisation	Main Issues Raised	Response / amendment required
			may take time to implement and thus developers will get their planning permission through before they have to contribute. The tariff per dwelling may need to change.	The RSPB are not members of the Steering Group.  No amendments proposed.
28	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Eight – Useful Links

*Table 10 – Section Eight: Summary of consultation responses and actions*

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Useful links are not enough. I want to see a summary which details the current issue, what the high-level mitigation proposals are, what they are going to cost, how long it is going to take etc. A simple excel spreadsheet/some visual aid would be very helpful.	It is considered that RAMS Strategy and SPD sufficiently summarises the issue, outlines strategic mitigation and its cost, and the timelines for the delivery of the mitigation. No amendment proposed.
2	Mrs Frances Coulson	Resident	Remember horse riders. We share access with those who do not understand horses and risk (loose dogs - also a risk to wildlife but no enforcement on requirement for leads). There is a concern that the RAMS would lead to a loss of places to ride.	Noted. There are no proposals in the RAMS to remove bridleways. No amendment proposed.
3	Mrs Aileen Cockshott	Resident	Are the RSPB involved in this process?	The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
4	Mr Charles Joynson	Resident	The Bird Aware website is useful.	Noted. No amendment proposed.
5	Mrs Mary Drury	Resident	Ensure nature awareness in schools.	Noted. This can be considered by the Delivery Officer once in post. No amendment proposed.
6	Mr Christopher Marten	Resident	As a bird watcher I visit these areas on a regular basis and population levels have already reached unsustainable levels. At certain times of the day, roads in and out of these areas are impassable and restricted areas of parking mean an increase in traffic noise and pollution to local residents.	Noted. No amendment proposed.
7	Mr Gary Freeman	Resident	RSPB should be on the list.	<p>The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.</p> <p>The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England,</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
8	Mr Alan Lycett	Resident	I suggest you consider including other stakeholders involved in the protection of wildlife. For example, Royal Society for the Protection of Birds; do not stop with the obvious local stakeholders.	The Royal Society for the Protection of Birds (RSPB) has be added to the list of useful links in the SPD.
9	Mr John Camp	Resident	Essex Wildlife Trust and Royal Society for the Protection of Birds should be added.	The Essex Wildlife Trust (EWT) and Royal Society for the Protection of Birds (RSPB) have be added to the list of useful links in the SPD.
10	Mr Stephen Ashdown	Resident	Should also contain details of Essex County Council and how the problem can be escalated.	Essex County Council sit on the Steering Group of the RAMS to provide advice and guidance. ECC are not a partner in the RAMS as it is the LPAs who are responsible for preparing, adopting, delivering and implementing the RAMS. No amendment proposed.
11	Mr Mark East	Resident	The links are top level perhaps they should link to RAMS elements.	Noted. No amendment proposed.
12	Mrs Linda Findlay	Resident	Utilise environmentalist knowledge and advice, e.g. Tony Juniper author of 'What has nature ever done for us?' This includes positive practical action to protect coasts.	Noted. No amendment proposed.
13	Mrs Susie Jenkins	Brightlingsea Nature Network	Very helpful links.	Noted. No amendment proposed.
14	Councillor Frank Belgrove	Alresford Parish Council	Link to the Environment Agency?	The Environment Agency has be added to the list of useful links in the SPD.
15	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River	These sites are easy to find.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch		
16	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	The wildlife of the Essex Coast is threatened by the increase in population in the Zone of Influence and this aspect is controlled by the Planning Committees of these links.	Planning Officers from each LPA within the Zone of Influence have been involved within the process of the RAMS and the SPD through attendance of a RAMS Steering Group. It is expected that the SPD will be adopted by each authority by Summer 2020. No amendment proposed.
17	Mr Gavin Rowsell	Resident	I could not readily see any link to any empirical justification of the whole RAMS idea. Also, no link to studies by people like Professor John Goss-Custard whose talks and papers titled Mud, Birds and Poppycock make enlightening reading.	Justification to the RAMS and the SPD can be found within the Local Plan HRA/AAs of each partner LPA. No amendment proposed.
18	Mr Bernard Foster	Resident	Very useful both for this consultation and future reference.	Noted. No amendment proposed.
19	Mr Steven Smith	Comments offered on behalf of: Lower Farm, East End Green, Brightlingsea	Reference should be made to the England Coast Path (ECP). Natural England have started to investigate how to improve coastal access along an 81 km stretch of the Essex Coast between Salcott and Jaywick. This new access is expected to be ready in 2020. Officers from Essex County Council have provided Natural England with expert local advice and helped to make sure there is full consultation with local interests during the development of the route which is expected to be published later this year.	The Essex Coast Path proposal, and any effects on recreational disturbance, are not within the scope of the mitigation proposed in the RAMS and the SPD. No amendment proposed.
20	Parish Clerk for West Horndon Parish Council	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Kim Harding			
21	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	National Planning Policy Framework (NPPF) is not listed here.	The content of the NPPF is effectively covered in the 'Planning Practice Guidance' link, however an amendment to include the NPPF within this section is proposed.
22	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The Department for Environment Food & Rural Affairs (Defra) Magic Map tool is slow to load, difficult to navigate and functionally complex. It was not possible to find the definitive Zones of Influence mapping - as indicated in section 3 of the consultation document - despite several attempts.	It is proposed that the RAMS, SPD and this 'You Said, We Did' report are offered to Defra. No amendment proposed.
23	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Nine - Glossary

**Table 11 – Section Nine: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	This section does not add any substance and could be shown as another "link"	Noted. No amendment proposed.
2	Mr Bob Tyrrell	West Bergholt Parish Council	Ok.	Noted. No amendment proposed.
3	Mr Terry Newton	Resident	I suspect that national guidelines and certain bodies could override local concerns and needs. Has Essex now become linked to the National Coast Path, and is it widely published, and the route signposted? It is correct to have all interested organisations to monitor the mitigation, but it could generate conflicts of interest.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
4	Mr	Resident	Looks good	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Brian Mills			
5	Mrs Mary Drury	Resident	High schools and colleges should be given charts and information.	Noted. No amendment proposed.
6	Mrs Alwine Jarvis	Resident	I wished you had not used the abbreviations throughout the document as there are many abbreviations which makes it harder to follow reading the documents.	An amendment to move the glossary and list of abbreviations to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced.
7	Mrs Joanna Spencer	Resident	Aircraft fuel dumping and fumes and shooting of birds needs to be looked at, you are trying to make a better place but at the same time killing birds and also harming them with aviation fuel.	Noted. No amendment proposed.
8	Ms Caroline Macgregor	Brightlingsea village councillor	Local people do not wish to see the further development of rural Essex as a part of the Haven Gateway to accommodate London overspill. The impact on human health as well as birds and wildlife from pollution will be catastrophic. Local monies would be better spent on conserving our coastline and preparing for rising sea levels.	Noted. No amendment proposed.
9	Mr Alan Lycett	Resident	Presumably this is a living document so additional information may be added to this and other sections. Need to ensure document management standards are visible on each section/ page.	The RAMS is a living document and will be reviewed annually and updated accordingly. Should any subsequent amendment to the RAMS lead in turn to a need for an amendment to the SPD, this will be forthcoming. An amendment to move the glossary and list of abbreviations to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced. No amendment proposed.
10	Mr Stephen	Resident	The section needs to be written in plain English, wording again is not inclusive of people of every educational level.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Ashdown			
11	Mr Mark East	Resident	This section appears to be ok.	Noted. No amendment proposed.
12	Mr. David Gollifer	Resident	Satisfactory.	Noted. No amendment proposed.
13	Mrs Dawn Afriye	Resident	Many rare bird species have been seen in the last few months on the Essex Coast. These birds will disappear when our coastal land is built on, having an impact on all the other wildlife. No more building.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
14	Mr Graham Pike	Resident	Very useful.	Noted. No amendment proposed.
15	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Let nature take its own course, it always wins.	Noted. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
16	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	Now the UK is no longer a member of the EU it will no longer have to comply with the E.U directives and can now take back control to suit its own requirements?	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.
17	Mr Hugh Toler	Blackwater Wildfowlers Association	Might it be worth noting 'A Site of Special Scientific Interest (SSSI) is a formal conservation designation' within the UK. Activities within SSSIs are subject to regulatory control.	An amendment to include SSSIs within the Glossary is proposed.
18	Mr Gavin Rowsell	Resident	The list of designations is not complete.	An amendment to include SSSIs within the Glossary is proposed.
19	Mr Bernard Foster	Resident	It is always useful to have a reference.	Noted. No amendment proposed.
20	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
21	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The Zones of Influence are defined in the Glossary as "the distance within which new residents are likely to travel to the Essex Coast Habitats sites for recreation". Given the comments provided in Section 3 and 4 above, perhaps a more subtle graded Zone of Influence framework is more appropriate (such as Zones A & B in the equivalent Suffolk model). This would better reflect proximity to coast, centres of growing population and accessibility variables rather than a simplified single Zone.	The RAMS sets out how the Zone of Influence was calculated, including using visitor surveys. 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. 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. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
22	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Section Ten - Acronyms

**Table 12 – Section Ten: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Put your acronyms at the beginning of this consultation not at the end. Also, a search button would probably be more useful or an icon to click on for the acronym, glossary etc. This needs to be made easier for residents to read and fully understand.	It is proposed that the Acronym section is moved to the beginning of the SPD.
2	Magister Debbie Bryce	Landlord	SPA, SAR, SSSI, Ramsar - all apply to the Essex Coast. Why damage it further?	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
3	Mr Terry Newton	Resident	Acronyms are ok if they are known by the people who need to access the information. Most of the general public would not now what they represent.	It is proposed that the Acronym section is moved to the beginning of the SPD.
4	Mr Charles Joynson	Resident	No acronyms should be used if you want to engage the public. They are only useful for the writers.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
5	Mrs Mary Drury	Resident	The acronym 'AA' means many things to many people. Instead of the acronym 'RAMS' why not just say care of environment? The 'Zone of Influence' is a zone -not an area.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
6	Mr Christopher Marten	Resident	RSPB must be consulted.	<p>The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.</p> <p>The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.</p>
7	Mr Brian Jones	Resident	It is general practice to explain new terms and afterwards use an abbreviation, but this does not make complex documents easy to read.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
8	Mr Mark	Resident	They appear to be fine. I have noted that this document does not appear to deal with compensation. I do not share the view that these measures will	The Essex Coast RAMS SPD sets out a tariff that will be used to fund

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	East		reasonably mitigate against harm let alone avoid harm. I do accept that these are challenging times with housing targets set by central Government, but I am not convinced that these measures will ultimately prevent the deterioration in numbers of our protected species and eventual end of some.	mitigation related to 'in-combination' recreational effects only. Other mechanisms and requirements exist outside the scope of the SPD for other required and related mitigation. No amendment proposed.
9	Mr. David Gollifer	Resident	All OK.	Noted. No amendment proposed.
10	Councillor Roy Martin	Resident	Acronyms should never be used.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
11	Mr Graham Pike	Resident	Very useful.	Noted. No amendment proposed.
12	Councillor Frank Belgrove	Alresford Parish Council	Very good to see the acronyms defined.	Noted. No amendment proposed.
13	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	I have seen many surveys in the past, and I am sure there will be more in future.	Noted. No amendment proposed.
14	Mr Gavin Rowsell	Resident	The list of acronyms is not complete.	It is proposed to expand the list of Acronyms included within this

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Section to reflect all of those used in the SPD and RAMS.
15	Mr Bernard Foster	Resident	I am sure many people will have found them useful as the same groups of letters re-occur in many different disciplines relating to different policies, documents etc.	Noted. No amendment proposed.
16	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	NPPF not detailed here and the list seems short.	It is proposed to expand the list of Acronyms included within this Section.
17	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Appendix One - Strategic Mitigation

