

Tendring District Council
FAO Planning Policy
Council Offices
Thorpe Road
Weeley
CO16 9AJ

Date: 28 July 2017

Our ref: 04051/14/NT/SFU/14455368v5

Dear Sir/Madam

Representations to Tendring District Local Plan, Publication Draft (Section 2)

On behalf of our client, Bourne Leisure Ltd. ("Bourne Leisure"), please find enclosed representations to the Tendring District Local Plan – Publication Draft, published for comment until 28 July 2017. The representations relate to 'Section 2' of the Publication Draft Local Plan. Please find appended to this letter 'Part A' of the Council's Consultation response form (agent details). This letter comprises 'Part B'.

Bourne Leisure operates more than 50 holiday sites in the form of holiday parks, family entertainment resorts and hotels in Great Britain and is therefore a significant contributor to the national tourist economy, as well as local visitor economies. Within Tendring, Bourne Leisure operates the Orchards Holiday Park at St Osyth.

For Bourne Leisure to continue to attract customers and to respond to changing market conditions, the Company needs to invest regularly in order to provide new and improved facilities and accommodation. For many of the Company's holiday parks, improvements may necessitate the expansion of sites in order to improve the quality of accommodation, decrease densities, or increase the range of facilities in order to respond to visitor's requirements and to extend the holiday season.

Background

Lichfields has previously submitted a number of responses to Tendring District Council (TDC) in relation to the emerging Local Plan on behalf of Bourne Leisure. Representations were first submitted to the Tendring District Local Plan Proposed Submission Draft in 2013 and subsequently to the Tendring District Local Plan: Pre-Submission Focused Changes in 2014 and the Tendring Issues and Options in October 2015.

Most recently, representations were submitted to the Tendring District Local Plan Preferred Options Consultation Document on 19 August 2016. The representations focused on ensuring the emerging Local Plan provided sufficient support for the expansion and improvement of existing holiday parks and not only support for new tourism developments. This is important given the significance of the tourism industry to the District (as recognised in the Local Plan). Bourne Leisure is disappointed to find that the Council has not agreed with the consultee responses putting forward changes to the emerging Local Plan. The response below reiterates these representations and, where indicated, provides new comments to revised policy wording in the Publication Draft.

Response to Consultation

Policy PP10 Camping and Touring Caravan Sites

Bourne Leisure supports policy PP10 and, in particular, bullet point 2 of the Policy which establishes support for “*extensions to existing camping and/or touring caravan/motorhome sites*”. This support will contribute to achieving a prosperous economy for the rural District (consistent with the National Planning Policy Framework [NPPF], para. 28). This policy establishes support in principle for the expansion of existing tourism developments and, therefore, provides a grounding for our key argument as established above and set out below.

A Vision for Tendring District

Bourne Leisure fully supports the ‘Vision’ which recognises the significance of tourism in the District and, particularly, the role of Clacton on Sea as an important visitor destination. However, the Company considers that the Vision should be revised to acknowledge the principle of Policy PP 10 as referred to above. The Vision should recognise the need for development plan policy to be worded to support in principle proposals that would enhance existing tourism accommodation and facilities, and support the provision of new tourism accommodation and facilities. This revised approach, as shown below, would enable the Plan to contribute to meeting the requirement in national policy which states that local plans set out a clear, consistent strategy for development management (NPPF, para. 154):

*“Clacton will have still maintained its tourism roots, building a thriving local tourism industry **by having both enhanced its existing offer and provided new tourism accommodation and facilities** ~~but~~. As well as attracting holiday makers, the town will...”*

Bourne Leisure requests that the new policy statement at ‘outcome 11’ is re-phrased. As it is drafted, the statement goes beyond NPPF policy (para. 97), which only requires such commitment where it is feasible or viable. In order for the Local Plan to be consistent with national policy, as set out in paragraph 182, outcome 11 should be amended as follows:

