

Mary Foster

From: Justine Bailey [REDACTED]
Sent: 07 January 2013 11:43
To: Planning.policy
Subject: Local Plan Proposed Submission Draft - Response by the Burghes Estate
Attachments: 130101 - FRINTON FINAL REPORT.pdf; Burghes Reps FINAL.pdf
Planning Policy

Please find attached the response made by Smiths Gore on behalf of the Burghes Estate to the Local Plan Proposed Submission Draft. In addition, also attached is the Development Concept Report by WSP which accompanies the representations and is to be read in conjunction.

Are you able to confirm receipt?

Kind Regards

Justine

Justine Bailey BA (Hons) DipTP MRTPI

[REDACTED]

[REDACTED]

[REDACTED]

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Mary Foster

From: Gary Duncan [REDACTED]
Sent: 06 January 2013 16:42
To: Planning.policy
Subject: Tendring District Local Plan Representations
Attachments: Director of Planning TDC 060113.doc; Little Clacton Reps.doc; Thorpe Road Reps.docx

Sir

Please find attached electronic copies of representations.

Receipt of submission is requested.

Faithfully

Gary Duncan
Director
The Land and Planning Company Ltd

Introduction

These representations are submitted by Smiths Gore Planning on behalf of The Burghes Estate.

The Burghes family has a long history of land ownership in the Frinton area and, in the early/mid 1980s; much of the Estate has been developed for housing (the Turpin's Farm development to the west of Elm Tree Avenue), open space and education facilities. The Estate retains land in two parcels to the east and west of Turpin's Lane. One of the parcels of land owned by the Estate has been specifically outlined within the Local Plan Proposed Submission Draft as a suitable site for housing and therefore the Estate wishes to continue to participate in the development plan-making process.

We have set out below responses to a number of the issues raised in the Local Plan (LP) in the order in which they appear. The Estate would be happy to discuss these representations in more detail if this would be of assistance to the District Council.

Summary of Response

We support Policy SD1 Presumption in Favour of Sustainable Development and believe it to be sound and consistent with national policy. We object to policies SD2 Urban Settlements, PE01 Housing supply, PE04 Standards for New Housing, PE05 Housing Layout in Tendring, PE07 Housing Choice, PE08 Aspirational Housing, PE010 Council Housing and FWK9 Development at Turpins Farm and consider them not sound, not justified or consistent with national policy.

Policy SD1: Presumption in Favour of Sustainable Development

Sound – consistent with national policy

We support Policy SD1 'Presumption in Favour of Sustainable Development' and agree that proposals should be approved wherever possible to secure development that improves the economic, social and environmental conditions in the Tendring area. We are also in agreement that planning applications that accord with the policies in the Local Plan should be approved without delay.

Policy SD2: Urban Settlements

Not sound – not justified or consistent with national policy

We support part of the policy which outlines the area of Frinton, Walton and Kirby Cross as an urban settlement. We also support the idea that urban settlements should be the focus for the majority of the district's growth as they are the most sustainable locations.

We are not in agreement that each of the urban settlements will accommodate a standard 6% increase in housing stock over the 10-year period between 1 April and 31 March 2021. We disagree with the figures contained in Appendix 1 'Housing Requirements for Individual Settlements' and we question whether this approach is justified by the LP evidence base.

In planning for housing growth, Councils must be consistent with national policy and ensure that the social, environmental and economic effects of housing growth options are considered. National policy contained within the National Planning Policy Framework (NPPF) published in March 2012 states in Section 6 'Delivering a wide choice of high quality homes' that "local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period". Investigating the Strategic Housing Market Assessment (SHMA) that was undertaken in 2007 and published in 2008 in a strong housing market, along with an updated

assessment in 2009 following the economic downturn, Clacton had the highest distribution of housing demand (54%) and Frinton had the second highest distribution of demand (19%). The 2009 assessment illustrated a more evenly spread housing demand; however, Frinton was identified as having the highest level of demand at 27%.

We believe that the method undertaken in the LP i.e. calculating for each settlement the estimated dwellings within the settlement, and thereafter the approximate housing requirement based on a 6% increase in that number has completely ignored the findings within the SHMA. This is contrary to guidance in the NPPF as the 6% approach is far too simplistic, and methodically fails to take into account their physical or socio-economic characteristics of individual settlements.

Investigating the figures contained in Appendix 1 'Housing Requirement for Individual Settlements', Appendix 3 'Estimated Dwelling Numbers for Allocated Sites' and Policy PE01 'new homes expected on sites specifically allocated for residential or mixed use development in Urban Settlements', there are some shortfalls. The total number of dwellings for Urban Settlements outlined in Appendix 1 (i.e. Requirements) is significantly higher than the dwelling numbers in Appendix 3 and Policy PE01 (i.e. planned supply). In addition, if the total number of dwellings for Frinton, Walton and Kirby Cross as stated in Appendix 3 is subtracted from the proposed 6% increase in Appendix 1, it leaves 222 dwellings still to be found. Therefore, it is proposed that the Turpins Farm site could provide more than 50 dwellings in order to meet the housing requirements for the Frinton area.

We question the deliverability of allocating a large amount of the housing requirement to Clacton-on-Sea and Harwich (some 68%) as both settlements suffer from issues of unemployment and general deprivation. Arguably, these factors may deter house builders from investing in such areas and as such, may not offer a realistic prospect that such a level of housing will be delivered. We anticipate that house builders will be more attracted to greenfield sites within areas of demand, such as Frinton, and therefore believe Frinton should have a higher level of housing allocated.

Suggested Change:

Amend Policy SD2 'Urban Settlements' to reflect the figures in Appendix 1 Housing Requirements for Urban Settlements (3,256) and the findings contained in the SHMA.

Policy PE01: Housing Supply

Not sound – not justified or consistent with national policy

We do not agree with the policy approach that states a 6% increase in the district's total housing stock is delivered across all urban settlements as defined in Policy SD2 'Urban Settlements'. As stated in our comments for Policy SD2 above, we believe that the method undertaken in the LP i.e. calculating for each settlement the estimated dwellings within the settlement, and thereafter the approximate housing requirement based on a 6% increase in that number has completely ignored the findings within the SHMA. This is contrary to guidance in the NPPF as the 6% approach is far too simplistic, and methodically fails to take into account the characteristics of individual settlements. As such, we explored this further with Officers and questioned how the approach of a 6% increase was originally derived only to find no greater justification.

Investigating the figures contained in Appendix 1 'Housing Requirement for Individual Settlements', Appendix 3 'Estimated Dwelling Numbers for Allocated Sites' and Policy PE01 'new homes expected on sites specifically allocated for residential or mixed use development in Urban Settlements', there are some discrepancies. Table 1 below clearly shows that the total

number of dwellings for Urban Settlements outlined in Appendix 1 (i.e. Requirements) is significantly higher than the dwelling numbers in Appendix 3 and Policy PE01 (i.e. planned supply). In addition, if the total number of dwellings for Frinton, Walton and Kirby Cross as stated in Appendix 3 is subtracted from the proposed 6% increase in Appendix 1, it leaves 222 dwellings still to be found. Therefore, it is proposed that the Turpins Farm site could provide more than 50 dwellings in order to meet the housing requirements for the Frinton area. We specifically refer to Scenario 3 in the accompanying Development Concept Report which proposes a scheme that adopts shared surfaces and a wider range of densities and has the capacity to deliver in the region of 267 dwellings in line with the housing requirements for Frinton.

LP Requirements	Total Number of Dwellings Urban Settlements	Frinton, Walton and Kirby Cross
Appendix 1 Housing Requirements for Urban Settlements	3,256	567
Appendix 3 Estimated Dwelling Numbers for Allocated Sites	2,161	345
Policy PE01 Housing Supply for Urban Settlements	2,200	

Table 1: LP Housing Requirement Figures

Suggested Change:

Amend the housing supply figures for Urban Settlements (2,200) to reflect the figures in Appendix 1 Housing Requirements for Urban Settlements (3,256).

Policy PE03: Housing Density

Not sound – not justified or consistent with national policy

We disagree with Policy PE03 points 'b' and 'c'.