**Table 13 – Appendix One: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	This does not seem like a lot of people for such a large area. Maybe you should consider asking for volunteers in those areas. Also, selling some merchandise around the protection of the birds etc. to re-coup costs. Also, you mention the per tariff cost, but I have no idea how that supports the above table of costs.	Volunteers may be sought, and other enterprises explored, if deemed necessary by the Delivery Officer. The tariff cost per dwelling has been calculated by dividing the costed mitigation package by the number of unconsented dwellings earmarked for delivery in Local Plan periods by each LPA. No amendment proposed.
2	Magister Debbie Bryce	Landlord	There is research showing that mitigation does not work.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
3	Mrs Frances Coulson	Resident	What about holiday/maternity cover etc? Is one ranger enough to cover a wide area and deal with enforcement?	Holiday and maternity cover will be funded by the competent authorities and their terms of service. A total of three rangers are proposed within the lifespan of the RAMS. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	Think there is more to this than signage. Admiralty charts and OS maps will require an update.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
5	Mrs Anne Wild	Resident	I have been impressed with all I have read so far. However, would it be possible to create - with the agreement of landowners where applicable - new bird reserves, with access only available through membership? Membership revenue could be divided between the organisation/rangers etc needed (also funded by RAMS) and the landowner.	A total of £500,000 is included within the packaged costs for habitat creation in key locations where it would provide benefits and work up projects. No amendment proposed.
6	Mr Terry Newton	Resident	Whilst some form of mitigation officers are needed, value for money must be monitored.	Noted. No amendment proposed.
7	Mrs Angela Harbottle	Resident	Not qualified to comment but seems to be a great deal of money.	Noted. No amendment proposed.
8	Mr David Kennedy	Resident	Salary of water bailiffs appears to be high, this should be explained.	Salaried costs have been identified by exploring the costs of similar existing roles. The costs for the water rangers also include training, maintenance and byelaws costs. No amendment proposed.
9	Mr Charles Joynson	Resident	Too little overall to mitigate such a long coastline.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
10	Mrs Mary Drury	Resident	This is a total waste of money and energy. I will need to ask our MP to look at this.	Noted. No amendment proposed.
11	Mrs Joanna Spencer	Resident	Explain how these figures are arrived at.	The RAMS gives more detail regarding the costed mitigation package. No amendment proposed.
12	Mr Peter Dervin	Resident	Please put the money in to employing people in positions that are so much more needed, for example health care assistants and nurses.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
13	Mr Neil Hargreaves	Resident	Does the package include the cost of each LPA's own monitoring officers?	The mitigation package does not include the staffing costs of each LPA's monitoring officers. No amendment proposed.
14	Mr Brian Jones	Resident	I am pleased to see an annual training budget.	Noted. No amendment proposed.
15	Mrs Angela McQuade	Resident	Surveys are too expensive.	Noted. No amendment proposed.
16	Mr Stephen Ashdown	Resident	The package does not include possible income streams to assist in payment.	The mitigation package is itemised to ensure mitigation is in conformity to Regulation 122 of the CIL Regulations. No amendment proposed.
17	Mr Mark East	Resident	Costs and staffing levels seem inadequate.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				outlined within Section 6 of the SPD. No amendment proposed.
18	Mrs April Chapman	Resident	Has use of drones been considered? One ranger is not enough. Two should be a minimum from the start of the scheme to ensure daily cover.	Two rangers have been included from Year 2 of the project. The RAMS seeks to mitigate future growth and does not directly seek to address the baseline position as it would not be appropriate. The use of drones may be considered by the Delivery Officer, if appropriate, and once in post. No amendment proposed.
19	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Whilst members are supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Mitigation package is £8,916,448 from March 2019 – 2038. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects. Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
20	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>The statement, "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 RAMS which could be used for alternative measures" is a worrying statement. This money should not be available for the HRA's as it will diminish the good work that can be done.</p> <p>Regarding work with landowners, Habitats site managers &amp; partner organisations - I hope you will also be working with the local community and empowering them to get involved and learn more about the habitats they live near, thereby fostering the love of nature required for the future.</p> <p>I am concerned that giving planning permission for inappropriate development in the wrong place could now be seen as a way to make this mitigation</p>	The statement quoted is intended to be interpreted that Local Plan HRA work could cover the costs of the survey should there be any need to undertake such survey work as part of those processes. This would not lead to a shortfall in RAMS mitigation, as the survey work has been costed for in the package. It would however lead to a small reduction in the tariff as the survey work would already have been undertaken.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			package money for local councils. How will you stop this happening? How will over enthusiastic planning granting be avoided and mitigated against?	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
21	Mr Graham Pike	Resident	A very helpful breakdown of the project, costs and ambitions.	Noted. No amendment proposed.
22	Councillor Frank Belgrove	Alresford Parish Council	It may have been appropriate to mention some of these strategies earlier in the document as examples as to what types of mitigation - in practical terms - will be required.	Noted. No amendment proposed.
23	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	This money could really be spent on other projects, such as roads and sheltered housing for the homeless.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
24	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	The mitigation package is totally unmanageable and must be the biggest waste of public money ever designed. What is a delivery officer? What does a ranger do? Who / what organisation is going to do training? What is the Partner Executive Group to do? What are new interpretation boards? How can visitor numbers be recorded? Who are Rangers? Who is / or how many delivery officers are required? Where will there be a Water Ranger? Is the Tendring District Council Warden to be axed to make savings for the rate payer?	The SPD sets out a funding mechanism for the RAMS in the form of a tariff to be paid by developers proposing net new dwellings in the Zone of Influence. The RAMS will not be funded by any other means. The RAMS sets out the roles of the newly created posts that are required to deliver mitigation. The precise nature and location of certain mitigation

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				measures e.g. interpretation boards and training will be decided by the Delivery Officer and project Steering Group who have day to day responsibility for delivering the project. Existing forms of mitigation such as the role performed by wardens currently employed by Tendring District Council will not be undermined or replaced by the RAMS project; instead the skills and expertise of existing wardens can be utilised. No amendment proposed.
25	Mr John Fletcher	Resident	The whole scheme is a diabolical waste of money. It serves no useful purpose. To say that people living within the Zone of Influence cause a problem is salacious. Why should they be asked to pay for all when most visitors come from outside the Zone? Maybe you should spend some money to encourage your 'experts' to come and actually live at the coast for a prolonged period. They may then know what they are talking about. We, who live and work on the coast appreciate and work with nature on a daily basis. Every day we note increases in wildlife on the coast - all this takes place without interference from human bureaucrats.	The SPD sets out a funding mechanism for the RAMS in the form of a tariff to be paid by developers proposing net new dwellings in the Zone of Influence. It is concerned with the effects of new housing development only. The RAMS sets out strategic mitigation to ensure no significant effects regarding recreational disturbance are realised on Habitats sites on the Essex Coast. No amendment proposed.
26	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	The BWA notes the employment of Rangers for monitoring and briefing clubs on codes of conduct. Has consideration been given to using trained volunteers from Clubs such as ours with a knowledge of wetlands, wildfowl and habitat protection?	Volunteers may be sought if deemed necessary by the Delivery Officer but no itemised cost has been identified. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
27	Mr Mark Nowers	RSPB	<p>The ten SPAs around the Essex Coast support approximately half a million wintering waterbirds and important assemblages of breeding birds. Over 72,000 dwellings are due to be built before 2038.</p> <p>The Bird Aware Solent project covered three SPAs supporting 90,000 birds. 64,000 dwellings are due to be built before 2034. In the Solent Recreation Mitigation Strategy, Bird Aware Solent has identified that a team of rangers is the top priority followed by:</p> <ul style="list-style-type: none"> <li>• Communications, marketing and education initiatives</li> <li>• Initiatives to facilitate and encourage responsible dog walking</li> <li>• Codes of conduct</li> <li>• Site-specific visitor management and bird refuge projects</li> <li>• New/enhanced strategic greenspaces</li> <li>• A delivery officer (called 'Partnership Manager' from here on)</li> <li>• Monitoring to help adjust the mitigation measures as necessary</li> </ul> <p>To that end, they employ a team of 5-7 Rangers. To make the best use of resources, the RSPB recommends that Bird Aware Essex re-evaluates the number of rangers currently being considered here given the scale of importance of the Essex Coast outlined above.</p>	Noted. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
28	Mr Gavin Rowsell	Resident	The only positive is that within the £9 million you 'may' employ 5 people.	The plan is to provide lasting benefits to habitats of national and international importance in Essex. No amendment proposed.
29	Mr Bernard Foster	Resident	It would have been easier to read if the box could have been expanded instead of just the contents. Information useful as a guide or expectation.	Noted.
30	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	£1,000 for signage seems a small budget given the area of coverage and the potential Essex Coast Path. I do not understand the £5,000 cost associated with the visitor numbers and recreational activities. Communication: What about website updates? Is there no cost associated with updating the bye-laws? Contingency seems small.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
31	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>Proposals in the Essex Coast RAMS proposes signage at Mistley Walls. Mistley Walls lie within the proposed extension area to the Suffolk Coast &amp; Heaths Area of Outstanding Natural Beauty (AONB). The extension to the Suffolk Coast &amp; Heaths AONB is currently awaiting sign off by the Secretary of State. The AONB team are not objecting to the use of new signage in principle but we would like to be involved in discussions on the design of any new signage to be introduced in this area. Any new signage or interpretation boards introduced into the AONB extension area will need to be a high-quality design to reflect the high-quality landscape into which they are to be introduced.</p> <p>As part of the England Coast Path, Natural England is also proposing new signage along the following stretches of the south bank of the Stour: Ray Lane, Ramsey to Stone Point, Wrabness, Stone Point, Wrabness to Hopping Bridge, Mistley. It will be important to co-ordinate the installation of all new signage/ interpretation boards being proposed along the south bank of the Stour to avoid clutter within the extension area to the nationally designated landscape. The AONB team will be happy to provide any further advice on I'm a Good Dog Project if necessary when the RAMS Dog Project is being developed/expanded.</p>	Noted. The Delivery Officer will engage with key local stakeholders on implementation of the project once in post. No amendment proposed.
32	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	With reference to comments provided in Section 4 above, CPRE questions why the total package budget is not higher and funded through additional revenue from the inclusion of already consented dwellings within the provisions of the SPD.	The RAMS gives more detail regarding the costed mitigation package. There is no mechanism that can lawfully ensure retroactive costs are recouped once full planning permission is granted. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Appendix Two – Essex Coast RAMS Guidelines for proposals for student accommodation

**Table 14 – Appendix Two: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	For supporting and monitoring the Zones of Influence the LPA's and other LPA's outside of Essex coming into the area could look at providing educational courses in the Zones of Influence helping the volunteers and full-time equivalents (FTEs). This could be another way to re-coup some money and also gain some etc. support.	Volunteers may be sought if deemed necessary by the Delivery Officer but no itemised cost has been identified. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Students and Wildlife - stupid idea.	Noted. No amendment proposed.
3	Mrs Frances Coulson	Resident	I disagree. Most student accommodation these days is commercially built and run and charged at vast cost to students or their parents. They should also pay.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of circumstances. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	Regarding Colchester and Southend, student accommodation should be sited away from the coast.	Noted. The location of new student accommodation is outside the scope of this SPD. No amendment proposed.
5	Mr Terry Newton	Resident	It seems to make sense, but any increase in student impact will need to be monitored, as this can change according to many variables, such as nearby facilities frequented by students.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
6	Mrs Angela Harbottle	Resident	Not qualified to comment.	Noted. No amendment proposed.
7	Mrs Mary Drury	Resident	Not wasting any more time.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
8	Mrs Alwine Jarvis	Resident	Not sure I agree with the logic used. The document seems to miss out on how many people of the new dwellings will actually have pets. Dogs being the animal which disturbs the birds. I did not see this taken into consideration.	Many examples of student accommodation do not allow dogs to be kept on the premises, hence the different tariff approach proposed for student accommodation, no amendment proposed.
9	Ms Rachel Cross	Resident	Record number of dogs using the space and have rules for dogs and their owners such as those at Essex Wildlife Trust e.g. seen at Langdon nature reserve Dunton.	Noted. No amendment proposed.
10	Mrs Joanna Spencer	Resident	Affordable accommodation and parking needs to be provided.	Noted. No amendment proposed.
11	Mr Matt Eva	Resident	I do not think student accommodation should be made a special case - if you do this then what about nursing homes or any other housing for private rental where pets are not allowed? Keep it simple, if you are building then you pay.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
12	Mr Christopher Marten	Resident	Dogs must be kept on leads at all times and ownership of cats should be outlawed because cats can have a devastating effect on bird populations.	Noted. No amendment proposed.
13	Mr Peter Dervin	Resident	Put people first, we need to educate our young people and then maybe they might have a better understanding of the problem instead of taxing them. Every cost in the end is paid for by the end user so it will be our young people that will be put off becoming educated if the costs get too much.	The tariff is paid by the developers of new housing, not residents. It is a one off payment and does not affect investment made by other sources in general education. However, part of the mitigations will be to provide a better understating of the habitats and visitors responsibilities when visiting the coast. No amendment proposed.
14	Mr Neil Hargreaves	Resident	'So, a scheme for 100 student accommodation units would be considered 40 units. 40 units would then be halved providing that future occupiers are prevented from owning a car and keeping a pet: ' This seems overly complex.	The effectiveness of the mitigation will be monitored as outlined



No.	Name	Organisation	Main Issues Raised	Response / amendment required
			What happens if pets are banned but cars are not? How does anyone know if a student keeps a car off site and says nothing? Will there be a restrictive covenant to stop a future management changing the rules? What about holiday use when conferences are in? The payment would be £24.46. Is it worth all the form filling to collect this? I suggest make a flat rate for student accommodation	within Section 6 of the SPD. No amendment proposed.
15	Mr Brian Jones	Resident	Students often have societies that lead to visits to the coasts, e.g. Birdwatching, geology, botany etc. Such visits may be made by coach and can cause serious disruption to the habitats.	The SPD is related to new residential development only. No amendment proposed.
16	Mrs Joanna Thornicroft	Resident	I can understand a reduced fee per unit as each one would only house a single individual, but there is no reason to believe that students will not visit these areas as much as any other individual.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
17	Mrs Susie Jenkins	Brightlingsea Nature Network	Good points.	Noted. No amendment proposed.
18	Mr Graham Pike	Resident	Nicely explained and detailed.	Noted. No amendment proposed.
19	Councillor Frank Belgrove	Alresford Parish Council	The evidence that dogs are the major threat in causing wild bird flight is interesting.	Noted. No amendment proposed.
20	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Wildlife is thriving.	Noted. No amendment proposed.
21	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This is more taxation by the RAMS and will be difficult to apply.	The effectiveness of the mitigation will be monitored as outlined

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				within Section 6 of the SPD. No amendment proposed.
22	Mr John Fletcher	Resident	This is a waste of money.	Noted. No amendment proposed.
23	Mrs Jackie Deane	Great Dunmow Town Council	No objections to the proposals.	Noted. No amendment proposed.
24	Mr Bernard Foster	Resident	To start building student dwellings in vulnerable areas will raise a few eyebrows. Remembering that all forms of encroachment - light, noise, vibration - can have an impact over varying lengths of time. To encourage a generation to have environmental insight should be seen as proactive. If the correct balance is struck it will be proven in the future.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
25	Mr Mark Marshall	Resident	Universities and developers make plenty of money from student accommodation. Why should they be exempt from costs others have to pay? If they do not pay their share, then others pick up the tab and that is not fair.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of circumstances. The number of student accommodation proposals have not been used to calculate the scale of mitigation needed in the RAMS. Therefore, developers proposing other residential development schemes will not be charged a higher rate to compensate for a lower tariff for student accommodation. No amendment proposed.
26	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	A decision is needed for student tariffs.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				circumstances and sets out methodology. No amendment proposed.
27	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	The AONB team welcome that a tariff is being considered for proposals for new student accommodation. The approach proposed and the tariff proposed are considered fair and proportionate. Some areas e.g. Colchester have large amounts of both on campus and private student accommodation built or planned within the Zone of Influence of the Colne Estuary. It is therefore appropriate that these developments contribute towards the cost of mitigating the impacts of increased recreational pressure linked to this type of development.	Noted. No amendment proposed.
28	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