***“Where appropriate All** new developments should account for, adapt to and mitigate against climate change.”*

Objectives for the Plan

Bourne Leisure supports objective 10 as it has been written but considers that it should also be expanded to reflect the role of holiday parks in Tendring, as highlighted in the recommended addition to the Vision:

*“To work with partners to provide an enhanced environment for tourism and the maritime sector and its associated services ~~and~~. **This should include the enhancement and expansion of existing holiday parks**”*

Prosperous Places

The Company welcomes the recognition at paragraph 6.6.1.1 (previously 6.70) of the economic contribution of tourism to the District’s economy as well as the ‘priorities’ of the Tourism Strategy included at paragraph 6.6.1.2. Supporting the provision of a range of visitor accommodation at both new and existing sites in the District will be key to achieving these objectives. The approach throughout the local plan should be clear and consistent (NPPF para. 154); and therefore, whilst Bourne Leisure also supports the principles of paragraphs 6.6.1.3 and 6.6.1.4 (previously 6.72 and 6.73), the Company considers they should be re-worded as follows:

*"This Local Plan has an important role to play in facilitating the kinds of development that will contribute positively toward economic growth in the tourism sector, **including the provision of a range of tourism accommodation**"*

*"Another important aspect of promoting Tendring District's tourism economy will be to ensure that the District offers a range of visitor accommodation in different locations that will appeal to different people's tastes, budgets and interests. As the nature of tourism has changed so much over the years, Tendring District **must continue to support, while not only relying** purely on, the provision of traditional holiday accommodation provided at seaside holiday parks, hotels, guesthouses and bed & breakfasts..."*

Policy PP8 (Tourism)

Bourne Leisure supports Policy PP8, in particular the final paragraph but suggests that, for clarity, these final two sentences are combined into one, as follows:

*"To maintain and deliver a range of accommodation that meets the varying needs, demands and expectations of potential visitors to the Tendring District, ~~P~~. **Proposals that involve the creation, improvement or potential loss of visitor accommodation will be assessed based on policies set out in this Local Plan**"*

Holiday Parks

Bourne Leisure supports paragraph 6.7.1 (previously 6.76) which recognises the very important role of holiday parks in the District's tourism economy and in promoting a diverse range of visitor accommodation. Paragraph 6.7.2 (previously 6.78) recognises the recent trends in visitor demand for improved standards and layouts at holiday parks. Bourne Leisure has experienced this demand and has responded by upgrading its sites and facilities. The Company therefore endorses paragraph 6.7.3 which supports proposals for extensions/improvements to existing holiday sites to improve the amenity and quality of the accommodation offer. Therefore, for consistency, the Company considers paragraph 6.7.4 (previously 6.79) should be reworded to recognise the continued potential for upgrading existing holiday parks:

*"The Council will however support proposals for new high quality holiday villages comprising well designed timber chalets set on plinths and with pitched roofs, located preferably in a predominantly wooded and undulating landscape setting with water features with high quality leisure facilities and activities. **There is also potential to upgrade existing holiday parks to improve their quality and their facilities, or provide similar, alternative accommodation typologies such as chalets or cabins.** 'Centerparcs' at Elveden Forest in Suffolk provides a good indication of the type of facility and the level of quality that the Council wants to establish in Tendring District."*

The Company also endorses the notation of the Orchards Holiday Park as a 'safeguarded holiday park' on the Policies Map and similarly supports paragraph 6.7.3 (previously 6.78). However, the Company considers that paragraph 6.7.3 should also confirm, for the sake of clarity, that the expansion of Park sites such as the Orchards will be permitted within the Coastal Protection Zone, provided that such development accords with Policy PPL 2. We suggest that this could be worded as follows:

*"...the Council will support proposals for both safeguarded and any other existing holiday park sites to extend onto adjoining undeveloped land outside of any defined settlement development boundaries as long as it ensures that the overall layout, amenity, appearance and quality of accommodation will be improved for the entire site (both the existing site and the area proposed for expansion) as part of a comprehensive programme. **The expansion of sites will be permitted within the Coastal Protection Zone, provided that such development accords with Policy PPL 2**"*