The policy states in point 'b' that housing density must have regard to the minimum internal floor area and private amenity space standards as set out in Policy PE04. As detailed in our representations for Policy PE04 below, we specifically object to the standards outlined for 'Aspirational Housing' which states that the required internal floor area should be 200sqm and private amenity space must be at least equal to the internal floor area. We believe these requirements are wholly impractical and over prescriptive particularly for a strategic policy of this nature. The NPPF states in para 59 that "Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail". We question whether the principle of the Local Plan is to provide this level of detail and believe that its main purpose is to outline the broad strategy of growth for the district over the plan period. Such standards if required should be set out in some form of residential design guide as required by NPPF. There is no national or regional policy or guidance that supports this approach.

The scale of the requirements for aspirational housing completely ignores site constraints such as Conservation Areas, flood risk areas, access, protected trees, topography, and

contaminated land which could alter the way that a site is planned and the scale of the housing and amenity space. In addition, the requirements do not cater for all sections of the housing market. NPPF states in para 50 that "local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)".

Point 'c' of Policy PE03 states new residential and mixed use development should have regard to the required mix of housing in Policy PE07. As stated in our objection to Policy PE07, whilst we support an appropriate mix of housing in residential developments, we disagree with the mix of housing outlined in Policy PE07 because the mix is neither justified nor effective. There is no clear evidence underpinning this prescriptive mix. Delivery of housing is market-driven, as recognised by NPPF, and housing mix should be a broad guide.

Para 4.27 in the Local Plan contains policies designed to influence the mix of housing in the district, however, as stated within para 47 of the NPPF, "local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area". In addition, "should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand". We believe that Tendring's approach has ignored the market needs and dictates a mix which is impractical and over prescriptive. The terms which have been used i.e. 'Family Housing' and 'Council Housing' are unclear. The specific internal space standards for the different housing types in Appendix 2 are inflexible and do not allow for any design distinctiveness reflecting individual site characteristics. NPPF states in para 60 that "planning policies should not attempt to impose architectural styles or particular tastes through unsubstantiated requirements to conform to certain development forms or styles". Delivery in Tendring will be severely hampered by this approach.

Suggested Change:

Either:

- 1) Delete the housing mix policy; or
- 2) Make it general guidance rather than prescriptive policy.

Policy PE04: Standards for New Housing

Not sound – not justified or consistent with national policy

Whilst we support the provision of appropriate levels of aspirational housing to a clear identified local demand in certain locations, we believe the guidelines contained in Policy PE04 'Standards for New Housing' should be indicative and not a mandatory minimum. They are impractical, expensive and will not help in delivering housing.

As stated in our comments for Policy PE03 'Housing Density', we specifically object to the standards outlined for 'Aspirational Housing'. On the assumption that an aspirational housing unit has a minimum of 4 bedrooms this will result in a minimum plot area of around 350sqm (assuming a building footprint of 100 sqm, a garden of 200 sqm and at least 50 sqm of driveway space for 4 cars). We believe these requirements are wholly impractical and over prescriptive and will add unnecessarily to costs. The NPPF states in para 59 that "Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail". We question whether the principle of the Local Plan is to provide this level of detail and believe that its main purpose is to outline the broad strategy of growth for the district.

The scale of the requirements for aspirational housing completely ignores site constraints such as Conservation Areas, flooding and contaminated land which could all alter the way that a site is planned and the scale of the housing and amenity space. In addition, the requirements do not cater for all sections of the housing market. NPPF states in para 50 that "local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)".

We would also recommend a relaxation in terms of the number of private cars to be accommodated on plots to encourage use of other modes including public transport, walking and cycling for local journeys.

If the guidelines were a non-mandatory requirement, this would allow an appropriate and context-sensitive design response. However, they are not presented in that form at present and we object to this level of prescription.

Suggested Change:

Either:

- 1) Delete the standards for new housing policy; or
- 2) Make it general guidance rather than prescriptive policy.

Policy PE05: Housing Layout in Tendring

Not sound – not justified or consistent with national policy

Whilst we support the design principle of 'Arcadian' and 'Boulevard' street patterns, and believe that this should be incorporated into residential developments to a certain degree, we do not believe that this should be a policy requirement but a broad design objective. We specifically object to Policy PE05 point 'a' which requires that properties are laid out with 'Arcadian' or 'Boulevard' street patterns where all individual properties have frontages onto the highway. The approach is inconsistent with national policy and there is no mention in NPPF of specific design codes and that local planning authorities should avoid unnecessary prescription or detail in their design codes.

By incorporating a degree of flexibility in housing layouts and in order to produce a high quality and sustainable development, a design solution which responds to site constraints, opportunities and local context of the site will provide the best outcome.

Suggested Change:

Delete part 'a' of the policy requirement and change to a broad design aim.

Policy PE07: Housing Choice

Not sound – not justified or consistent with national policy

Whilst we support an appropriate mix of housing in residential developments, we disagree with the mix of housing outlined in Policy PE07 because the mix is neither justified nor effective. There is no clear evidence underpinning this prescriptive mix. Delivery of housing is market-driven, as recognised by NPPF, and housing mix should be a broad guide.

As stated within para 47 of the NPPF, "local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area". In addition, "should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand". We believe that Tendring's approach has ignored the market needs and dictates a mix which is impractical and over prescriptive. The terms which have been used i.e. 'Family Housing' and 'Council Housing' are unclear.

We specifically disagree with the 5-20% to be determined by developers in responding to market demand and believe this to be an incorrect approach to housing delivery. It is contrary to NPPF which states that in order "to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future market trends. In addition, in para 50, NPPF states that "LPA's should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand". Arguably, the total housing allocation (i.e. 100%) should be wholly dictated by market demand as recognised in NPPF. Therefore, we question the allocation of 5-20% of the housing mix to be determined by developers in responding to market demand. If the guidelines for housing choice were to allow for a degree of flexibility, this would allow an appropriate and market demand response. However, they are not presented in that form at present and we object to this level of prescription.

Suggested Change:

Re-word the policy to read:

The Council will deliver a mix of dwelling types, sizes and tenure within the housing growth proposed for the district which reflects the district's economic priorities, the results of extensive public consultation and the evidence of housing demand and need contained in its latest Strategic Housing Market Assessment (SHMA), which will be the subject of periodic review.

For the new homes that will be delivered in the district between 1st April 2011 and 31st March 2021 the Council will use policies in this Local Plan to influence the mix of housing to best meet the needs and aspirations of the district.

Unless there are specific housing mix requirements for a particular site, as set out in policies within the 'Area Chapters' of this Local Plan, the Council will seek to achieve the following broad mix of housing on most residential and mixed-use development sites of 10 or more dwellings:

- 20%-30% 'Aspirational Housing' (see Policy PEO8);
- 50%-60% Family Housing (see Policy PEO9);
- 10-25% Affordable Housing (see Policy PEO10); and

The development of flats, apartments and maisonettes; bungalows; HMOs and bedsits; traveller pitches and specialist residential accommodation will only be permitted in specific areas as set out in the policies of this Local Plan.

Policy PE08: Aspirational Housing

Not sound – not justified or consistent with national policy

As stated in our comments for Policy PE03 'Housing Density' and Policy PE04: Standards for New Housing, we specifically object to the standards outlined for 'Aspirational Housing'. On the

assumption that an aspirational housing unit has a minimum of 4 bedrooms this will result in a minimum plot area of around 350sqm (assuming a building footprint of 100 sqm, a garden of 200 sqm and at least 50 sqm of driveway space for 4 cars). We believe these requirements are wholly impractical and over prescriptive and will add unnecessarily to costs. The NPPF states in para 59 that "Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail". We question whether the principle of the Local Plan is to provide this level of detail and believe that its main purpose is to outline the broad strategy of growth for the district.

The scale of the requirements for aspirational housing completely ignores site constraints such as Conservation Areas, flooding and contaminated land which could all alter the way that a site is planned and the scale of the housing and amenity space. In addition, the requirements do not cater for all sections of the housing market. NPPF states in para 50 that "local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)".

If the guidelines were a non-mandatory requirement, this would allow an appropriate and context-sensitive design response. However, they are not presented in that form at present and we object to this level of prescription.