## Other Comments

**Table 15 – Other Comments: Summary of consultation responses and actions**

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I am glad that this is being looked into however developing more homes in Essex outside of the coastal areas is also an issue. I live in Billericay and am extremely concerned about the wildlife that would be affected if my LPA goes ahead with its housing plans.	The RAMS and SPD proposes a tariff within a Zone of Influence that extends 22km from coastal areas. No amendment proposed.
2	Magister Debbie Bryce	Landlord	European protected site is of international importance.	Noted. No amendment proposed.
3	Mrs Alwine Jarvis	Resident	This is important work to preserve the environment for birds and for us residents to be part of this. However, this needs to be summarised so more people will be able to actively read everything and get involved as it is so important for our future generations.	Summaries are provided in Sections 2 and 3 of the SPD, which also includes links to a 'Frequently Asked Questions' page on the Bird Aware website. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
4	Mrs Joanna Spencer	Resident	Too much of the countryside is being built on, not enough thought goes into road structures or new roads being produced, road designs. Residents are never consulted enough or given enough time to object to planning. Southend airport is damaging to peoples' health in the area and the culling of birds to support the airport is not acceptable.	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. The same applies to consultation of planning proposals and Local Plans. No amendment proposed.
5	Mr Matt Eva	Resident	There does not appear to be any consideration of negative impacts of the proposal, e.g. encouraging development elsewhere whilst not reducing impact on sites, and moving problems elsewhere.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
6	Mr Bill Sedgwick	Resident	There will be no wildlife or green spaces if the various councils continue to concrete Essex. All that is being built is new estates that does nothing for the county or environment. There is an abject failure of house builders and councils to look at roads, schools, buses, railway capacity and hospitals.	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
7	Mr Terry Wallace	Resident	Does not view the consultation as important.	Noted. No amendment proposed.
8	Heather Read	Natural England	Support for the determination of the Essex Coast RAMS, SPD, HRA and SEA Screening.	Noted. No amendment proposed.
9	Mr Richard Carr	Transport for London	Confirmation that we have no comments to make on the draft SPD.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
10	Mr Colin Holbrook	Blackmore Village Heritage Association	<p>I support this initiative. When Brentwood Council must consider Bird welfare that is 22 kilometres away from its boundary, it is a shame that more effort is not put into protecting the habitat of people when considering new build habitation. Brentwood Local Development Plan has been adversely impacted and damaged by new development approved by neighbouring Epping Forest District Council.</p> <p>I would urge that all planners are required to afford the same consideration to human neighbours they are legally bound to give to birds.</p>	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
11	Ms Margaret Carney	Resident	Unsure what kind of response is required from the consultation and the subject matter.	Noted. No amendment proposed.
12	Mr Edward Harvey	Resident	Is there a document that explains what "Recreational disturbance Avoidance and Mitigation Strategy" actually means in plain English?	Summaries are provided in Sections 2 and 3 of the SPD, which also includes links to a 'Frequently Asked Questions' page on the Bird Aware website. No amendment proposed.
13	Mr Matthew Breeze	County Planning, Minerals & Waste, Cambridgeshire County Council	Confirmation that the County Council, in its role as a Minerals Planning Authority, has no comments on this document.	Noted. No amendment proposed.
14	Mr Stewart Patience	Anglian Water Services Limited	We note that the expectation is that all housing development located within the Zones of Influence as defined would be expected to make strategic contributions to the RAMS. Reference is also made to tourism accommodation potentially having significant effects on protected habitats sites and being required to provide a Habitats Assessment and potentially mitigation measures. However, there is no guidance provided for non-housing development which would not be expected to give rise to recreational disturbance. For the avoidance of doubt, we would ask that it made clear that other types of development including infrastructure provided by Anglian Water would not be expected to make contributions to RAMS.	Effects on Habitats sites from non-residential development proposals will be addressed in project-level HRAs of proposals, where relevant. It is however proposed that the SPD is amended to set out that all non-residential proposals are exempt from the tariff.
15	Mr John	Resident	It is important to take a detailed look at all adjacent waters to our estuaries as they are a vital link in the chain of protecting wildlife. All rivers feeding estuaries	The scope of the RAMS and SPD is specific to Habitats Site

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Parish		need careful management. A prime example is a new vast housing project next to River Blackwater Braintree Essex which is going to be far too close to the river corridor. With increasing population, sensible management of coastal areas is even more important. Dogs are a menace on sensitive areas and banning them may be necessary to protect nesting birds. Environment Agency will need to be aware and work with all other agencies etc to achieve improvement for future generations.	designations only. The need for project-level HRAs and where necessary AAs still applies to development proposals, and pathways to Habitats sites regarding non-recreational effects can be expected to be explored as part of those processes. No amendment proposed.
16	Unknown	CLH Pipeline System Ltd	We would ask that you contact us if any works are in the vicinity of the CLH-PS pipeline or alternatively go to <a href="http://www.linesearchbeforeudig.co.uk">www.linesearchbeforeudig.co.uk</a> , our free online enquiry service.	Noted. No amendment proposed.
17	Ruth & David Burgess	Landowner	As land owners in the Thundersley, Benfleet area, we are interested to learn when the new draft Local Plan is likely to be introduced.	Section 8 of the SPD provides links to all partner LPA websites where updates to Local Plan progress can be found.
18	Mr Frank Last	Badger Rescue	I do not seem to be able to find any mention of Wat Tyler Country Park or Fobbing Marshes in your report. Can I ask why this is? especially due to the large amount of flora & fauna there is at both places.	The scope of the RAMS and SPD is specific to Habitats Site designations only. No amendment proposed.
19	Mr David Dunn	Resident	I feel far more representation on the issue of the effects of the ensuing climate crisis should be at the top of the agenda in all thinking. This along with more heat and new species of birds and marine life a whole new approach has to be adopted to cater for all the habitats they all use alongside our enjoyment of them. Surely to not maintain many of the sea defences is folly, when the already degraded marshes, saltings and cliffs are being wasted and not properly managed mainly due to lack of finances. There have been monies available from the EU in the past for various schemes but this has failed to materialise.	The scope of the RAMS and SPD is specific to Habitats Site designations only. No amendment proposed.
20	Mrs Anne Clitheroe	Essex County Council	Essex County Council is satisfied with the content of the Essex Coast RAMS SPD and confirms that it wishes to continue to be engaged in this process.	Noted. No amendment proposed.
21	Mr Derek T.	Resident	With so many problems currently confronting the UK, I am very surprised that the subject matter heading, justifies any consideration by central and local	The scope of the SPD, and the tariff proposed, is relevant to 'in-

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Park		government whatsoever. Furthermore, if pursued, it will incur costly resources, again defrayed by taxation at public expense. The disturbance of coastal bird habitats should be dealt with directly by the charities or trusts responsible for such nature reserves. Whoever is responsible for the reserves, could be required to secure boundaries with a single controlled gated access, enabling admission numbers to be limited and a fee charged for entry. Similarly, any erected viewing hides inside or outside the curtilage of sites, could have a charge machine installed to allow entrance. Any marine entry to reserves should be licensed, authorising where appropriate, limited pre-agreed scheduled frequency of visitation. Otherwise ban with a penalty such disturbing access. I am fascinated by the composition of the somewhat bureaucratic expansive subject heading.	combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. Charities and trusts cannot be expected to generate sources of funding to pay for the mitigation at the scale required. No amendment proposed.
22	Mr John H Bayliss	Hilbery Chaplin	I believe that this is a very important subject to be considered because there is no doubt that the Essex Coast and adjoining landscape is of vital importance for the protection of wildlife and the future of this unique part of the United Kingdom.	Noted. No amendment proposed.
23	Mr Mark East	Resident	I have a concern that there could be a legal challenge as no consideration has been given to whether alternative development sites outside of the Zone of Influence are appropriate to reduce the level of development within the Zones of Influence. Development is being encouraged to boost the economy without adequate care for the harm to our fragile environment. I feel more time and thought is necessary to find a pragmatic solution and one that delivers protection rather than a source to generate income.	Alternative site allocation outside of the Zone of Influence would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process. No amendment proposed.
24	Mrs Linda Findlay	Resident	On any development look at the long-term impact and always ask how can we tweak this to improve our natural environment.	Noted. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
25	Mr Barrie Ellis	Resident	I hope this level of support goes ahead to protect our coastal areas for birds, whilst taking into account our need for more affordable housing. It is good to see.	Noted. No amendment proposed.
26	Nicola Sirett	Resident	There is no mention of what the money would pay for, beyond a few wardens. Surely there should be some physical infrastructure to manage higher visitor numbers. The report only talks about the impact of visitor numbers. No mention of the pressure on water quality along the coast which comes from managing the increased sewage and storm runoff (due to increased percentage of impermeable surfaces). This is a significant threat to wildlife and local fishing / shell fish (oyster) production. Where can I read the plans to mitigate against these issues?	The RAMS provide more information of the mitigation measures to be funded. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. The need for project-level HRAs and where necessary AAs still applies to development proposals, and water quality can be expected to be explored as part of those processes. No amendment proposed.
27	Mr Graham Farley	Resident	<p>The plan covers the period to 2038 and yet there is no mention of The National Infrastructure Project (NIP) at Bradwell in the form of new nuclear power station. Such a build will restrict new housing in particular on Mersea and around Bradwell for evacuation reasons then of course there will be the environmental issues, building issues and restrictions on movement to allow such a build to go ahead.</p> <p>You are costing charges and its admirable to support the numerous environmental protections but if this NIP goes ahead the damage caused to protected areas will completely undermine the Essex Coast RAMS.</p>	<p>The need for project-level HRAs and where necessary AAs still applies to development proposals, and other non-residential effects can be expected to be explored as part of those processes.</p> <p>The SPD does not apply to Nationally Significant Infrastructure Plans (NSIPs), which are dealt with under the 2008 Planning Act rather than the Town and Country Planning Acts for applications for planning permission. Engagement has not yet gone into sufficient detail however it is expected that the</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Bradwell B Project would follow the SPD's advice that the 'applicant can provide information for a project level HRA/AA and secure bespoke mitigation to avoid impacts on Habitats sites in perpetuity'. We consider that the nuclear power station, and associated development including the proposed 4,500 temporary workers accommodation would be dealt with via the Development Consent Order. No amendment proposed.
28	Mrs Natasha Hurley	Savills On Behalf of Thames Water Planning Policy	The area affected does not include land served by Thames Water.	Noted. No amendment proposed.
29	Mrs Karen Hawkes	South Woodham Ferrers Town Council	<p>Throughout the SPD there are references to EU Legislation. What will happen after Brexit: will these laws be enshrined in UK Law?</p> <p>Bullet point 4 (Table 4.1) states "Information on alternative sites for recreation". Whilst it is appreciated that the area needs to be protected the preferred message should be with information signage and alternative routes within the same location. If visitors are being sent to alternative locations this would result in increased motor vehicle usage; visitors may be less likely to visit the site which would affect their health and wellbeing.</p> <p>Bullet point 6 "Interpretation and signage" - Members would welcome universal / uniform signage throughout all the Essex Coastal Habitats.</p> <p>Page 12 Action Area Table - Members would request that relevant town and parish councils are detailed as partnership organisation.</p> <p>Page 13 Budget and Appendix 1 Strategic Mitigation - Whilst members are</p>	<p>The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.</p> <p>The message regarding 'alternative sites for recreation' can be expected to apply to future trips for recreation.</p> <p>Noted. Comments regarding uniform signage and additional stakeholders in the partnership organisation can be acted upon by the Delivery Officer, once</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects. Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.</p> <p>Page 15 Schemes under 10 dwellings - There are concerns that reasonable costs of completing and checking the agreement is not required and that a more straightforward method would be as a matter of course to charge the £122 a home once the location is identified within a zone as detailed on p7.</p> <p>Page 16 Section 5 Alternative to paying into RAMS – Para 5.2 should be removed. There should be no option for developers to carry out their own surveys. If the surveyor evidenced that there was no requirement to fund the tariff this would result in a shortfall in the anticipated income and as a result projects detailed may not be able to be funded.</p> <p>Page 17 Para 6.3 Steering Group - This should include relevant partners as detailed in table 4.1.</p> <p>With reference to the steering group, members would welcome a representative from all partnership organisations as detailed on page 13 with the addition of town and parish councils. As currently stipulated in the plan there is no input from RSPB, Essex Wildlife Trust and town and parish councils.</p>	<p>appointed. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>Some LPA partners do not charge a legal fee for minor applications, they are solely required to pay the tariff. Schemes under 10 dwellings have been identified as requiring to pay for legal costs as no mechanism currently exists for smaller proposals to pay through a Section 106 agreement. No amendment proposed.</p> <p>Alternatives to paying developer contributions to the RAMS would only be acceptable where bespoke mitigation addressing recreational effects on the Essex Coast can be delivered. To identify and justify other forms of mitigation as suitable, visitor surveys would have to be produced by the applicant.</p>
30	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>This strategy encourages LPAs to grant planning permission as a way to accrue money for this fund. How will this be avoided? Also, there is no mention throughout this strategy that there should be no development near the habitats due to disturbance. LPAs should feel supported in turning down inappropriate development.</p>	<p>The tariff is proportionate to the in-combination effect each new dwelling will have on the Essex Coast's Habitats sites and monies collected will not be used to fund</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				<p>anything other than the strategic mitigation of the RAMS. No amendment proposed.</p> <p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p>
31	Mr PC Paul Rawson 2858	Essex Police Marine Unit	As part of Essex Police Marine unit, we would be very grateful to discuss potential outcomes for the future and any possibility of joint working.	Noted. Joint working requests can be acted upon by the Delivery Officer, once appointed. No amendment proposed.
32	Mr Edward Harvey	Resident	Is there a document that explains what "Recreational disturbance Avoidance and Mitigation Strategy" actually means in plain English?	Sections 2 and 3 of the SPD provide summaries of the RAMS and scope of the SPD. Additionally, the SPD signposts a 'Frequently asked Questions' (FAQ) document' which is available on the Bird Aware Essex Coast website. No amendment proposed.
33	Mrs Diane McCarthy	Billericay Town Council	The document makes no mention of any sustainable methods of transport.	Each partner LPA's Local Plan contains policies regarding sustainable transport. No amendment required.
34	Ms Diane Jackson	MAG London Stansted Airport	We have no aerodrome safeguarding objections to the proposals.	Noted. No amendment required.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
35	Councillor Roy Martin	Resident	The consultation has been badly designed, extremely lengthy and not user friendly, so it is not practical for everyone to respond in full. The main area of major concern in Hockley and the District of Rochford is the volume of massive new builds being allowed which impacts on every aspect of life including transport systems. Developers should be held responsible for the impact on infrastructure and protection of the environment with penalties applied for failure to comply. Local knowledge and views must be satisfactorily resolved to give the government a better understanding of the consequences of their decisions before planning is approved.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
36	Mr Graham Pike	Resident	I found this a very interesting exercise. The documentation was laid out well. Lots of useful data included. Findings very sound.	Noted. No amendment required.
37	Mrs Helen Waterfield	Black Notley Parish Council	<p>Black Notley Parish Council support the strategy. We generally agree on the action/examples given however we strongly feel that there should be no newbuilds at all in close proximity to sensitive sites. Development of recreational facilities must not impact on the character and charm of the very areas this is setting out to protect. Footpaths/access and parking facilities must only be developed in keeping with the existing location and area.</p> <p>In the more outlying locations diverting footpaths away from the waterside areas and installing screening is also unfair to ramblers and wildlife watchers who want to appreciate the estuary views.</p> <p>We look forward to more and better access to Footpaths along this special coastline and footpath maps should be provided. There should be separate routes for cyclists.</p> <p>Access to Sites of Special Scientific Interest should be limited only during the breeding season of birds and wildlife, and dogs must be kept on a lead at these times.</p>	<p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p> <p>The Essex Coast RAMS toolkit (Table 4.1 of the SPD) includes 'Provision of information and education' as an Action Area. This could include 'maps with circular routes away from the coast on alternative footpaths.' No amendment required.</p>
38	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This scheme is totally undemocratic and dictatorial. It is obvious that this consultation document is circulated purely in order to comply with necessary regulations.	Noted. High-level oversight of the project is undertaken by the Essex Coastal Forum which