Policy PP 11 (Holiday Parks)

The Company strongly supports the (un-numbered) first and second bullet points of section 3 of the Policy as well as the final paragraph of PP 11 which refers to the requirement for occupancy conditions at holiday parks. However, the Policy should be amended for consistency with the NPPF (para. 204) which advises that planning conditions should only be imposed where they are relevant to the development being permitted. Bourne Leisure suggests the following is added to the end of paragraph 6.7.5 (previously 6.8) to ensure occupancy conditions are appropriate and only applied to planning permissions for development on a case by case basis:

*“... Where sites are located in an area vulnerable to flooding, the period of restricted occupancy will be expected to take place during the winter months when there is a greater likelihood of higher tides and severe weather. **The length of occupancy period set will take into account the site’s location, and the character and merits of the proposal such as the degree of flood risk, its relationship to an existing site (e.g. if it is a proposed extension), proposals for flood risk mitigation, design, the quality of accommodation provided and emergency planning...**”*

Protected Places - Policy PPL 1 (Development and Flood Risk)

Bourne Leisure considers Policy PPL 1 should refer to the exception that is applied to existing tourism accommodation and holiday parks within flood risk areas. Only the extent of proposed new development itself, within or adjacent to the existing holiday park, and not the whole site, should have to be assessed sequentially.

Policy PPL 3 (The Rural Landscape)

Whilst Bourne Leisure recognises the importance of minimising light pollution from development, national Planning Practice Guidance (PPG), ‘Light Pollution’ (March 2014) establishes that artificial light can be essential to a new development; it identifies:

“The character of the area and the surrounding environment may affect what will be considered an appropriate level of lighting for a development”.

Bourne Leisure therefore considers that the new statement at Policy PPL 3 should be re-phrased to ensure consistency with the PPG; requirements to minimise the impact of light pollution should be assessed on a case by case basis. The Company therefore recommends the statement is reworded as follows:

‘Where appropriate *New development within the rural landscape should minimise the impact of light pollution on the site and its surroundings, in order to protect rural amenity and biodiversity.”*

Policy PPL 4 (Biodiversity and Geodiversity)

The Company considers that the new statement at Policy PPL 4 should be re-phrased for consistency with national guidance. The PPG ‘Natural Environment’ (January 2016) states:

“Local planning authorities should only require ecological surveys where clearly justified”.

The requirement should be proportionate to the location, nature and scale of development proposed. The statement should therefore be reworded as follows:

“Where appropriate *Proposals for new development should be supported by an appropriate ecological assessment.”*

Summary

We have set out above representations that focus on the importance of ensuring that the Tendring Local Plan supports the expansion and improvement of existing tourism facilities and accommodation, as well as new tourism developments. We consider it essential that TDC addresses the omissions identified; particularly given that the tourism industry is acknowledged in the Draft Plan as being significant to securing the economic future of the District.

We therefore trust these representations will be taken into account when finalising the policies and objectives of the District's Local Plan. Please do not hesitate to contact my colleague Sally Furminger or me should you require clarification of any of the points made.

Yours faithfully

Margaret Baddeley

Planning Director

PD Sally Furminger.

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Bourne Leisure

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Draft Local Plan

RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to planning.policy@tendringdc.gov.uk or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:
 Part A - Personal Details and Part B - Your comments

PART A

1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Bourne Leisure Limited"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

2. Agent's Details (if applicable)

Title	<input type="text" value="Ms"/>
First Name	<input type="text" value="Margaret"/>
Last Name	<input type="text" value="Baddeley"/>
Organisation	<input type="text" value="Lichfields"/>
Address Line 1	<input type="text" value="14 Regent's Wharf"/>
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Post Code	<input type="text" value="N1 9RL"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>