Suggested Change:

Re-word the policy to read:

To bring about a fundamental shift in the economic fortunes of Tendring District and secure a sustainable economic future for future generations, the Council will actively encourage the provision of some 'Aspirational Housing'. To meet the Council's definition of Aspirational Housing, a dwelling is likely to be detached with two storeys and consist of generous bedroom and bathroom accommodation.

For development proposals involving the development of 100 or more (net) dwellings which are not the subject of specific housing mix requirements in the 'Area Chapters' of this Local Plan, the Council will envisage at least 25% of new dwellings to meet the definition of Aspirational Housing.

For development proposals involving the development of between 10 and 99 (net) dwellings which are not the subject of specific policies in the 'Area Chapters' of this Local Plan, the Council will envisage at least 25% of new dwellings to meet the definition of Aspirational Housing' unless, in very exceptional circumstances, there are genuine physical or economic viability reasons why this cannot be achieved.

Up to one third of this on-site provision can be made in the form of serviced but undeveloped plots which can be sold on the open market for people wishing to self build to their own specification and design. Such plots must meet the definition of Aspirational Housing and other policy requirements of this Local Plan.

Proposals for the replacement of an existing dwelling, of any size, in the countryside outside of Settlement Development Boundaries with a single unit of Aspirational Housing will be permitted unless the impacts of development would conflict with other policy requirements in this Local Plan.

Proposals for a single unit of Aspirational Housing in the countryside outside of Settlement Development Boundaries, not involving the replacement of an existing dwelling, will only be approved if they:

- a) involve the use of previously developed land or undeveloped land which can be demonstrated to have no existing or potential practical agricultural function;
- b) are truly outstanding or innovative, helping to raise standards of design in the area;
- c) reflect the highest standards of architecture;
- d) achieve the highest level of sustainable design in accordance with the latest Code for Sustainable Homes;
- e) significantly enhance their immediate setting;
- f) are sensitive to the defining characteristics of the local area; and
- g) meet the requirements of other policies in this Local Plan.

Policy PE010: Council Housing

Whilst we support the need for some affordable housing, we object to the term 'Council Housing' used in the Local Plan, and believe it to be unclear in its description. NPPF states in Section 6 'Delivering a wide choice of high quality homes' in para 47 that "local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area". There is no mention in NPPF of the term 'Council Housing' and it specifically refers to the term 'affordable housing' throughout. We object to the level of prescription in Policy PE010 and we believe that Tendring's approach has ignored the market needs and dictates a mix which is impractical and over prescriptive.

Suggested Change:

Delete the Council Housing Policy PE010.

Policy FWK9: Development at Turpins Farm

Whilst we support the allocation of Turpins Farm for residential development, we object to Policy FWK9 'Development at Turpins Farm' on three basis:

1. Firstly, we object to several of the policy requirements as stated in Policy FWK9 'Development at Turpins Farm' for the reason that they are neither justified or effective;
2. Secondly, we object to the estimated dwelling numbers for Turpins Farm as stated in Appendix 3; and
3. Thirdly, we object to the development boundary of the Turpins Farm site (FWK9) as shown on Inset Map 3 in the Proposed Submission Draft of the Tendring Local Plan.

Each of our objections is discussed further below:

1. Outlined below are each of the policy requirements and our comments:
 - a) *the residential development will comprise 100% 'Aspirational Housing', as defined in Policy PEO8 of this Local Plan;*

We object to the policy requirement that Turpins Farm residential development will comprise 100% Aspirational Housing. Whilst we support the need for some aspirational housing within the housing mix we do not agree that this should apply to the whole site. There is no evidence base to support this and we cannot imagine that there is a market demand for that provision.

As detailed in the NPPF, local planning authorities should use their evidence base to ensure that the LP meets the needs for market and affordable housing in the housing market area. According to the SHMA, approximately 60% of the total demand for new housing will be for 'market housing' either to buy or rent. Furthermore, that "over two thirds of the market housing demand will be for two and three bedroom properties, with about 18% of the demand for larger 4+ bed dwellings and around 12% of the demand being for one-bed units" (para 5.38). The SHLAA (2010) found that house prices in the rural west of the district are significantly higher than those in the coastal towns with the exception of Frinton-on-Sea where there are a high number of larger properties. Researching the evidence base, it would suggest that there is more demand for two and three bedroom properties and that Frinton already has a sizeable proportion of larger properties. We would therefore question whether Turpins Farm needs to provide 100% aspirational housing if there is such limited demand. It is highly unusual to expect a development of this size to be focussed on such a narrow market sector as it will result in very low density, inefficient use of land and not cost effective. We believe it is more appropriate to have a clear housing mix that incorporates a wider range of dwelling types and responds to local demand.

As discussed in our comments for Policy PEO8 'Aspirational Housing' we specifically object to the standards outlined for 'Aspirational Housing'. On the assumption that an aspirational housing unit has a minimum of 4 bedrooms this will result in a minimum plot area of around 350sqm (assuming a building footprint of 100 sqm, a garden of 200 sqm and at least 50 sqm of driveway space for 4 cars). We believe these requirements are wholly impractical and over prescriptive. The NPPF states in para 59 that "Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail". We question whether the principle of the Local Plan is to provide this level of detail and believe that its main purpose is to outline the broad strategy of growth for the district.

The scale of the requirements for aspirational housing completely ignores site constraints such as Conservation Areas, flooding and contaminated land which could all alter the way that a site is planned and the scale of the housing and amenity space. In addition, the requirements do not cater for all sections of the housing market. NPPF states in para 50 that "local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)".

If the policy was non-mandatory, this would allow an appropriate and context-sensitive design response.

- b) *development will not be allowed to commence unless the necessary level of primary healthcare to serve the growing population is provided within 1,600 metres of the development site;*

We accept this policy requirement, but believe the development should also be allowed to commence if the level of primary healthcare is 'planned'. We do not agree with the requirement that the primary healthcare is to be within 1,600 metres of the development site. It is over prescriptive and impractical to outline such a defined distance.

- c) *the principle point of vehicular access will be off Elm Tree Avenue;*

We are in agreement that the principle point of vehicular access will be off Elm Tree Avenue. A secondary emergency access point may also need to be considered subject to dwelling numbers.

- d) a minimum 20 metre landscaping buffer will be created along the western edge of the site to strengthen the edge of the Strategic Green Gap between the urban area and the village of Kirby-le-Soken;*

We are not in agreement that a minimum 20 metre landscaping buffer should be created along the western edge of the site. Trees and hedgerows surrounding Turpins Farm currently provide a reasonable level of screening and enclosure for the site when viewed from the west. As stated within the accompanying Development Concept Report by WSP, the screening can also be enhanced through the strengthening of the existing hedgerow along the track leading to Turpins Farm, or by the provision of a planted buffer within the field immediately to the west of the site which is also in the same ownership. This is a site-specific design issue to be addressed in a planning application.

- e) at least 5 hectares of land to the north west of the development will be laid out as public open space and transferred to either Tendring District Council or Frinton and Walton Town Council for future management and maintenance, or suitable alternative management arrangements put in place to ensure long-term maintenance;*

Whilst we support the inclusion of some public open space within the development, we object to the inclusion of an area of 5 hectares in the north west part of the site, and believe it to be wholly unjustified. Firstly, the level of provision is not in line with the Tendring Open Spaces Supplementary Planning Document May 2008 (SPD) which states on page 33 that "Frinton has a generous provision of open space of 2.02ha/1000 population". In addition, the SPD did not identify any shortfall of any type of provision of open space apart from parks and gardens to the south of Frinton, where existing facilities at the seafront require enhancement.

Secondly, NPPF para 73 states that "planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and identify opportunities for new provision". The evidence clearly states that there is no identified shortfall in Frinton and we therefore question why such a large amount of open space is required at Turpins Farm.

We are in agreement that the development will need to provide an appropriate level of open space in line with the requirements flowing from the scale and type of housing proposed. However, we question the amount and argue that this should be in accordance with the number of dwellings on the site, and proximity to other existing open space facilities. Appendix 3 in the LP suggests 50 dwellings and so 5ha of public open space provision is totally out of proportion.