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			RAMS is an unmanageable, unnecessary proposed organisation, to be run by un-elected, un-regulated members with the power to raise money, at the expense of the housing market; mostly affecting the less well off in society who need affordable council or private sector housing.	included locally elected Members. No amendment proposed.
39	Mrs Jacqueline Smith	Resident	<p>I generally agree on the action/examples given, however strongly feel that there should be no newbuilds at all in close proximity to sensitive sites. Development of recreational facilities must not impact on the character and charm of the very areas this is setting out to protect. Footpaths/access and parking facilities must only be developed in keeping with the existing location and area.</p> <p>In the more outlying locations diverting footpaths away from the waterside areas and installing screening is also unfair to ramblers and wildlife watchers who want to appreciate the estuary views.</p> <p>I look forward to more and better access to Footpaths along this special coastline and Footpath Maps should be provided. There should be separate routes for cyclists.</p> <p>Access to Sites of Special Scientific Interest should be limited only during the breeding season of birds and wildlife, and dogs must be kept on a lead at these times.</p>	<p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p> <p>The Essex Coast RAMS toolkit (Table 4.1 of the SPD) includes 'Provision of information and education' as an Action Area. This could include 'maps with circular routes away from the coast on alternative footpaths.' No amendment required.</p>
40	Mr Mark Nowers	RSPB	Regarding the 'Essex Coast RAMS SPD SEA/HRA Screening Report' - further to our comments regarding the Outer Thames SPA, we note that in Appendix 2 (Broad illustration of the Zone of Influence of the RAMS) that red line extends over the Outer Thames SPA designation, but it is not identified as such.	It is proposed that the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended.
41	Mrs Jackie Deane	Great Dunmow Town Council	The Town Council is generally supportive of the proposals.	Noted. No amendment proposed.
42	Mr Gavin Rowsell	Resident	I think I have put my point across.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
43	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We feel the area is already overdeveloped and the expectation of nearly a quarter of a million more people living alongside the coastal areas of Essex, with their priceless wildlife habitats is unsustainable.	Noted. No amendment proposed.
44	Mr Julian Novorol	Hamford Water Management Committee	We would like to request that when rangers are appointed for the coast/ Hamford Water area that we have the opportunity to meet with them to discuss the management/ problems that we experience in the Backwaters.	The Delivery Officer and Rangers can explore joint working arrangements, once appointed. No amendment required.
45	Mrs Jane Taylor	North East Essex Clinical Commissioning Group	<p>On behalf of the Health system in North East Essex namely;</p> <ul style="list-style-type: none"> <li>- North East Essex Clinical Commissioning Group</li> <li>- East Suffolk North Essex Foundation Trust</li> <li>- Anglian Community Enterprise</li> <li>- Essex Partnership University Trust</li> <li>- East of England Ambulance Service</li> </ul> <p>We have reviewed the above and acknowledge the content, we have no formal feedback to provide.</p>	Noted. No amendment proposed.
46	Mrs Kelly Holland	Canewdon Parish Council	Canewdon Parish Council support the aims of the document particularly the requirement that all developments would have to take the document into account especially those that do not go through the formal planning process.	Noted. No amendment proposed.
47	Mr K. Randall	Resident	<p>I feel the most important matter to consider in this Planning Document is the predicted rise in water levels caused by climate change. Another concern is coastal erosion which is extremely difficult to contain and resolve. As for developments, the Authorities should consider arranging for proposals to be based further inland and, if possible, on higher ground due to the threat of rising water levels. Also, the Authorities should mitigate the over development and instead concentrate on improving the environment, services and infrastructure in these coastal areas. No development should be allowed on Green Belt land. Due consideration should be given to building new housing in a manner that negates the effects of climate change in the future. Perhaps the Local Authorities could request that some trees are planted on new housing development estates.</p> <p>I feel that the priority of all the Local Authorities involved is to protect our</p>	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Decisions on the distribution of new housing growth is outside the scope of this SPD. No amendment proposed.



No.	Name	Organisation	Main Issues Raised	Response / amendment required
			valued coastline areas from flooding and that any new housing proposals should be curtailed until this protection has been put in place.	
48	Mr Bernard Foster	Resident	If you want to sell what can only be seen by the general public as restrictions, you need to show that you support realistic alternatives away from the sensitive areas. Interact with local infant and junior schools in a positive way, children remember best what they enjoy, so make it fun to learn.	Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. Engagement with local schools will be considered by the Delivery Officer once in post. No amendment proposed.
49	Mr Tim Woodward	The Country Land & Business Association (CLA)	We are very concerned that members, who may be considering a development on their land which will help local authorities meet their housing targets, or a visitor facility or commercial development which will help to boost tourism to the area or provide rural employment, could face CIL charges as well as the charges proposed in the SPD. It seems unfair that they will be held responsible for increased recreational access to the Essex Coast, and consequent disturbance to habitats and bird species, at a time when extra access is being actively encouraged and facilitated by the delivery of the England Coast Path by Natural England.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and enables housing growth to continue in line with the requirements of the Birds Directive and Habitats Directive. No amendment proposed.
50	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
51	Ms Jo Steranka	Resident	The Essex coastline, and therefore the Designated Sites are low-lying. The highest land point is at Walton-on-Naze, which is a mere 20 metres above sea level. This means that they are highly vulnerable to erosion and sea-level rise. The only mitigation for climate-induced habitat loss in the future is to minimise	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>the carbon emissions from residential dwellings.</p> <p>Whilst not specifically commenting on the section on student residential development, I note that it is considered that the Tariff for these developments should be reduced because students are not generally car or dog owners.</p> <p>The Strategy has missed an opportunity to use the residential planning process to control the availability of parking in new developments and household energy efficiency (for example) to mitigate against damage to the Designated Sites from climate heating. It might be argued that 73,000 new homes is a fraction of the carbon emissions threatening the planet, but on an annual basis those emissions will still make a contribution.</p>	<p>The type of new dwellings built within the Zones of Influence and parking standards for new dwellings is outside the scope of the SPD.</p> <p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p>
52	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	Please see the map for the Suffolk Coast & Heaths AONB extension area which may be useful for future discussions.	Noted. No amendment required.
53	Mrs Cecilia Dickinson	Resident	<p>The LPAs, Essex County Council and Natural England want to charge property developers per unit to mitigate potential disturbance to bird/coastal habitat, yet Natural England want to build a Coast Path – an invitation to people to trek the Coast Path causing the disturbance that mitigation is being planned for.</p> <p>One or the other. Either protect the coastal sites - or build a Coast Path and the wildlife can take its chances. The Habitats Regulations already require these sites to be protected. Use the collections to fund on-the-ground mitigation as well as digital media that should be provided by the LPAs and Essex anyway. Nobody asked us if we want all these residential units built - we are told we are going to get thousands. Do not build on greenfield sites, do not build near the coast, designate some sites as people sites. Natural England will have to reroute the path.</p>	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Natural England have been involved in the development of the RAMS and SPD. The distribution of new housing growth is outside the scope of this SPD. No amendment required.
54	Ms Jessica Ferguson	Martin Robeson Planning Practice	The Regulations require an assessment of whether a project i.e. a development proposal, is likely to have a significant effect either alone or in-combination with other plans or projects. Planning permission should not be	Under the Habitats Regulations each development proposal will need a project-level HRA. This is

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			<p>granted for such unless appropriate mitigation is provided. It would seem appropriate, since development has to be assessed based upon the likelihood of significant effects arising from the development alone and relevant mitigation provided, that the same approach is also taken to assess 'in combination' effects. Relevant and necessary mitigation should only be provided, based upon the scale of the proposal, its use and the site context, rather than this being prescribed for every development. The SPD however takes a more generalised approach, requiring the same contribution from every development regardless of its context or specific use.</p> <p>Requiring a site-specific assessment takes a similar approach to that by an Inspector into a recent appeal in Chelmsford (Appeal Reference APP/W1525/W/19/3236158). He stated that he could "not be satisfied that the suggested mitigation measures within the planning obligation would be sufficient to mitigate the harm to the Blackwater Estuary SPA and Ramsar site and the Essex Estuaries SAC" (paragraph 19). This is suggestive that an approach to determining whether there is likely to be a significant effect should be determined on a case by case basis. This then raises a question as to whether Regulation 122 of the CIL Regulations is met, particularly in terms of whether such a contribution could be directly related to the development and fairly and reasonably related in scale and kind. Whilst the SPD seeks to justify the contribution against Regulation 122 at paragraph 4.12, this is tenuously linked.</p> <p>The SPD does not take into account other mitigation proposed or in place on site or in the vicinity of the site, which is aimed at ensuring that residents do not travel to Habitats sites. Whilst it is acknowledged that paragraph 5.2 of the SPD identifies that an alternative to such a contribution would be for applicants to conduct their own visitor surveys and secure bespoke mitigation, this is not particularly advocated by the SPD and does not specify other considerations that would have a bearing on the mitigation that might be required e.g. on site spaces and local facilities etc.</p> <p>The generalised approach taken also has implications for the applications to</p>	<p>still the case for proposals within the Zone of Influence, and any resultant AA will set our recommendations to mitigate effects that are directly related to the proposal. This will include other mitigation proposed or in place on site or in the vicinity of the site, which is aimed at ensuring that residents do not travel to Habitats sites. No amendment proposed.</p> <p>The tariff is evidence based and proportionate. It is considered inappropriate to apply a 'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the ZOI. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>The appeal referred to was dismissed in January 2020. The Inspector states at paragraph 19 that a copy of the completed obligation towards mitigation measures at Blackwater Estuary SPA and Ramsar site and the</p>

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			<p>which the SPD applies which at paragraph 3.8 is identified to include residential care homes, boarding schools, military barracks along with Houses in Multiple Occupation. Realistically the recreational impacts of each of these will be significantly different from say a family home. However, the approach taken in the SPD is the same for all residential development listed. It is acknowledged that the RAMS tariff of £122.33 would not be a 'fair and proportionate contribution' as it is recognised that any recreational disturbance will not be dog related. The SPD also recognises that in Chelmsford, purpose-built student accommodation, given its distance from Habitats sites and the restrictions generally preventing students from owning a car or a pet, would mean that such developments will not lead to likely significant effects on Habitats sites from increased recreational disturbance. Thus, if it is recognised that a standard approach is not appropriate in some situations, it should equally be applied to others where there will be differing recreational impacts.</p> <p>Paragraph 3.12 of the SPD acknowledges that reserved matters applications will be considered on an individual basis having regard to whether the potential effects of the proposal were fully considered when the existing outline was granted. However, when developing Local Plans and when considering any new applications that come forward, these should have already taken into account any outline applications that had been determined at that time. Such proposals then risk double consideration and the requirement for a contribution towards 'in-combination' effects has the risk of being unrelated to the impacts of the development on the basis that it's 'in-combination' effects would already have been considered by other developments. Therefore, in such situations, when considering the application at the reserved matters stage it should instead be looking at the effects of the development alone.</p> <p>The SPD confirms that the requested contribution is to go towards funding measures set out in Table 4.1. Some measures may not however be relevant to all development proposals and others could be directly provided by the applicant themselves i.e. provision of information and education. This again indicates that a more tailored approach to each application is required. Having reviewed the mitigation package as costed at Appendix 1 we similarly note</p>	<p>Essex Estuaries SAC was not provided so the Inspector could not be satisfied that the suggested mitigation measures would be sufficient. The principle of the RAMS was not addressed further by the Inspector in the report.</p> <p>The RAMS and SPD applies only to 'in-combination effects' which have been identified within the HRAs of the LPAs' Local Plans. Each Local Plan's resultant AA and consultation with Natural England, has identified the need for the RAMS to mitigate in-combination effects and enable development.</p> <p>An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as</p>

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			<p>items included which would not be relevant to every development, for instance, not every new residential unit will be for a household with a dog or one which undertakes water sports.</p> <p>There is also a concern with respect of the way in which the figure has been calculated. Whilst it is appreciated that the mitigation package cost has been identified as set out at Appendix 1, the division of this total cost by the total number of dwellings which are currently identified to be built over Local Plan periods until 2038 does not necessary accurately reflect the number which will come forward in the next 18 years. It is likely that, given the Government's emphasis on building new homes, in response to consistent demographic change, that this number will increase. Consequently, this would mean that the contributions collected would exceed the overall cost for the mitigation package. It thus needs to be ensured that, should such an approach to mitigation be adopted (notwithstanding the concerns highlighted above), there are adequate reviews and adjustments to the unit charge accordingly to ensure such figures are fairly and reasonably related in scale and kind to the development. Thus, we endorse, without prejudice to our view that the approach is of itself too generalised, the suggestion at paragraph 6.4 that the monitoring process be "fit for purpose".</p>	<p>qualifying within the scope of tariff payments is proposed.</p> <p>Regarding reserved matters applications, the quantum of development has been considered in regard to quantifying effects of Local Plan growth, where identified within those Plans. This justifies the tariff being applicable to reserved matters applications, however separate consideration should be given due to the findings of their project-level HRA/AAs where they may have been published prior to the emergence of the RAMS. No amendment proposed.</p> <p>Development proposals within the Zone of Influence will still need to undertake project-level HRA/AA. Proposals may also include bespoke mitigation, and the SPD includes details on this within sections 5 and paragraph 3.14. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed. Adequate reviews and adjustments to the</p>

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				tariff are included within the SPD. No amendment proposed.
55	Mrs Charlotte Bailey	Resident	<p>Natural England is a partner in RAMS, which is hypocritical as they will inflict the England Coast Path on to the river. More publicity means more people walking in the fragile countryside and disturbing birds. Notices warning dog owners to keep dogs on leads are currently ignored and notices are removed from fences.</p> <p>Attempts to try to 'educate the public' will not work and the RAMS will not be able to avoid disturbing birds. Essex has been destroyed with over development. Perhaps included in Information Packs for new home owners a guide could be enclosed to try and educate people on how to behave in the countryside, and how to behave amongst birds &amp; animals.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.</p>
56	Mrs Jane Black	The Wivenhoe Society	<p>The calculated tariff does not appear to make any allowance for the need to set aside funding to cover costs in perpetuity but is set at a rate which just covers costs over the period 2019 to 2038 (plus 10% contingency)</p> <p>The proposed tariff is set at the same level regardless of dwelling size. The potential for recreational disturbance will depend on the increase in population so it would be fairer to relate the contribution to dwelling size.</p> <p>In table 3.2 the use class C2 is included. In Appendix 2 there is discussion of how student accommodation should be treated but there is no similar discussion for care homes. Care homes for the elderly are unlikely to generate much recreational disturbance, particularly water based. Consideration should be given to this use class and how an appropriate tariff, if any, should be calculated.</p> <p>Holiday caravan/chalet developments are not included in the list of use classes. Nor is other tourist accommodation. This is discussed in paragraph 3.11 but it is not made clear whether a financial contribution to the scheme will be required.</p>	<p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>The per dwellings tariff is evidence based and proportionate to the 'in-combination' effects identified i.e. those identified from accumulated housing growth in the ZOI. Each individual proposal is still required to address the specific effects on Habitats sites through project-level HRA/AA within the Zone of Influence, including recreational effects. At this stage effects resulting from dwelling size be addressed and mitigation recommended where necessary. This can however be</p>

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				<p>reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>Adequate reviews and adjustments to the tariff are included within the SPD. As explained in the RAMS Strategy Document, an in-perpetuity fund will be developed to ensure that mitigation will be delivered in-perpetuity. No amendment proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.</p> <p>Section 3.9 of the SPD states that, 'Other types of development, for instance tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an Appropriate Assessment as part of the Habitats Regulations. As part of this assessment any mitigation proposals (including those which address any</p>



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				recreational pressure) will need to be considered separately from this strategy and taken into account by the appropriate authorities.' No amendment proposed.
57	Mrs Heather Archer	Highways England	Having examined the consultation documents, we are satisfied that its policies will not materially affect the safety, reliability and / or operation of the Strategic Road Network. Highways England does not offer any comments on the consultation at this time.	Noted. No amendment required.
58	Mr Phill Bamford	Gladman	<p>We welcome the proactive and strategic approach that the 12 authorities have taken to addressing this issue and we support the tariff approach to developer contributions which will hopefully simplify the S106 process and ensure a fair and transparent process. However, in introducing the tariff approach, it is essential that all authorities test the level of contribution, alongside all their policy requirements contained in their Local Plans to ensure that the contributions are viable. The level of contribution has been tested through some of the Essex Authorities Local Plan Viability Assessments, but to ensure that the level of contribution is acceptable and will not affect the overall viability of sites, it must be tested through all of the emerging Local Plans for the remaining affected authorities. Should it be found through this process that the level of contribution would cause any of the Essex authorities viability issues, then amendments need to be made to either the specific Local Plan policy in the relevant Local Plan or to the Essex Coast RAMS SPD, to review the level of contributions so that sites remain viable.</p> <p>This issue also applies to the comment made in Paragraph 4.4 of the Draft SPD which states that the tariff will be reviewed periodically and republished as necessary. If the tariff is to be amended, then the proposed revised tariff cost must be below the top of the range of figures tested through the viability assessments of the various Essex authorities Local Plans. If it is proposed that the tariff would increase above the range of costs tested in those viability assessments, then this would trigger a review of the Local Plans affected.</p>	Planning Policy Officers from each of the 12 LPAs have been involved in the progression of the RAMS and SPD since its inception and are thus aware of the tariff introduced. The subject of viability in regard to the tariff can be explored within Local Plan examinations, where deemed relevant. No amendment proposed.

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59	Mr Michael Atkins	The Port of London Authority (PLA)	<p>It is noted that table 4.1. (The Essex Coast and RAMS toolkit) identifies several mitigation measures. Of these mitigation measures the 'provision of information and education' action area includes a requirement to provide information on the sensitive wildlife and habitats. Although we would encourage education to improve awareness, it must be done in such a way as to not encourage people to visit to see the features of designation such as the populations of overwintering birds.</p> <p>Also, within table 4.1, under the 'habitat creation' and 'monitoring' action areas; to note any habitat creation schemes and/or surveys taken place on the River Thames may require a River Works License with the PLA. The PLA requests to be contacted at an early stage with regard to any habitat restoration proposals within the PLA's jurisdiction. The PLA should also be included under the list of potential partners under the 'partnership working' action area.</p> <p>Within appendix 1 (Strategic Mitigation) it is noted that the mitigation packages for habitat creation and ground nesting bird projects are not proposed to start until year five of the timeline. The PLA considers that these types of projects should be identified at an earlier stage to ensure opportunities for such projects are not lost before any assessments take place.</p> <p>With regard to monitoring of the SPD, it is noted that an annual report will be provided to each LPA to inform individual Authority Monitoring Reports (AMR). The PLA requests to also receive the annual report to be kept update on the progress on the actions contained in the SPD.</p>	The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed. No amendment proposed.
60	Ms Alexa Burns	Emery Planning on behalf of the Williams Group	A blanket tariff does not seem to be a fair approach given that some locations within the Zone of Influence are up to 22 kilometres away from the relevant estuary and only within one Zone of Influence, whereas other locations are within a few kilometres of one or more estuaries and within the Zone of Influence of 5 estuaries. It is considered that a zoned tariff, based upon the number of Zones of Influence a site is within and the distance it is away from the Zone of Influence should be applied. Sites with a greater likely impact on the Zones of Influence will therefore pay a greater tariff and sites on the periphery of the Zones of Influence will pay less.	The RAMS sets out how the Zone of Influence was calculated, including using visitor surveys. 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. Additional surveys will improve

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			In addition, the 72,907 dwellings upon which the tariff figure is calculated appears to be an uncertain basis upon which to base the tariff. The reference to the fact that this figure is not definitive and will be subject to review requires clarification. When and how will these reviews take place and how will they be reflected within the SPD?	<p>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. No amendment proposed.</p> <p>The tariff is evidence based and proportionate to the 'in-combination' effects identified i.e. those identified from accumulated housing growth in the Zol. Each individual proposal is still required to address the specific effects on Habitats sites through project-level HRA/AA within the Zone of Influence, including recreational effects. At this stage, effects resulting from a proposal's proximity to the Habitats sites can be addressed and mitigation recommended where necessary. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. Adequate reviews and adjustments to the tariff are included within the SPD and will</p>

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				be undertaken annually in line with each LPA's requirement to publish an Annual Monitoring Report (AMR). No amendment proposed.
61	Heather Read	Natural England	<p>Essex Coast RAMS Supplementary Planning Document (SPD) - As mentioned, we understand that the aim of the SPD is to set out the procedures to facilitate the collection of financial contributions towards the identified mitigation measures. On this basis Natural England does not wish to offer substantive comments on SPD and the mechanisms outlined and generally supports its aims.</p> <p>Nevertheless, we would highlight the need for the SPD (and accompanying assessments) to accurately approach the requirements of the Habitats Regulations, such as the hierarchy of avoidance, mitigation and compensation, but also the terminology in terms of impacts. For example, paragraph 2.14 of the SPD refers to the delivery of mitigation to avoid likely significant effects, however the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites and we would advise clarification on this point. Natural England would also draw your attention to our previous advice on the provision of avoidance measures, such as well-designed open space/green infrastructure, within development boundaries for larger scale schemes (as per our letter reference 244199). We would continue to promote this approach and would suggest this is reflected within the framework of the SPD.</p> <p>Finally, we note the intentions of Appendix 2 which refers to the proportionate assessment for student accommodation. Whilst Natural England does not wish to comment specifically on this approach, we would emphasise the need for consistency with the housing figures used to calculate the tariff to ensure that there is no shortfall in overall funds of the mitigation package, which is otherwise the responsibility of the Competent Authority.</p> <p>Essex Coast RAMS SPD Habitats Regulations Assessment and Strategic</p>	<p>Amendments are proposed that reiterate the requirement for project-level HRA/AA of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.</p> <p>Amendments are proposed to the SPD and the Essex Coast RAMS SPD SEA/HRA Screening Report to clearly set out that the intention of Essex Coast RAMS mitigation to enable the conclusion of no adverse effect on the integrity of the international designated sites.</p>

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			Environmental Assessment Screening - In summary Natural England notes the undertaken assessment and we are generally satisfied with the conclusions of the SEA and HRA Screening report (August 2019), in that the SPD can be screened out for its requirement of Strategic Environmental Assessment and the conclusion of the Habitats Regulation Screening that no further assessment is necessary at this time. As above, we would emphasise the recognition of the aims of the Essex Coast RAMS mitigation in ensuring no adverse effect on integrity, rather than avoiding likely significant effects.	
62	Mr Mark De Roy	Landowner	<p>Because of 'Natural England's' 'Coast Path scheme (my land is 5 miles from the 'Coast') I now have to fence and subdivide my land to protect a multiple of commercial interests and personal garden and amenity areas. I have been told some simple signage may be made available? I will witness a massive increase in the disturbance by 'walkers', 'visitors' to important designated sites of wildlife protection and previously privately protected 'Semi Natural Ancient Woodland' with protected wildlife habitats.</p> <p>A new 'tax/charge' on new dwellings is doubling up on an existing 'Community Infrastructure Levy' further dissuading philanthropic land owners to undertake the provision of village low cost housing provision to help the locally born working in the countryside to live in it. If this is to go ahead, I would only support it if the fund is administered by my 'Local Authority' who have to answer to the residents of this area as to how that money is accounted for and used. I would not support this levy if unaccountable 'Agencies' and dubious 'Charities' are handed yet more landowners money to be mis-spent and wasted yet again.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment required. The England Coast Path is outside the scope of the SPD.</p> <p>The tariff will be collected and administered at the LPA level and development applications will continue to be determined by the LPA also. No amendment required.</p>
63	Mr Gary Guiver	Tendring District Council on behalf of various key stakeholders with an interest in this project	<p>I am writing on behalf of Tendring District Council in response to the consultation exercise for the Essex Coast Recreation Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) to express some of the comments, issues and concerns raised to me by various key stakeholders with an interest in this project.</p> <p>Fundamental concerns have been expressed locally about any strategy or intervention that curtails or restricts the potential for residents and visitors to access and enjoy the coast and which would therefore diminish Tendring's</p>	In ensuring that residential development can be permitted without the determination that there would be resultant significant effects on the integrity of Habitats sites due to recreational disturbance, the tariff can enable growth in Tendring. Many development proposals

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			<p>potential for tourism, economic growth and a healthy resident population.</p> <p>Examples of the more specific concerns and suggestions raised by local stakeholders with unquestionable knowledge of their area (particularly Hamford Water) are summarised as follows:</p> <ul style="list-style-type: none"> <li>• That the money raised through RAMS contributions should not dissuade philanthropic land owners wishing to release land for the provision of low-cost housing for people born locally to live and work in the countryside.</li> <li>• That the RAMS contributions secured from developments in the Tendring area should be controlled and administered only by Tendring District Council as the local authority directly answerable to the landowners, businesses and residents affected. They should not be handed to a potentially unaccountable and faceless body.</li> <li>• The area termed Hamford Water is not, as the documentation suggests, a natural habitat. Instead it is a largely man-made environment that requires constant maintenance, dredging and management to avoid siltation caused by the grass and seaweeds growing in the water, which would otherwise rapidly turn into dried out marsh – as can already be witnessed at Hamford Water.</li> <li>• Whilst the emphasis of the documentation seems to major on birds, the whole chain of natural life requires far closer investigation – e.g. shellfish in Hamford Water (which have been poisoned by human e-coli through the release of sewage from Kirby and Bath House Meadows pumping stations); and sea mammals including seals and porpoises.</li> <li>• There are significant and important other Statutory Bodies with strong legal and commercial interests in Hamford Water including the Harwich Harbour Authority (who has control over the navigation and who collect Port Dues for shipping movements to Bramble Island); and Crown Estates, who own most of Hamford Water below the low tide level.</li> </ul>	<p>related to tourism, economic growth and health are exempt from the tariff.</p> <p>Tendring District Council, as one of the partner LPAs, will be accountable for the collection of the tariff and implementation of the mitigation measures in the Tendring District Council area. Section 6.3 of the SPD states that, 'A representative from each of the partner LPAs, together forming 'The RAMS Steering Group', shall work with the Essex Coast RAMS team...'</p> <p>The RAMS and SPD are related only to the effects of recreational disturbance on those wildlife designations that are classified as 'Habitats sites' of which some of the most significant are within Tendring District, such as Hamford Water and the Stour Estuary. At the Essex Coast these are predominantly designated due to birds. Other effects from development proposals would be explored at the development management stage, in line with requirements for project-level HRA/AA, ecology assessments and Environmental Impact</p>