Enclosed is a Development Concept Report by WSP which we have had prepared on behalf of our client. Section 5 investigates further 'Concept Options' and considers three different approaches/scenarios:

- Scenario 1: Based on the development boundary as shown in the Proposed Submission Draft (Green Infrastructure 5.91 ha);
- Scenario 2: Based on the revised development boundary as discussed in Section 4 'Design Issues' of the report (Green Infrastructure 3.94 ha); and
- Scenario 3: Based on the same development boundary as Scenario 2, but some roads are designed as shared surfaces and a greater range of higher density housing is provided (Green Infrastructure 2.83 ha).

Arguably, Scenario's 1 and 2 provide a level of Green Infrastructure that is in excess of what is required to meet the needs of the development. We believe that Scenario 3 provides a level of

open space that will adequately meet local needs and form a high quality centrepiece to the new development. Given that there is no shortfall in open space in the wider urban area of Frinton, we suggest that this is an appropriate quantum in this location.

- f) *the development must expand upon and connect with the network of footpaths and green corridors that serve the adjoining residential area to reduce impacts of development on neighbouring properties and allow for pedestrian movement between the newly created open space and the existing residential area to the south;*

We support this policy requirement and the development of the site will provide an integrated network of pedestrian routes and green corridors within the site and linking to the surrounding area.

- g) *one of the new green corridors will form a centre-piece of the development and open out onto the new area of open space and affording attractive views over the coastal slopes and Hamford Water; and*

We support the requirement of a green corridor forming a centre piece of the development. It would be possible to incorporate an open space of this nature however, the orientation, size and character of such a space must be appropriate to the design context and dwelling capacity.

- h) *there will be a safe pedestrian footpath between the residential development and the Hamford Primary School and Triangle Shopping Centre;*

We are in agreement that the development should provide a safe pedestrian footpath between the residential development and the Hamford Primary School and Triangle Shopping Centre. The development of the site will provide an integrated network of pedestrian routes and green corridors within the site and linking to the surrounding area.

2. Secondly, we object to the estimated dwelling numbers for Turpins Farm as stated in Appendix 3.

As stated in Appendix 3, we object to the estimated dwelling numbers which indicates 50 dwellings for the Turpins Farm site. As discussed in Section 5 of the accompanying Development Concept Report, three different development scenarios are explored. Scenario 1 is based on the development boundary shown in the Submission Draft of the Tendring Local Plan and assumes 100% Aspirational Housing in accordance with the layout and design principles contained in policies PE04 and PE05. This approach has a development capacity of about 114 dwellings, significantly more than the 50 dwellings proposed in Appendix 3 of the Proposed Submission Draft of the Local Plan. Scenario 2 covers a larger development area based on the analysis of the site and its setting. The principle of 100% Aspirational Housing and the design principles in policies PE04 and PE05 are adopted. This approach has a development capacity of about 145 dwellings. The Scenario 3 approach is based on the same development boundary as Scenario 2, but some roads are designed as shared surfaces and a greater range of higher density housing is provided. This approach has a development capacity of about 270 dwellings.

In support, various studies within the LDF evidence base have outlined the site as suitable for development and stated its potential for a higher level of development namely:

Identifying Broad Areas for Potential Settlement Expansion Report (October 2008)

The study defines the Turpin's Farm site as a "potential growth area" and makes the following comments regarding the potential for development: Paragraph 7.49 - Development in the Green Gap "should be of as low sensitivity as possible".

Landscape Impact Assessment Stage 1 (AMEC April 2009)

The appraisal concludes "Moderate adverse landscape effects based on development of all of the area. Effects would be reduced if the northernmost (say) third of the area were to remain undeveloped".

Landscape Assessment Stage 2 (AMEC March 2010)

The report concluded by illustrating a Suggested Development Form and Approach and setting out the key principles. It proposes an indicative land use budget on a site area of 12.2ha, structural landscape 1.4ha and developable area 10.8ha. (6.3ha @ 30dph = 190 dwellings).

Sustainability Appraisal of Third Party Housing and Employment Sites (Nov 2012)

The report concludes that "Turpins Farm offers the potential for 240 dwellings and although the site is located in the Local Green Gap it would not reduce the minimum width of the Local Green Gap. The provision of a green buffer and open space to the north of the site would minimise the impact of the development from the surrounding landscape and the views from Hamford Water" (pp. 597).

The Scenario 3 development concept provides ample opportunity to deliver a comprehensive green infrastructure to provide local amenity as well as appropriate links to the site's surroundings. To the north, a major area of open space can be provided to provide a green setting for the northern development edge and a transitional space between development and the open countryside. To the south a linear green corridor will help to provide an interface between the new development and Hamford Primary School and the adjoining residential development. In the south eastern corner adjacent to Hamford Primary School there is the opportunity for a green space, potentially incorporating a play area. This could act as a new meeting and greeting place for parents dropping off or picking up their children as suggested by Essex County Council Education Department. On the eastern side adjoining Elm Tree Avenue, there is the potential to set development back slightly from the road to mirror the existing open space on the eastern side of the road. Within the central part of the development, there is the opportunity to incorporate a green spine leading to the main open space on the northern edge.

In order to maintain the Local Green Gap Policy FWK9d proposes a 20m wide landscaped buffer along the western edge of the site to mitigate visual impact. We propose strengthening of the existing hedgerow along the track to Turpin's Farm as an initial means of visually enclosing new development when viewed from the west. If further mitigation is considered necessary, this can be provided by a linear strip of tree planting on land to the west, that is in the same ownership as the site.

Key features of the development concept include:

- The northern edge of development follows the boundary proposed in this document;
- Vehicular access is from Elm Tree Avenue;
- A main east-west and north-south spine road are of "Boulevard" style being single carriageway with footpaths and grass verges with tree planting on either side;
- Other roads are shared surfaces;
- To provide mitigation of visual impact into the Local Green Gap, a linear green buffer is provided in the field immediately to the west;
- A green spine is provided through the centre of the development; and
- There is the potential for a green space to be provided in the south-eastern corner of the site adjacent to the school.

We therefore propose that Scenario 3 and a development capacity of 270 dwellings is adopted for Turpins Farm as it provides a more sustainable mix of housing types and green infrastructure to create a balanced community in response to the site's physical characteristics.

3. Thirdly, we object to the development boundary of the Turpins Farm site (FWK9) as shown on Inset Map 3 in the Proposed Submission Draft of the Tendring Local Plan.

The development boundary for the Turpins Farm site (FWK9) as illustrated on the Policy Map in the Proposed Submission Draft is drawn cutting across the site in a diagonal line from the junction of Elm Tree Avenue to a point on the western boundary close to the south western corner of the site. We question the justification for defining this particular boundary which seems to pay little attention to site characteristics and is somewhat arbitrary.

We are not aware of the justification for defining this particular alignment which seems to pay little heed to the topography or context of the site. It also does not reflect the conclusions of the Stage 2 Landscape Assessment work carried out by AMEC for TDC, which is summarised in section 2.8.3 in the Development Concept Report. We believe the Turpin's Farm site is a valuable land resource for Frinton and it is important that it is developed efficiently to make best use of the available development sites that result in long term sustainable development. We believe that the boundary as drawn in Inset Map 3 does not do this. We would strongly recommend that a development boundary for the site must be supported by a clear evidence base informed by a sound understanding of the site context and topography and key design issues as discussed in the accompanying Development Concept Report.

We agree that there is a need to define a defensible urban edge to the north of the development and the analysis of the visibility of the site from the Walton/Kirby Road Corridor suggests that a line projected westwards from the front of properties in Kirby Road would be an appropriate northern edge for development as illustrated in Scenario 3 in Figure 21 in the accompanying Development Concept Report. This approach will:

- Ensure that the more visible part of the site in the north west remains open and contributes visually to the Local Green Gap;
- Restrict development to a logical line that takes its visual cue from the existing urban form; and
- Provide a sensibly shaped development area that can be developed efficiently whilst respecting the sensitive northern edge and views out across Hamford Water.

It should also be mentioned that the Policy FWK9 Development at Turpins Farm proposes at least 5 hectares of land to the north west of the development to be laid out as public open space. However, the Proposals Map clearly illustrates that this land will not be included within the development boundary, and will be classed in policy terms as open countryside which is clearly not the case. We believe this to be highly ineffective and unjustified as the open space will form an integral part of the development and of Frinton as a whole. We therefore believe that the area of public open space should be included within the development boundary.

We therefore propose that the development boundary of Turpins Farm is amended as illustrated in Scenario 3 in Figure 21 in the accompanying Development Concept Report. In addition, that the area of public open space is included within the development boundary.

Suggested Change:

- 1) Re-word the policy to read:

Land at Turpin's Farm, west of Elm Tree Avenue, Frinton-on-Sea (as defined on the Policies Map Inset) is allocated for a mix of residential development and public open space. The Council will work with the landowner to prepare a development brief for the site prior to the submission of a planning application and ensure that alongside relevant policy requirements in Chapters 2 to 5 of this Local Plan, development proposals also meet the following specific requirements:

- a) the residential development will comprise up to 25% 'Aspirational Housing', as defined in Policy PEO8 of this Local Plan;
 - b) it is envisaged the residential development will have a capacity of some 250 dwellings;
 - c) development will not be allowed to commence unless the necessary level of primary healthcare to serve the growing population is provided planned;
 - d) the principle point of vehicular access will be off of Elm Tree Avenue;
 - e) a minimum 20 metre landscaping buffer will be created along the western edge of the site to strengthen the edge of the Strategic Green Gap between the urban area and the village of Kirby-le-Soken;
 - f) at least 2 hectares of land to the north west of the development will be laid out as public open space and transferred to either Tendring District Council or Frinton and Walton Town Council for future management and maintenance, or suitable alternative management arrangements put in place to ensure long-term maintenance;
 - g) the development must expand upon and connect with the network of footpaths and green corridors that serve the adjoining residential area to reduce impacts of development on neighbouring properties and allow for pedestrian movement between the newly created open space and the existing residential area to the south;
 - h) one of the new green corridors will form a centre-piece of the development and open out onto the new area of open space and affording attractive views over the coastal slopes and Hamford Water; and
 - i) there will be a safe pedestrian footpath between the residential development and the Hamford Primary School and Triangle Shopping Centre;
- 2) The development boundary of Turpins Farm site (FWK9) as shown on Inset Map 3 in the Proposed Submission Draft of the Tendring Local Plan of Turpins Farm is amended to the development boundary as illustrated in Scenario 3 in Figure 21 in the accompanying Development Concept Report. In addition, that the area of public open space is included within the development boundary.

Conclusions

To conclude we support Policy SD1 and believe it to be sound and consistent with national policy but object to Policies SD2, PE01, PE03, PE04, PE05, PE07, PE08, PE08, PE010 and FWK9 and consider them not sound, not justified or consistent with national policy propose and therefore have proposed a number of suggested changes.

Mary Foster

From: Gary Duncan [REDACTED]
Sent: 06 January 2013 16:42
To: Planning.policy
Subject: Tendring District Local Plan Representations
Attachments: Director of Planning TDC 060113.doc; Little Clacton Reps.doc; Thorpe Road Reps.docx

Sir

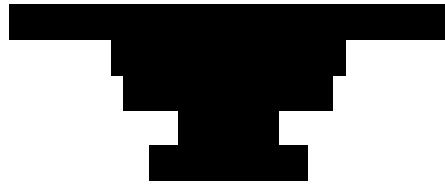
Please find attached electronic copies of representations.

Receipt of submission is requested.

Faithfully

Gary Duncan
Director
The Land and Planning Company Ltd

THE LAND & PLANNING COMPANY LTD
CHARTERED TOWN PLANNERS AND DEVELOPMENT CONSULTANTS



6 January 2013

Director of Planning
Tendring District Council
Council Offices
Thorpe Road
Weeley
Essex
CO16 9AJ

Dear Sir

**Tendring District Local Plan Proposed Submission Draft
Representations**

Please find enclosed representations as follows:

- In respect of the draft plan generally, an overall assessment of the key housing provisions of the Draft Local Plan; and a recommendation that further housing land be allocated, including land at and rear of 185 Thorpe Road, Kirby Cross.
- In respect of the Settlement Development Boundary at Little Clacton.

Yours faithfully,

Gary Duncan BSc (Hons) MSc (Surv) MRTPI

Tendring District Local Plan

Proposed Submission Draft

Representations submitted by The Land and Planning Company Ltd

These representations comprise two elements:

Section A: An overall assessment of the key housing provisions of the Draft Local Plan; and

Section B: A recommendation that on the basis of 1, above, further housing land be allocated, including land at and rear of 185 Thorpe Road, Kirby Cross.

Section A: Overall Assessment of the Key Housing Provisions of the Plan

(i) Compliance with the National Planning Policy Framework (the Framework)

Published on 27 March 2012, the NPPF provides Government planning policy expected to be applied in plan making and the determination of planning applications.

Essential components are confirmed at paras 14-17, which, *inter alia*, state that

- local planning authorities should positively seek opportunities to meet the development needs of their area; Local Plans should meet objectively assessed needs.
- plans are to reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.
- ‘every effort’ be made objectively to identify and meet housing, business and other development needs.

The focus on delivering a wide choice of high quality homes is outlined at paras 47-55

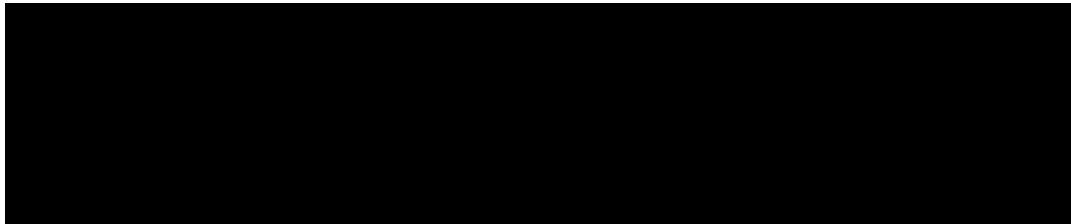
Plan-making is addressed at paras 150-157.

Specific housing matters are referred to in paras 159.

For the purpose of these representations it is not proposed at all times to repeat word-for-word the relevant sections.

(ii) The Plan Period

A key component of national policy is economic recovery and the role of housing delivery in achieving this. Delivering a wide choice of high quality homes is an important facet of policy; local authorities are to boost significantly the supply of housing drawing on the full objectively assessed needs for market and affordable housing.



In support of this, planning authorities are to identify and maintain a five years supply of housing land (more where there has been under-delivery) and make provision for longer term requirements based on identifying a supply of specific, developable sites or broad locations for growth for years 6-10 and where possible, for years 11-15.

Local Plans are to be consistent with the principles and policies set out in the Framework (para 151); they are to be aspirational, but realistic. Para 157 of the Framework makes clear that plans be drawn up over an appropriate time scale, preferably a 15 year time period, take account of longer term requirements and be kept up to date. These matters are regarded as 'crucial'.

The Draft Tendring Local Plan covers a ten year plan period (2011-2021) and this is neither consistent nor compliant with the Framework. There appears no explanation or justification to depart from this important consideration. The opportunity should be taken to reconsider this matter prior to submission to the Secretary of State.

(iii) The Amount and Distribution of Housing Growth

Whilst the Draft Plan refers to achieving sustainable development (paras 2.4 and 2.5) and includes a presumption in favour of sustainable development (policy SD1), the development strategy lacks adequate explanation and its alignment with the Framework is questionable.

Paragraphs 4.4 – 4.6 of the Draft Local Plan confirm that the plan period is 10 years: 2011-2021. For this period, the Council confirms it has chosen 'the right level' of housing growth: approximately 4,000 new homes – an average of 400 new homes per year. The level of growth is inadequately explained.

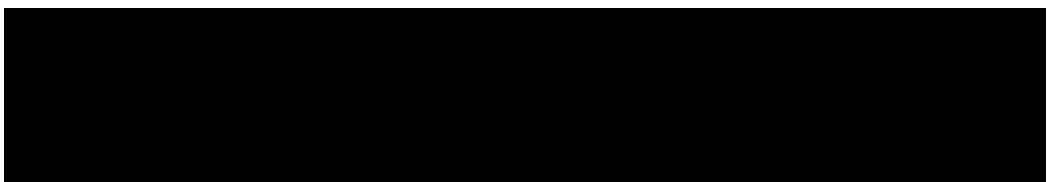
Paragraph 4.6 refers to these 4,000 new homes being a level of growth that will make 'a meaningful contribution' toward addressing future needs and supporting economic growth and it represents a similar rate of development to that achieved over the previous 10 years (2001-2011).