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			<ul style="list-style-type: none"> <li>• Hamford Water has been able to manage itself and the wildlife present to a very high standard, without the need for draconian legal powers and without constant surveillance. The Hamford Water Management Committee already supervises the area at nil cost to anyone except the organisations that willingly contribute – however this body nor any of its members are mentioned once in the RAMS documentation.</li> <li>• The level and nature of monitoring being proposed in the documentation are likely to have little worth, if it is anything like the level of evidence in the report. For example, it is said that the launching of Jet-Skis will be prohibited by legislation at Titchmarsh Marina and in the area around Mill Lane in Walton – yet there is no Jet-Ski activity in Hamford Water and launching is already not permitted at Titchmarsh Marina, Walton &amp; Frinton Yacht Club or at the Walton Town Hard. Jet-Skis do launch from Dovercourt Bay.</li> <li>• Additionally proscribing Jet-Skis totally is contrary to the United Nations Charter of the Seas and Freedom of Navigation to which the UK is a signatory; applying to all coastal areas that do not dry out at low-tide.</li> <li>• It is suggested that people walking on the salt-marsh in the south-eastern corner of Hamford Water is causing significant damage, but without any evidence or detail of the alleged activity. In the last 55 years, little if any such activity has occurred and the only places of access in the south eastern area where the foreshore is accessible are at Island Lane and Foundry Creek where one would sink into soft mud if any such activity was tried.</li> <li>• The documentation states that the Naze are part of the Nature Reserve where wildlife is being affected by people walking there with dogs off their leads – but this area is owned by Tendring District Council having been sold to its successor (the Frinton and Walton Urban District Council) by Essex County Council on the condition it remained a public area with unrestricted public access in perpetuity. There is little wildlife to be found on the Naze other than</li> </ul>	<p>Assessments (EIA) where relevant and required of proposals at the LPA level.</p> <p>The Essex RAMS toolkit includes, within the 'education and communication' Action Area, direct engagement with clubs and relevant organisation. The implementation of this can begin once the Delivery Officer is appointed. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>Moreover, all measures will be actioned meaning that contributions will fund this project. Because contributions are from within the zones of influence, there is no prospect of funding being diverted away from areas that require the greatest protection.</p>



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			<p>Muntjac, a few rabbits and various gulls.</p> <ul style="list-style-type: none"> <li>• Imposing restrictions on the lawful peaceful use of the area around Hamford Water is unwarranted and could prove to be counterproductive. Bird surveys conducted by the local Warden show consistent healthy increases in the bird population.</li> <li>• It should be questioned why the Environment Agency licence to the blowing of eggs of the Lesser Black Backed Gull on Hedge End Island – as this is clearly a man-made intervention that favours certain forms of biodiversity over others and supports the view that Hamford Water is man-made, as opposed to a natural, environment.</li> </ul>	
64	Ms Emma Wreathall	Bradwell Power Generation Company Limited	<p>Given the position of national policy, it is considered appropriate that the Essex Coast RAMS SPD recognises Bradwell as a potentially suitable site for a new nuclear power station. Essex County Council and Maldon District Council both recognise the Bradwell B power station (BRB) as a significant infrastructure project within Essex county and which reaffirms the need to take the Project into account within the new Essex Coast RAMS SPD.</p> <p>The spatial extent of the Zone of Influence for the Essex Coast RAMS (Figure 3.1) includes the Bradwell B nomination site boundary. It therefore follows that BRB GenCo has an interest in the RAMS proposals which may be of relevance in the context of the Environmental Impact Assessment (EIA) and HRA studies that it will need to complete to support a Development Consent Order application (and other regulatory consents) for a proposed nuclear power station.</p> <p>BRB GenCo has initiated a programme of baseline surveys to characterise the abundance distribution and behaviour of birds within a potential Zone of Influence of the proposed power station site. In due course, the results of these surveys will inform the EIA and HRA for the development. This survey work can make a contribution to the evidence base that is available to inform the targeting and deployment of mitigation measures to ensure that they are</p>	Noted. The implementation of specific communication and any joint-working can begin once the Delivery Officer is appointed. No amendment proposed.

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			<p>proportionate and appropriate given the range of pressures that may be prevalent as a result of new development proposals (either alone or in-combination).</p> <p>BRB GenCo looks forward to the opportunity to continue working with key stakeholders to ensure that effects arising from other developments can be taken into account during the forthcoming EIA and HRA studies for the Bradwell B Project.</p>	
65	Mr Matt Verlander	Avison Young on behalf of the National Grid	We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.	Noted. No amendments proposed.
66	Ms Michelle Curtis	Tollesbury Parish Council	<p>It is difficult for the Parish Council to be brought in at this late stage. Especially as we are not even listed under partnership working whereas 'local clubs and societies' are. Had we been included we would have shared our local knowledge which would have shown you that 'aerial disturbance' (page 38) was not the only form of disturbance present in the parish.</p> <p>On page 44 (also page 102 A10.5) we feel that the discussion of mitigation options is rather limited and your concentration on Maldon should possibly be reviewed. Has not the District Council established Tollesbury as an access hub for the estuary?</p> <p>On page 52 under Habitat Creation, your comment that artificial islands 'may' fit in the Shoreline Management Plan (SMP). From our experience, having the largest artificial island in the Blackwater in the Parish, they do fit in with the SMP so we suggest the word 'may' is removed.</p> <p>It is of concern to the PC that the governance of this whole project is still being discussed (page 68) with no reference to any feedback from local sources of information. This project is apparently to run until 2038. Might there not be some value to some two-way communication and representation with Parish Councils to ensure that the project remains fit for purpose?</p>	A consistent approach was adopted in collecting information to establish the RAMS baseline. The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed, as is the implementation of the RAMS in practice. No amendment proposed.

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67	Ms Heather Biner	Resident	The new Local Plan is unsound. The congestion around this area is already unacceptable. The roads cannot handle an increase in traffic especially at rush hour. The pollution levels in some places are already at dangerous levels. Some parts of the area are already at risk of flooding. The GPs, hospitals, schools and other services are already stretched to breaking point. The infrastructure is not in place, nor is the space to add it. As well as the detrimental affect it would have on our wildlife and precious natural spaces.	Noted. The Maldon Local Plan was found to be sound in 2017 and was approved by the Secretary of State in July 2017. These comments are related to the Local Plan in question rather than the SPD. No amendments proposed.
68	Mr Shane Robinson	The British Association for Shooting and Conservation (BASC)	<p>The Birds Directive fully recognises the legitimacy of hunting of wild birds as a form of sustainable use. Wildfowling is an activity that provides significant social, cultural, economic and environmental benefits in the UK. Wildfowling clubs also have a longstanding reputation for their conservation activities. Their understanding of the sites they manage and willingness to work together to the greater good of the site should be embraced.</p> <p>BASC is concerned that the creation of new residential development along the Essex Coast will lead to increased visitor pressure on designated sites. Wildfowling clubs own and lease saltmarsh and foreshore along the Essex Coast.</p> <p>Wildfowling along the Essex Coast is consented by Natural England and has already been approved as having no likely significant effect on the features of designated sites. We are concerned that the proposed mitigating measures in the consultation documents will not address increased visitor pressure associated with new residential development along the Essex Coast.</p> <p>We are concerned that when new residential development inevitably leads to increased visitor pressure that regulated activities such as wildfowling will be targeted as a means of addressing failures with RAMS. Bye-laws restricting walking and walking with dogs could mitigate increased visitor pressure.</p> <p>Preventing or restricting any further residential development along the Essex Coast is the most appropriate means of mitigating increased visitor pressure.</p>	The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed, as is the implementation of the RAMS in practice. Distribution of housing growth is a matter for LPA Local Plans. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			We would like to meet with the RAMS team as soon as possible to discuss our concerns and those of wildfowling clubs with you.	
69	Ms Annie Gordon	Essex Wildlife Trust	<p>We wish to register our concern that neither Essex Wildlife Trust, the RSPB or the National Trust were included in the steering group for the development of the RAMS project. All three Non-Governmental Organisations have significant coastal landholdings either including, or directly adjacent to, Habitats sites.</p> <p>While we accept that this strategy is now widely advocated, there is a notable lack of evidence to support the assertion that the strategy is effective. It remains unclear and uncertain as to whether the proposed mitigation will be deliverable and whether it can be guaranteed for the long term. Using a precautionary approach, we therefore cannot agree with the HRA conclusion of no 'Adverse Effects on Integrity' (AEOI) of Habitats sites and their features of interest. There is no basis in evidence to support this conclusion. Endorsement of the strategy by Natural England is not, in itself, a guarantee of its effectiveness. Natural England is subject to the "Growth Duty" under Section 108 of the Deregulation Act 2015. This means it is required to have regard to the desirability of promoting economic growth and must consider "the importance for the promotion of economic growth of exercising the regulatory function in a way which ensures that regulatory action is taken only when it is needed, and any action taken is proportionate."</p> <p>We wish to point out that the precautionary principle needs to be applied as one of the three tests of the Habitats Regulations. There is no reference to this fundamental principle in the Essex RAMS document. Instead the strategy refers to pragmatism; we have serious concerns that economic "pragmatism" may be used to undermine the protection of internationally important habitats and species. The Essex RAMS should be based on a precautionary approach; to do otherwise risks facilitating development that does not meet the criteria for sustainability.</p> <p>In respect of personal watercraft we are of the opinion that a published Code of Conduct will fail to deliver the much-needed change in behaviour. We do not accept the claim that this strategy will be an effective measure against</p>	<p>The RSPB and EWT were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>The need for and focus of the Essex RAMS has stemmed from the recommendations of the LPAs' Local Plan HRA/AAs and is not a document that needs to meet the Habitats Regulations Assessment regulations in and of itself. Section 2.15 of the SPD sets out that, 'the RAMS approach is fair and seeks to mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>personal watercraft misuse. A much more robust package of enforcement measures is needed to address this issue.</p> <p>Table 6.2 Potential for disturbance of birds in Hamford Water states that: "Skippers Island has regular visits by a volunteer warden who speaks to visitors" - We wish to point out that the current Skipper's Island warden is a volunteer who is only onsite occasionally (once a month on average).</p> <p>"The Colne Point is wardened and as such is likely to be resilient to increased visitor impacts" - Once again, the warden of Colne Point is only onsite occasionally; for most of the time the site is not patrolled. It is false to claim that Colne Point has resilience to increased visitor impacts.</p> <p>"St Osyth Stone Point and Brightlingsea Creek is another area where potential conflict could take place, however these areas are relatively remote" - St Osyth Stone Point is not remote, it is the pick-up point for the Brightlingsea Foot Ferry and therefore has a relatively high footfall when the ferry is running during the Spring and Summer season.</p> <p>In conclusion, while we recognise the need for the RAMS, we are of the opinion that the current iteration of the strategy is flawed and does not fully accord with the principles underpinning the Habitats Regulations. In its current form there are unsubstantiated claims of effectiveness, a failure to adopt the precautionary approach and a lack of robustness in some of the mitigation measures proposed. We would urge that these matters are addressed, and the revised version subjected to further consultation.</p>	<p>at a level consistent with the level of potential harm. It also obeys the 'precautionary principle'. Existing visitor pressure at Habitats sites would be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the project HRA'. No amendment proposed.</p> <p>Once appointed, the Delivery Officer will engage with local key stakeholders on the implementation of the project. No amendment proposed.</p>
70	Mr Barrie Stone	Resident	Wildlife mitigation on Wallasea Island has already been done.	Noted. No amendment proposed.
71	Ms Anna Roe	Ipswich Borough Council	Regarding Figure 3.1 which shows the Zones of Influence for the Blackwater Estuary, Stour Estuary and Hamford Water stretching into the Suffolk Coast RAMS area. I am concerned that this could be confusing for developers of new dwellings in south Suffolk, as it implies that a contribution is required to the Essex Coast RAMS, in addition to the Suffolk Coast RAMS. Can I please	An amendment to the relevant map in the SPD and RAMS is proposed, which will remove all areas of Suffolk from the Zone of Influence.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			request that figure 3.1 is amended to clarify that the Essex Coast RAMS tariff area stops at the Essex border, I attach a map of the Suffolk Coast RAMS Zone of Influence to illustrate my point.	
72	Mr Sam Hollingworth	Strutt & Parker on behalf of the Chelmsford Garden Village Consortium	<p>The RAMS SPD does not appear to acknowledge the difference between the delivery of homes, and population increase. All three of the tests within Regulation 122 of the CIL Regulations must be met when requesting contributions. As such, it is essential that the RAMS SPD will only require contributions to be made where they are to mitigate impacts which inter alia are directly related to the development in question. They cannot be used simply to address an existing situation, or a situation that would arise irrespective of the development in question. It is therefore necessary to distinguish between the impacts of development and those that are simply of population increase which would have occurred regardless.</p> <p>The total number of new homes planned within the combined Zone of Influence does not reflect the total number of new homes required to meet the projected population growth. A number of Essex Local Planning Authorities' strategic housing policies are out-of-date, and do not meet current projection and household projections. By formulating a strategy based on mitigating population growth, but then introducing a per-dwelling charge to fund this based on current allocations which are not sufficient to meet this population growth, the current allocations will be required to make a disproportionately large contribution to the mitigation.</p> <p>We note reference in Table 2.3 to the brief for the preparation of the RAMS that this included identifying measures that have already been funded and providing details in respect of current funding mechanisms. Separately, we note reference at paragraph 6.6 of the RAMS the potential for Local Planning Authorities to identify mitigation measures to be provided through separate funding streams, citing the Local Growth Fund and Local Enterprise Partnership. However, the RAMS appears to conclude that full costs of the mitigation strategy (plus a further 10% contingency allowance) be borne by new developments, without explaining how alternative sources of funding have been explored.</p>	<p>It is proposed that an amendment explaining more clearly the relationship between the effects of a population increase resulting from net new dwelling increases is included within the SPD.</p> <p>The extent of each Local Plan's housing growth has been identified consistently, for the purposes of the RAMS and SPD, for all LPAs in determining a total number of new dwellings. The cost of mitigating the impact of 72,907 homes is £8,916,448.00. Section 4.7 of the SPD acknowledges that 'this figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.' If more homes are built there will be a greater impact and so additional mitigation, funded by developer contributions, will be required. If less homes are built there will be less of an impact that that expected and so less mitigation will be required.</p> <p>The Chelmsford Local Plan 2013-2036 which includes the policy</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>The PPG2 confirms that policies on planning obligations should be set out in plans and examined in public, and informed by a proportionate assessment of viability. It goes on to expressly state that Supplementary Planning Documents should not be used to set out formulaic approaches to planning obligations, as these would not be tested through examination. We consider that the RAMS SPD should take a far less negative stance in respect of alternatives to simply making a financial contribution, and it would benefit from providing further guidance and/or flexibility to those wishing to implement alternatives. Furthermore, by addressing such alternatives, this will help ensure that it is consistent with emerging Local Plan policies which, as already discussed, acknowledge there may be situations where it would be inappropriate to require financial contributions to RAMS.</p> <p>There is a concern, as a matter of principle, that seeking contributions from developers to mitigate the impact of activity being actively promoted by others is questionable.</p> <p>In terms of how costs have been calculated, it is unclear what assumptions have been made in respect of overheads on top of salary costs for the staff identified as being needed. We suggest that, in the interests of transparency, this should be clearly set out. We suggest that the RAMS SPD needs to carefully consider whether it is indeed actually the case that all items proposed to be funded through developer contributions are necessary to make development acceptable in planning terms.</p>	<p>requirement for the RAMS, has been found 'sound' by an independent Planning Inspector.</p> <p>The tariff can only be applied to applications from a base date and cannot be collected retroactively on consented proposals despite some proposals being included within Local Plans. Consented proposals help define the baseline position, and the suite of mitigation costed and included within the SPD in Appendix 1 is suitable to both address these effects as well as those of unconsented proposals without exponentially increasing the costs of the mitigation package. A proposed amendment setting out this position more clearly is proposed.</p> <p>Bespoke alternatives to the tariff approach will be considered at the development management stage to ensure they are proportionate and suitable on a case-by-case basis. Alternative sources of funding for the mitigation package have not been explored as it is not considered appropriate for funds to be diverted from other sources when the HRA/AAs of the</p>