National policy is not expressed in terms of meaningful contributions or of rolling forward similar rates of development. As has been stated previously in these representations, local authorities are to 'boost significantly' the supply of housing based on the 'full objectively assessed needs for market and affordable housing'. Moreover, it is regarded as crucial that a 15 year plan period is adopted. Identifying a supply of specific, developable sites or broad locations for growth is not a matter of 'encouragement' (as the Draft Plan states at para 4.1) but of national policies that are expected to be applied; a matter central to the test of soundness.

The Draft Local Plan is not clear in expressing how the 'right level' of housing has been arrived at; has not expressed how any level of housing has been objectively assessed; the data appears out of date.

The 2009 Strategic Housing Market Assessment Update, which, for current planning purposes may be considered out of date, sheds no light on the matter, despite the obvious role of such a document in drafting policy consistent with the Framework. Para 7.12 of the Update report states:

"This report did not make any attempt to establish the overall requirement for housing as this is largely set out in targets already in place for the District. An analysis of the current demand and supply for market housing suggests that 36% of the net demand is likely to be for three bedroom properties, 35% for two bedrooms dwellings and 18% for four bedroom homes."



Whilst the East of England Regional Spatial Strategy was formally revoked on 3 January 2013, passing reference may be made to the draft East of England Regional Spatial Strategy (2010) which proposed the continuation of the RSS14 development rate of 430 homes per annum for Tendring District (8600 new homes over a 20 year period 2011-2031).

An additional point may be made in relation to the latest 2010-based population and household data which ought properly to be considered as part of the forward planning function.

The recent work of Edge Analytics may also be an important reference.

The settlement hierarchy is supported (policies SD2 and SD3) and there is also support for the broad strategy outlined in paragraph 2.8: that urban settlements provide better opportunities to deliver sustainable housing growth on a larger scale. It is a broadly accepted planning principle that higher order settlements have the ability to provide greater levels of services and facilities. It is seemingly internally inconsistent that settlements are subject to standard rate of growth.

The explanation of the strategy outlined at paras 2.10 – 2.12 is therefore difficult to follow:

- A standard 6% increase in housing stock over the 10 year plan period is described as fair, achievable and sustainable.
- This strategy makes a ‘meaningful contribution to alleviating future housing demands and local housing needs’.
- Reference is made to the adjoining planning authority, Colchester, and it appears that the lack of support for growth to the east of Colchester (within Tendring District) is a reason for limiting growth in Tendring District generally.
- Potential joint working with Colchester Borough may be contemplated to address the period post-2021.

The Framework is clear in that:

1. the social role of sustainable development is to meet the needs of the present and future generations.
2. every effort should be made objectively to identify and then meet the housing needs of the area
3. local authorities are to plan for housing based on current and future demographic trends, market trends and the needs of different groups
4. it is crucial that Local Plans take account of longer term requirements
5. local authorities are to ensure that adequate, up-to-date and relevant evidence is used

Housing distribution should not be assessed solely on grounds of consistency. It is for the local plan process to assess areas and sites objectively. The Council has available a wide body of evidence and can continue to supplement this in determining the content of a sound plan.

The expectation of fairness is not a matter of national policy. Moreover, the consistent increase in housing stock belies the actual reduction in the Council’s commitment. The current draft plan differs markedly from that prepared two years ago, when a plan period 2011 to 2031 was proposed and provision made for 6300 homes.

It follows from the above that the development strategy outlined in the draft plan is inadequately aligned to the Framework.

Should the plan proceed to be adopted on the basis of a ten year plan period, then it would require a very early review. The draft plan is not sound as it is neither consistent nor compliant with national policy. The plan period should be 15 years, adequately addressing longer term needs, regarded by the Framework as 'crucial'.

Government policy supports the provision of sustainable development, described in social, environmental and economic terms. Para 4.2 of the Draft Local Plan makes clear support for housing where it is complemented by growth in jobs; provides good quality, spacious and attractive homes that people can aspire to live in; addresses rather than compounds existing issues of deprivation and unemployment; utilises and improves local infrastructure; is supported by the necessary services and facilities; and minimises environmental impacts for existing communities. It is a matter for the Local Plan in its entirety to enable conditions within which these objectives can be met. Boosting significantly the supply of homes can support trades and communities, can provide affordable homes and, through legal agreements, and, as necessary CIL, can provide welcome investment in local facilities and infrastructure. Policy SD7 has a valuable role in securing facilities and infrastructure. Ensuring housing development achieves such objectives as a fundamental theme of this Local Plan is significantly advanced by committing to a plan period consistent with national policy: 15 years.

(iv) Housing Mix

In general, the broad approach to creating attractive places for people to live and work is supported. The provision of affordable housing is a matter of national policy. A range of dwelling types, sizes and tenures will be required. The opportunity is to work with developers and registered providers in meeting these requirements.

Attractive places and well-designed housing can be a critically important factor in affirming the attractiveness of the area for businesses, those who own or manage them, and those who work in them. It is not therefore solely a matter of economic growth influencing the size and type of new housing, but of ensuring a quality of dwelling or locale that is attractive and supports economic development. With this in mind, there is support for the reference at para 4.32:

"The strategic priorities of this Local Plan focus heavily on the need to deliver economic growth, tackle unemployment and deprivation and improve the long-term prospects of future generations. Alongside measures to attract businesses, rejuvenate town centres and create more jobs, delivering the right mix of housing is critical to achieve all of these objectives."

The references in the paragraphs 4.28-4.37 require clarity and a clearly-expressed rationale. The Draft Local Plan needs to clarify what is meant by the statement:

"Simply continuing to build new homes in response to market demand raises significant concerns about Tendring's long-term future and local residents fear that building 'more of the same' will only succeed in exacerbating social and economic problems."

'More of the same' is a somewhat ill-defined approach. It is for the Local Plan to express what it will support.



(v) Affordable Housing

As drafted, the plan seems to overstate the potential role of the Council rather than Housing Associations (or other Registered Providers) in managing this stock.

(vi) Aspirational and Single Storey Dwellings

The broad approach to the provision of aspirational homes (policy PE08) is supported, though the definition of this requires some explanation. The strict necessity for such a policy is questionable where the housing market (for sale and managed) is largely responsible for mix. That an aspirational home can be defined according to number of bedrooms and bathrooms is somewhat specious. However, the broad approach to delivering well-designed and appropriate housing in context is supported. Self-build quotas should be removed from the plan altogether. The need for quotas of 'aspirational' homes and viability testing presents an unnecessary brake on delivery at a time when Government policy is to boost significantly housing provision.

In relation to single storey dwellings the Council's approach to resist the mass provision of bungalows as part of the residential and mixed-use developments proposed in this Local Plan may be laudable. Applications need to be considered on their own merit, taking into account site context, housing market, policy and other material considerations. As drafted, the wording is negative. Perhaps the Draft Plan could presume in favour of well-designed housing schemes, appropriate for the site and supported by site context analysis

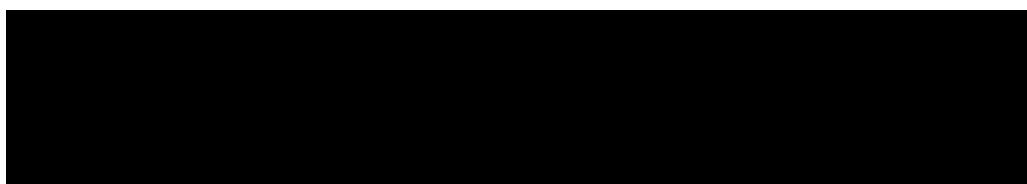
(vii) Soundness

The test of soundness is now well-established. As drafted, the proposed housing strategy parts of Local Plan are not 'sound':

- The Plan does not meet objectively assessed development requirements and therefore has not been positively prepared.
- The Plan does not present an appropriate strategy when considered against reasonable alternatives; the Plan is not justified.
- Whilst purporting to be effective, the plan is seen as deliverable over a shortened timescale inconsistent with national policy

It is considered that a sound Local Plan can emerge and consideration be given to the following points prior to submission to the Secretary of State:

1. The Draft Local Plan should commit to a plan period of 15 years from the date of adoption (reason: consistency with national policy);
2. The housing land requirement should be assessed based on an objective assessment of requirements expressed over that 15 year period;
3. The housing land requirement should be expressed as a minimum
4. Adequate explanation of the rationale for this requirement should be included in accompanying text
5. Based on a housing land requirement of at least 6000 new homes over a 15 year period, additional housing sites require to be identified



Section B: Suggested Housing Land Allocation: land at and rear of 185 Thorpe Road, Kirby Cross.