No.	Name	Organisation	Main Issues Raised	Response / amendment required
				<p>LPA Local Plans has associated the significance of the in-combination effects the RAMS seeks to mitigate directly to new housing growth. No amendment proposed.</p> <p>It is a requirement of the Habitats Regulations Assessment Regulations that 'in-combination' effects are considered. Other schemes not related to Local Plans growth will be subject to their own HRA/AA requirements if relevant. No amendment required.</p> <p>Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD.</p>
73	Hannah Thomas-Davies	DWD Property + Planning on behalf of Countryside	<p>We consider that the SPD should provide more detailed wording to confirm the process for defining an alternative to paying into the RAMS. We consider that the SPD would be more effective if it clearly set out the process for agreeing bespoke mitigation for strategic sites. The SPD seeks the mitigation to the Essex Coast SPAs by one method, the payment towards a mitigation fund, however, strategic sites offer alternative methods to attain the protection of the Coastal SPAs from recreational use.</p> <p>Paragraph 3.9 make reference to tourist accommodation and states it 'may be likely to have significant effects on protected habitat sites. We do not consider this is an acceptable description of the potential impacts of tourist accommodation on the coastal SPAs. Rather than leaving this to a case-by-case assessment, the SPD should include measures to mitigate tourist</p>	<p>Bespoke alternatives to the tariff approach will be considered at the development management stage to ensure they are proportionate and suitable on a case-by-case basis. Appropriate alternatives could take various forms and are likely to differ from case to case. For this reason, developers of strategic sites are encouraged to engage with the relevant LPA for specific guidance on what is considered appropriate.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>development on the coastal habitat as well as the recreational pressure posed by residential development.</p> <p>Further clarification is required detailing how the total number of dwellings figure of 72,907 was calculated. Appendix 1 provides a transparent breakdown of the mitigation package costed for 2018-2038, however the calculation used to determine the number of homes to be delivered is not clear. We are concerned that the 72,907 figure underestimates the potential number of homes delivered by the 12 LPAs within the period to 2038. By using a correct, much higher, figure of additional housing this would have the effect of reducing the tariff per property levied.</p> <p>The cost of mitigation has not been included as a planning policy requirement in recent Local Plan viability assessments. This additional cost burden brought forward by the councils late in the Local Plan process will mean that viability assessments of individual applications may become necessary to demonstrate whether or not the additional cost burden can be viably delivered.</p> <p>We consider that the calculation of housing numbers should be made more transparent, providing a description for each local authority of how the total housing figure has been calculated. This should include references to adopted and emerging development plan documents which have formed the figure.</p>	<p>The RAMS and SPD has been devised specifically to address the effects of Local Plan growth within the LPA areas. As ensuring a sufficient supply of dwellings through Local Plan periods is a requirement of Local Plans, including tourist accommodation proposals is not. As such, the effects of mitigating tourist accommodation, within the remit of the SPD, is considered best addressed on a case-by-case basis as and when applications for such proposals are submitted. No amendment proposed.</p> <p>The extent of each Local Plan's housing growth has been identified consistently, for the purposes of the RAMS and SPD, for all LPAs in determining a total number of new dwellings. Section 4.5 of the SPD acknowledges that 'this figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.' No amendment proposed.</p> <p>The subject of viability in regard to the tariff can be explored within Local Plan examinations, where</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				deemed relevant. No amendment proposed.
74	Unknown	The British Association for Shooting & Conservation (BASC)	<p>The proposed mitigating measures will not address increased visitor pressure associated with new residential development along the Essex Coast. Please provide BASC with evidence of how the proposed mitigation measures will be successful in mitigating the impact of increased visitor pressure.</p> <p>Please provide information to BASC on the areas that have been identified and permissions granted to allow this work to be undertaken prior to planning consent being granted.</p> <p>Any new car parks must be located away from sensitive areas and local byelaws must be introduced to restrict the public from walking and walking with dogs. Adequate regulation and enforcement must be in place prior to planning being approved.</p> <p>No evidence has been provided on how the employment of a ranger will be sufficient mitigation for the impact of increased visitor pressure on breeding and overwintering wildfowl. Please provide BASC with information on the inclusion of the ranger's work in the HRA process.</p> <p>Please provide BASC with written confirmation that when increased visitor pressure is caused by new residential development that this will not result in additional "in combination" effects with existing wildfowling consents. We are concerned that when new residential development inevitably leads to visitor pressure increases that regulated activities such as wildfowling will be targeted as a means of addressing failures with RAMS.</p> <p>Representatives of wildfowling clubs along the Essex Coast must be included in the proposed partnership approach. Merely stating that there will be some creation of salt marsh etc. will not be sufficient for an HRA process. Please provide information to BASC on the actions that would need funding.</p>	<p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>All partner LPAS have approved the RAMS. Relevant committee reports can be found on LPA websites.</p> <p>The employment of Rangers follows best practice established by existing RAMS projects and verified by Natural England through their input into the RAMS thus far. It can be considered that many of these points made can be considered by the Delivery Officer, once in post. This will include monitoring of the effectiveness of the mitigation as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>'In-combination' effects are those that are identified through exploring the individual effects of those HRA/AAs undertaken for any plan or project in the area that would require compliance with the Habitats Regulations Assessment. This would include</p>

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			<p>Permissions must be sought, projects must be highlighted, and plans put in place to ensure they are able to meet the conservation objectives required to mitigate the original issue.</p> <p>The HRA must include maximum permissible occupancy of those dwellings as it is the individuals within the dwelling that will increase the visitor pressure, not the dwelling itself. A precedent has been set that every application needs to be looked at on its individual merit. A blanket policy would be unlawful.</p> <p>Wildfowling actively warden the area's they manage along the Essex Coast. Funding from RAMS should be allocated to wildfowling clubs to employ club representatives to assist with direct engagement with the public. Please add wildfowling clubs as key partners in the RAMS.</p> <p>A severe weather policy must be drafted to use bye-laws to restrict the public from walking or walking with dogs during periods of severe weather. See the Joint Nature Conservation Committee Severe Weather Policy as a reference point.</p> <p>Preventing or restricting any further residential development along the Essex Coast is the most appropriate means of mitigating increased visitor pressure.</p>	<p>qualifying planning applications or development plans. Should an 'in-combination' effect be identified, it would be the responsibility of the new proposal to provide mitigation, not existing consented developments or activities.</p> <p>It is not considered possible to calculate, or appropriate to assume, dwelling occupancy with any degree of accuracy; hence the proposed blanket tariff being applicable per net new dwelling. The tariff as proposed, will ensure that the required mitigation can be delivered to enable housing growth. No amendment proposed.</p> <p>All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. Each LPA Local Plan will include locational criteria-based policies to determine where growth will be permitted. No amendment proposed.</p>





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Report of	Assistant Director of Place and Client Services	Author	Karen Syrett ☎ 506477
Title	Consultation on proposals for reform of the planning system and changes to national planning policy and regulations.		
Wards affected	All		

## 1. Executive Summary

1.1 On the 6<sup>th</sup> August the Government published two documents which are intended to reform the planning system. This report summarises the content of the documents and is intended to stimulate debate and help inform the Councils response to the consultations.

### 1.2 Planning for the Future

This consultation proposes reforms of the planning system to ‘streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed.’

### 1.3 Changes to the Current Planning System

This consultation sets out proposals for measures intended to improve the effectiveness of the current planning system. The consultation paper sets out short-term changes to the current planning system to be implemented during the transition period towards more fundamental changes that are contained within the White Paper (Planning for the Future). The 4 main proposals are:

- changes to the standard method for assessing local housing need
- securing of First Homes through developer contributions in the short term until the transition to a new system
- supporting small and medium-sized builders by temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing
- extending the current Permission in Principle to major development

## 2. Recommended Decision

2.1 To provide comments on the consultation documents which will feed into a response from the Council.

## 3. Reason for Recommended Decision

3.1 The consultation provides an opportunity to make representations on proposed changes to the planning system in England.

## 4. Alternative Options

4.1 Not to comment on the White Paper and other documents.



## 5. Background Information

- 5.1 The first document published earlier this month is **Planning for the Future** – a White Paper. Although excellence in Planning is recognised, the Government suggest it is hindered by a number of problems;
- The system is too complex
  - Planning decisions are discretionary rather than rule based
  - It takes too long to adopt a Local Plan
  - Assessments of housing need, viability and environmental assessment are too complex and opaque
  - It has lost public trust and consultation is dominated by the few willing and able to navigate the system
  - The process still relies on documents and not data – its based on 20<sup>th</sup> century technology
  - The process of developer contributions to affordable housing and infrastructure is complex, protracted and unclear and causes delay
  - There is not enough focus on design and little incentive for high quality
  - Not enough new homes are built.
- 5.2 There are a number of proposals intended to address ‘the underlying weaknesses’ in the planning system which are split into three Pillars;
1. Pillar One – Planning for development
  2. Pillar Two – Planning for beautiful and sustainable places
  3. Pillar Three – Planning for infrastructure and connected places.
- 5.3 Planning Resource has identified 28 key proposals:
1. Local plans would be simplified and focus on identifying three categories of land – "growth areas" that are "suitable for substantial development"; "renewal areas" that are "suitable for development"; and "protected areas". In "growth areas", outline approval would be automatically granted for forms and types of development specified in the plan. Development in renewal areas would "cover existing built areas where smaller scale development is appropriate" and could include the "gentle densification" of residential areas, development in town centres, and small sites in and around villages. There would be a "statutory presumption in favour of development" specified in the plan. Protected areas, including green belt, conservation areas and Areas of Outstanding Natural Beauty (AONBs), would still be subject to "more stringent" development controls and full planning applications would be required for new schemes.
  2. Local plans should be subject to a single and "simplified" statutory "sustainable development" test, replacing the existing "tests of soundness". This new test "would consider whether the plan contributes to achieving sustainable development in accordance with policy issued by the secretary of state", the consultation states. The test could also "become less prescriptive about the need to demonstrate deliverability".
  3. Instead of general policies for development, the document says, local plans would be required to set out site and area specific requirements for development, alongside locally-produced design codes. The National Planning Policy Framework (NPPF) "would become the primary source of policies for development management".
  4. The legal duty to cooperate, which requires local planning authorities to continuously and effectively engage with neighbours on strategic issues such as

- housing need, "would be removed". However, it adds that "further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges".
5. The government is considering scrapping the five-year housing land supply requirement. The document says its "proposed approach should ensure that enough land is planned for, and with sufficient certainty about its availability for development, to avoid a continuing requirement to be able to demonstrate a five-year supply of land". However, it proposes to "maintain the housing delivery test and the presumption in favour of sustainable development as part of the new system".
  6. Councils and the Planning Inspectorate would be required through legislation to meet a statutory timetable of no more than 30 months for plan preparation with "sanctions for those who fail to do so". The average time taken from plan publication to adoption rose from an average of 450 days in 2009 to 815 days in 2019, the paper states, while there is "currently no statutory requirement around timescales for key stages of the plan-making process".
  7. The need for sustainability appraisals alongside plans would be abolished and instead a "simplified process for assessing the environmental impact of plans, which would continue to satisfy the requirements of UK and international law and treaties".
  8. Local plans would need to be "visual and map-based, standardised, based on the latest digital technology and supported by a new standard template", the document says.
  9. The planning process would be increasingly digitised, moving from "a process based on documents to a process driven by data". Local authorities would be helped to use digital tools to support "a new civic engagement process for local plans and decision-making".
  10. Under a proposed new "fast-track for beauty", proposals for high-quality developments that reflect local character and preferences would benefit from "automatic permission". New development would be expected to create a "net gain" to areas' appearance.
  11. Design codes, which would be expected to be prepared locally, would be made "more binding" on planning decisions. A new body would be established to support the delivery of design codes across the country.
  12. The standard housing need method would be changed so that the requirement would be "binding" on local planning authorities who would "have to deliver [it] through their local plans". The new method "would be a means of distributing the national housebuilding target of 300,000 new homes annually". It says the requirement would be focused on areas where affordability pressure is highest and on brownfield land. It would also have regard to the "size of existing urban settlements" in an area and the "extent of land constraints". (See below – although there is a consultation on the new methodology, it is not clear how it will be calculated).
  13. A new 'single infrastructure levy' will replace the existing developer contributions system of section 106 agreements and the community infrastructure levy. The government says the new levy will be a nationally-set, flat rate charge and would be based on the final value (or likely sales value) of a development. It says it intends the new levy to raise more revenue than under the current system of developer contributions, and deliver "at least as much" affordable housing, and on-site affordable housing, as at present
  14. The new levy could be used to "capture a greater proportion of the land value uplift that occurs through the grant of planning permission and use this to enhance

- infrastructure delivery. But such a move "would need to be balanced against risks to development viability".
15. The scope of the levy "could be extended to capture changes of use through permitted development rights". Such a move "would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community.
  16. Big building sites would be split between developers to accelerate delivery. The government proposes to revise the NPPF to make it clear that masterplans and design codes for sites prepared for substantial development should seek to include a variety of development types from different builders, which would allow more phases to come forward together.
  17. Community consultation at the planning application stage is to be "streamlined". Instead, there would be "a new emphasis on engagement at the plan-making stage", the document says.
  18. The determination of planning applications "should be faster and more certain, with firm deadlines". The "well-established time limits of eight or 13 weeks for determining an application from validation to decision should be a firm deadline – not an aspiration which can be got around through extensions of time as routinely happens now".
  19. Applications should be "shorter and more standardised". There should be just "one key standardised planning statement of no more than 50 pages to justify the development proposals", the paper proposes.
  20. Penalties for councils that fail to determine an application within the statutory time limits could involve "the automatic refund of the planning fee for the application". Ministers also "want to explore whether some types of applications should be deemed to have been granted planning permission if there has not been a timely determination."
  21. Where applications are refused and the decision is overturned at appeal, the paper proposes that "applicants will be entitled to an automatic rebate of their planning application fee".
  22. Each local planning authority would be required to have a chief officer for design and place-making.
  23. Fees should continue to be set nationally but "cover at least the full cost" of processing applications, "based on clear national benchmarking". It added that this "should involve the greater regulation of discretionary pre-application charging to ensure it is fair and proportionate".
  24. The costs of operating the planning system should be "principally funded" by developer contributions "rather than the national or local taxpayer". Currently, the document says, "the cost of development management activities by local planning authorities is to a large extent covered by planning fees". However, the "cost of preparing local plans and enforcement activities is now largely funded from the local planning authority's own resources".
  25. The government has promised to "develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms". Proposals for "improving the resourcing of planning departments" will be published "later this year", it adds.
  26. The paper promises a "deep dive regulatory review to identify and eliminate outdated regulations which increase costs for local planning authorities, especially to the decision-making process".
  27. Councils "should be subject to a new performance framework which ensures continuous improvement across all planning functions from local plans to decision-making and enforcement – and enables early intervention if problems emerge with individual authorities".