Kirby Cross falls within the Frinton, Walton and Kirby Cross urban area. Kirby Cross has a range of local retail and community facilities. It has a primary school and a benefits from a railway station. The Draft Local Plan regards this area

The settlement hierarchy is supported (policies SD2 and SD3) and there is also support for the broad strategy outlined in paragraph 2.8: that urban settlements provide better opportunities to deliver sustainable housing growth on a larger scale. It is a broadly accepted planning principle that higher order settlements have the ability to provide greater levels of services and facilities.

Where the Draft Local Plan is considered to be deficient in terms of plan period and housing requirement, the opportunity needs to be taken to review proposed housing allocations generally, but to give consideration to the identification of further housing land at Kirby Cross.

Land at and rear of 185 Thorpe Road comprises an extensive residential curtilage (c. 6 acres) and has the ability to make an achievable and deliverable contribution to the housing needs of the District.

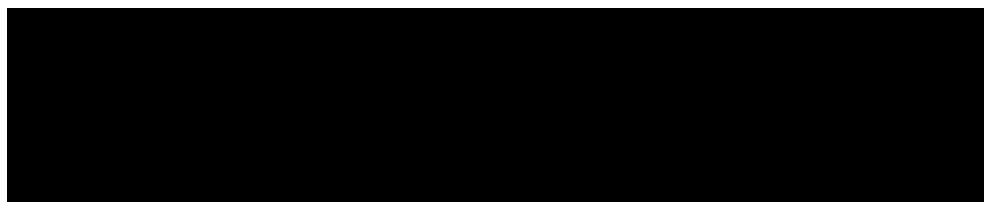
Currently comprising a single dwelling within gardens and parkland, the site is self-contained and well-bounded. It adjoins the existing settlement boundary which could be redefined around the site, permitting its inclusion with it. The site has road frontage and set behind a wide verge adequate visibility splays can be provided, appropriate for a 30mph stretch of road. The capacity of the site can be regarded as up to 50-60 homes.

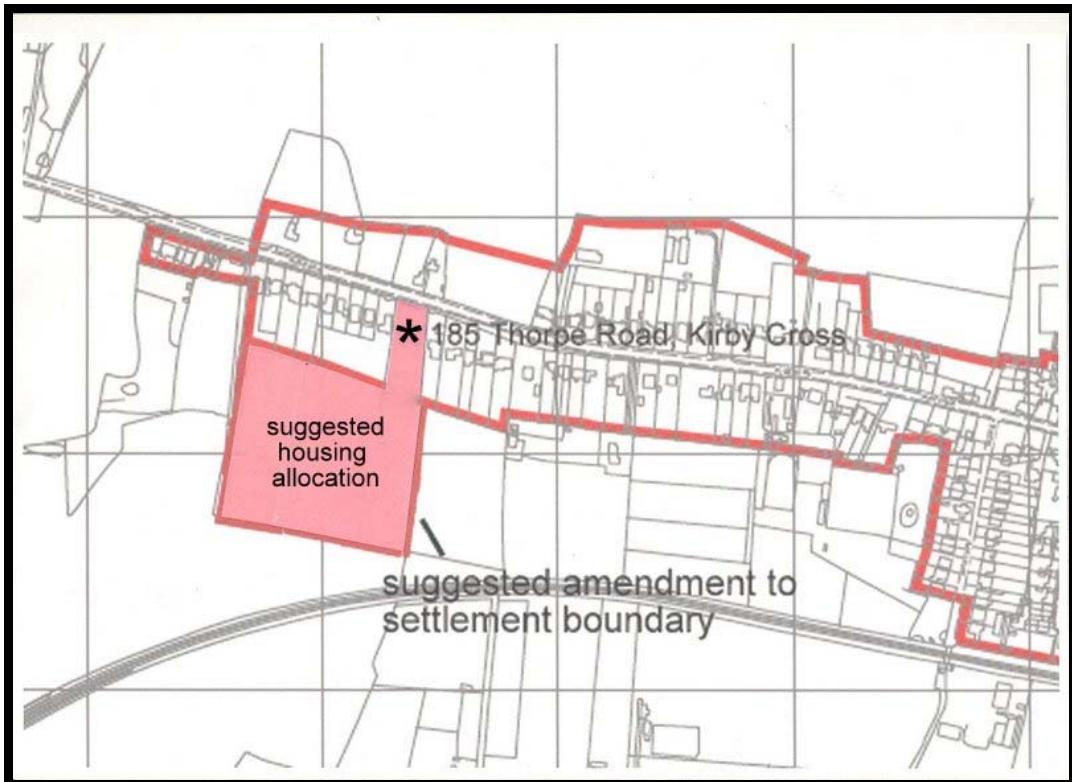
The site offers a unique setting within which a genuine quality housing area can be provided. A key aspect of the emerging Local Plan is the drive to provide quality housing supportive of economic growth. The site provides an important opportunity to contribute to this.

An appropriate alteration to the Settlement Development Boundary in accordance with the Policy SD5 is recommended. The policy as drafted states that such boundaries are defined beyond the extent of existing built development to include a range of possible development sites. Moreover, in relation to this site, it is not necessary for the boundary to be tightly drawn to protect and enhance the character and openness of the open countryside: the site is well defined and identifiable and has none of the characteristics of open countryside. It is not agricultural and does not benefit from open or expansive associations with the wider countryside southwards and beyond a substantially wooded boundary.

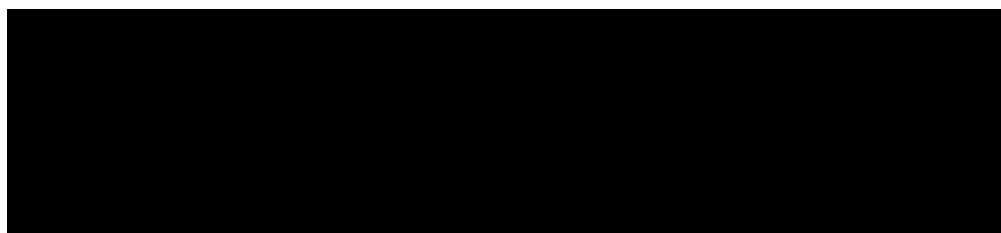
Recommendation:

1. That the land comprising 185 Thorpe Road be allocated for housing development in the Draft Local Plan with a capacity of up to 50 homes (see illustration below)
2. Reference to the site be included in para 8.23
3. That the settlement boundary be redefined around the site





Suggested Amendments to the Frinton, Walton and Kirby Cross Policy Inset Map





RECEIVED

03 JAN 2013

Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KAYS PROPERTIES

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

C/O Agent

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Robinson & Hall LLP

If an organisation, please provide a contact name: Peter Le Grys

E-mail: Tel No:

Address (put the organisation address if relevant)

..... Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **"Positively Prepared"** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **"Justified"** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **"Effective"** – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- **"Consistent with national policy"** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes /

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed

Date: 31/12/2012

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Objection to Proposed Submission Draft

Tendring District Local Plan

By Kays Properties

**Land west of Halstead Road,
Kirby Cross**

Representation Reference No. 34/42003

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Objection to Housing Policies