28. Consultation on the white paper proposals run for 12 weeks until October 29. The suggested changes to local plans, developer contributions and development management "would require primary legislation followed by secondary legislation". Ministers "would expect new local plans to be in place by the end of the Parliament". Any policy changes, including to set a new housing requirement, would be implemented by updating the National Planning Policy Framework in line with the new legislation.

#### 5.4 **Changes to the Current Planning System**

This document concerns changes to planning policy and regulation. It focuses on four main areas which are detailed below;

1. The standard method for assessing housing numbers in strategic plans
2. Delivering First Homes
3. Supporting small and medium sized developers
4. Extension of the Permission in Principle consent regime

#### 5.5 **Assessing Local Housing Need** – the consultation is seeking views on changes to planning practice guidance on the standard method for assessing local housing need ("the standard method"). The standard method provides the starting point for planning for housing and does not establish the housing requirement.

It is the Government's intention that the method set out in this document would form part of the process for setting any binding housing requirement. However, this consultation does not set out how this binding requirement would be calculated, which will be determined following the Planning for the Future consultation. Instead, it proposes a revised standard method for calculating local housing need which will be used as the basis for plans created prior to any changes outlined in Planning for the Future being introduced.

Adopted local plans, where they are in place, provide for 187,000 homes per year across England –significantly below the Governments ambition for 300,000 new homes annually. The Government has based the proposed new approach on a number of principles for reform. These include ensuring that the new standard method delivers a number nationally that is consistent with the commitment to plan for the delivery of 300,000 new homes a year, a focus on achieving a more appropriate distribution of homes, and on targeting more homes into areas where they are least affordable.

The standard method results in a local authority-wide number that needs to be planned for. The local area then decides how and where in their authority that need is best met in accordance with national policy. The supporting policy is not the subject of this consultation, but wider reforms proposed in the Planning for the Future consultation are focusing on how land supply policies would operate going forward. As such, this standard method provides the starting point and not the final housing requirement.

The Government's new method, incorporates stock into the baseline (as well as household projections) to help achieve a 'fair share' approach; this helps boost numbers in areas with low projections. It also puts a greater emphasis on the uplift for affordability and removes the cap which exists under the current approach, stating it is 'not compatible' with the aim of boosting housing supply quickly. These changes mean a new national total of 337,000 homes a year – far higher than the 270,000 under the current approach.

The White Paper proposes to replace the Standard Method for Local Housing Need with a nationally-set method for setting local housing requirements, in effect distributing 300,000 homes per annum across local authorities, taking into account constraints and other factors.

Planning consultancy Litchfields has compared how the new proposed method compares to current local plans, recent housing delivery, and the current method. For Colchester this produces the following figures;

	Current LP target	Average delivery (last 3 years)	Current standard method	Proposed standard method
CBC	864	1045	1078	1612

These calculations are based on the proposed standard method consultation guidance paragraphs 23 to 39. Step 1 - Baseline figure is whichever is higher of 0.5% of stock (based on MHCLG Live Table 125, unrounded, for 2019, see para 26/footnote 11 of the guidance) or the latest household projections (2018-based, as per ONS Live Table 406 with the current year [2020] being used as the starting point and over a 10 year period [2020 to 2030] as per paras 23 and 27). Step 2 – Affordability uplift is based on formula in para 30 of the guidance, using ratio for the most recent year for which data is available (2019, as per para 29) and change over the last 10 years of published data (2009 to 2019, para 29). No cap is applied, in line with para 39 of the guidance.

Following the outcome of this consultation, the Government will update the planning practice guidance with the revised standard method for assessing local housing need.

Importantly, Councils that are already close to adopting local plans will be exempt from adopting the new standard method immediately, the government said.

- 5.6 First Homes – securing homes to be sold at a discount to market price for first time buyers, including key workers, through developer contributions in the short term until the transition to the new system.

The proposed approach;

The Government intends to set out in policy that a minimum of 25 per cent of all affordable housing units secured through developer contributions should be First Homes. This will be a national threshold, set out in planning policy. Initially these will be secured through section 106 planning obligations but, under proposed reforms, these would subsequently be secured through the Infrastructure Levy (see Pillar Three of Planning for the Future).

In accordance with paragraph 62 of the National Planning Policy Framework, affordable housing is expected to be delivered onsite unless offsite provision or a financial contribution in lieu can be justified. The Government proposes that, under the new system, a policy compliant planning application should seek to capture the same amount of value as would be captured under the local authority's up-to-date published policy. In addition to capturing the same amount of value towards affordable housing as the existing policy, where onsite affordable housing is required, a policy compliant application will have a minimum of 25% of affordable housing units onsite as First Homes. For the remaining 75% of affordable housing secured through developer contributions, there are two broad options:

1. Option 1: Where a local authority has a policy on affordable housing tenure mix, that policy should be followed, but with First Homes delivering a minimum of 25% of the affordable housing products. First Homes should replace as a priority other affordable home-ownership products, prioritising the replacement of those tenures which secure the smallest discount from market price.
2. Option 2: A local authority and developer can negotiate the tenure mix for the remaining 75% of units.

The minimum discount for First Homes should be 30% from market price which will be set by an independent registered valuer. The valuation should assume the home is sold as an open market dwelling without restrictions. Local authorities will have discretion to increase the discount to 40% or 50%. This would need to be evidenced in the local plan making process. Where discounts of more than 30% are applied to First Homes, the requirement for a minimum of 25% of units onsite to be First Homes will remain in place.

Affordable Homes are currently exempt from CIL payments and this will apply to First Homes. This will be considered as part of the proposals for an Infrastructure Levy, which would replace CIL and Section 106 planning obligations.

The government intend to introduce a First Homes exception sites policy, to replace the existing entry-level exception sites policy. Exception sites are small sites brought forward outside the local plan to deliver affordable housing. Under the amended policy, it will be specified that the affordable homes delivered should be First Homes for local, first-time buyers. There will be the flexibility in the policy to allow a small proportion of other affordable homes to be delivered on these sites where there is significant identified local need as well as a small proportion of market homes where this would be necessary to ensure the viability of the site overall. This policy will not apply in designated rural areas, where delivery will be through the rural exception sites policy.

The National Planning Policy Framework threshold on site size that currently applies for entry-level exception sites in footnote 33, will be removed but the requirement that First Homes exception sites should be proportionate in size to the existing settlement will remain.

Rural exception sites will be retained as a vehicle for delivering affordable housing in designated rural areas. However, it is recognised that this delivery mechanism is currently underused in many cases, and updated planning guidance will be produced in due course.

The changes will initially be introduced by making planning policy changes, to ensure that clear expectations are set. However, to ensure that First Homes are delivered, nationwide, on a consistent basis, consideration will be given to the option to strengthen the policy through primary legislation at a future date.

- 5.7 Support for SME Builders - temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing, to up to 40 or 50 units to support SME builders as the economy recovers from the impact of Covid-19. To ensure that this measure is targeted at the economic recovery phase and does not inflate land prices in the longer term, we are proposing that the higher threshold is implemented for a time-limited period and lifted as the economy recovers from the impact of Covid-19.

To minimise the impact of this potential threshold effect, the Government propose to set out in planning guidance how local planning authorities can secure contributions for

affordable housing where it is apparent that a larger site is being brought forward in a piecemeal manner.

In designated rural areas, local planning authorities can set a lower threshold of five units or fewer in their plans. Rural local authorities secure greater proportions of their housing supply as affordable on average when compared to urban local authorities. In designated rural areas, we therefore propose to maintain the current threshold.

Following the consultation, a decision will be taken on whether to proceed with this approach. If it is taken forward, this could be through the introduction of a Written Ministerial Statement in the Autumn.

5.8 Permission in Principle - extending the current to major development so landowners and developers have a fast route to secure the principle of development for housing on sites without having to work up detailed plans first.

As part of economic recovery plans, the Government wants to make it easier for landowners and developers to have certainty that the principle of development for housing only needs to be established once in the process before developers need to get into more costly, technical matters. This is seen as particularly important for smaller sites which have not been allocated in local plans and where there is now, due to the rapidly changing economic circumstances, a desire by landowners to release the land for housing.

Planning for the Future proposes that land allocated for substantive development in local plans should be automatically granted a form of permission of principle so that the principle of development is established, and subsequent consents only focus on detailed technical matters. As this new framework will take time to implement, the Government is keen to expand the current Permission in Principle framework for housing-led development as an early opportunity to move towards this new approach.

The proposal is to remove the restriction in the current Permission in Principle regulations on major development. This will enable applications for Permission in Principle to be made for a far wider range of sites, enabling more landowners and developers to use this route to secure permission for housing development. Currently, 84% of planning applications for residential development are for schemes of 10-150 homes, which deliver 46% of new housing development each year.

The existing restrictions in the Permission in Principle Regulations relating to EIA and Habitats requirements will remain meaning Permission in Principle by application will not in practice be a route to permission for large sites capable of delivering more than 150 dwellings or more than 5 hectares.

For the expanded Permission in Principle route extending to major development, it is not proposed to set a limit for commercial development space as it is not considered necessary to limit the amount of commercial floorspace as it will still be the case that Permission in Principle should only be granted for development that is housing-led.

There is no intention to change the application process which includes the 5-week determination period and the 14-day period for consultation with the public and statutory consultees, although views are being sought on this. Information requirements are also likely to remain the same - Permission in Principle (whereby the developer would only have to provide information as to: the minimum and maximum net number of dwellings, and a map or plan of the site) must be followed by an application for technical details consent to



agree the details of the scheme before the applicant obtains full planning permission and can start work on site. A question is asked about introducing a maximum height threshold. A banded fee structure is proposed with a fixed fee per 0.1ha in three size bands and capped. The intention is to keep fees low.

In the longer term, under the Planning for the Future proposals, as new local plans are produced, the Government intend to review the role of Brownfield Land Registers which include a Part for sites granted PiP.

Following this consultation, if Permission in Principle by application for major development is introduced, the aim is to introduce amending regulations this Autumn, with the regulations expected to come into force by the end of the calendar year. Changes to the fee structure would require separate changes to the Planning Fees Regulations.

5.9 The questions posed in the two documents are listed in the Appendix.

## **6. Equality, Diversity and Human Rights implications**

6.1 An Equality Impact Assessment has been prepared for the Local Plan, and is available to view by clicking on this link: -  
<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

## **7. Strategic Plan References**

7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes of Opportunity and Wellbeing:  
**Opportunity-** Ensure a good supply of land available for new homes through our Local Plan.  
**Wellbeing-** Encourage belonging, involvement and responsibility in all the borough's communities; and Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces, countryside and beaches.

## **8. Consultation**

8.1 The Government are consulting on a number of documents as follows;  
1. Planning for the Future - 6 August to 29 October 2020.  
2. Changes to the Current Planning System - 6 August to 1 October 2020

## **9. Publicity Considerations**

9.1 The consultation has already generated significant publicity and it is expected that this will continue. Accordingly it is likely that the Council's response will generate publicity too.

## **10. Financial implications**

10.1 N/A

## **11. Health, Wellbeing and Community Safety Implications**

11.1 N/A

## **12. Health and Safety Implications**

12.1 N/A

## **13. Risk Management Implications**

13.1 N/A

### **Background Papers**

- [Changes to the current planning system](#)
- [Planning for the future](#)

## **Appendix 1 – Consultation Questions**

### **Planning for the future - Questions**

1. What three words do you associate most with the planning system in England?

2(a). Do you get involved with planning decisions in your local area? 2(b). If no, why not?

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

[Social media / Online news / Newspaper / By post / Other – please specify]

4. What are your top three priorities for planning in your local area?

[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

5. Do you agree that Local Plans should be simplified in line with our proposals?

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

- 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?
- 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?
- 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?
- 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?
- 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?
10. Do you agree with our proposals to make decision-making faster and more certain?
11. Do you agree with our proposals for accessible, web-based Local Plans?
12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?
- 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?
- 13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?
14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?
15. What do you think about the design of new development that has happened recently in your area?  
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]
16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?  
[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]
17. Do you agree with our proposals for improving the production and use of design guides and codes?
18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?
20. Do you agree with our proposals for implementing a fast-track for beauty?
21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other]
- 22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

25(a). If yes, should an affordable housing 'ring-fence' be developed?

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

## **Changes to the Planning System – Questions**

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

- i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.
- ii) Negotiation between a local authority and developer.
- iii) Other (please specify)

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to apply to this First Homes requirement?

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Q13: Do you agree with the proposed approach to different levels of discount?

Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?

Q18: What is the appropriate level of small sites threshold?

- a. Up to 40 homes
- b. Up to 50 homes
- c. Other (please specify)

Q19: Do you agree with the proposed approach to the site size threshold?

Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

Q21: Do you agree with the proposed approach to minimising threshold effects?

Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?

Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?

Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:

- i) required to publish a notice in a local newspaper?
- ii) subject to a general requirement to publicise the application or
- iii) both?
- iv) disagree

If you disagree, please state your reasons.

Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?

Q30: What level of flat fee do you consider appropriate, and why?

Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.

Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?