Kays Properties

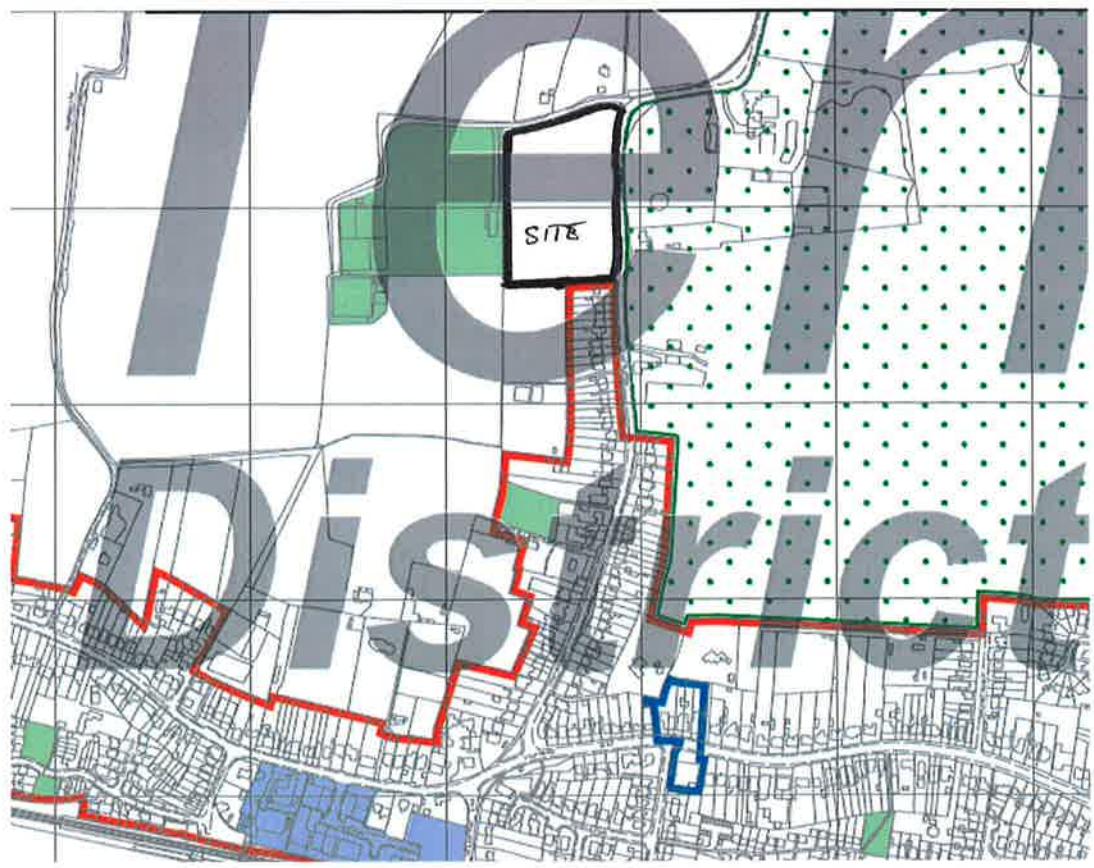
Land to west of Halstead Road, Kirby Cross

Policy SD2 of the ‘Proposed Submission Draft’ recognises that Kirby Cross forms part of the principal urban settlement encompassing Frinton-on-Sea and Walton-on-the-Naze.

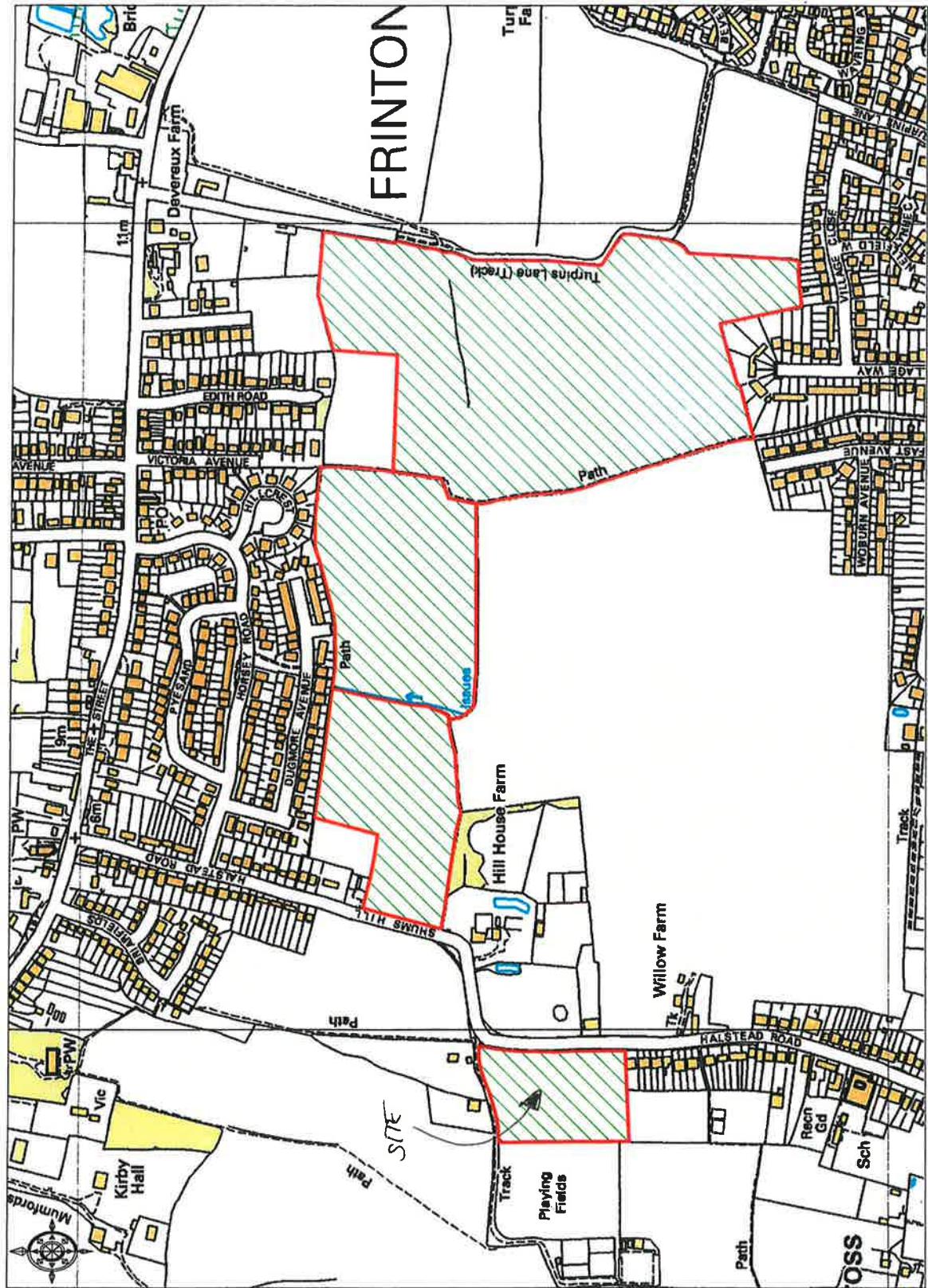
Paragraph 1.7 of the ‘Proposed Submission Draft’ recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council’s various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on ‘brownfield’ sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district.

The site is a rectangular plot of low productive agricultural land located immediately adjacent to the settlement boundary for Kirby Cross, and most importantly is adjoins the main playing fields and recreation area for the settlement. An existing access could be improved to meet the requirements of the highway authority. The opportunity to improve upon the leisure facilities available would also be available.

The site can accommodate semi-detached or detached dwellings, meeting the Council’s 6% distribution of housing growth for Kirby Cross. There are no issues that would affect the development of the site. As a consequence, it is considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.



Kays Properties - Land at Kirby le Soken



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Robinson & Hall, Ipswich IP8 4JU Tel 01473 831531 Ref: 40347

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Date Added: 1/6/2013 2:07:43 PM

Chapter: 2. Delivering Sustainable Development **Section:** Urban Settlements

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: The spatial policy of the Plan fully accords with the governments objective for sustainable development. Whilst the distribution of new housing development evenly across the whoe district may be considered a little simplistic, I am sure that if this policy is implemented with common sense, then it will prove successful. More importantly, the allocation of 6% growth to the smaller settlements will ensure that local shops, post offices pubs and bus services etc remain viable.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:32:28 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002248

Date Added: 1/6/2013 2:09:32 PM

Chapter: 2. Delivering Sustainable Development **Section:** Key Rural Service Centres

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Email: _____

Justification: _____

Want to Speak at Public Examination: N

Justification: _____

Approved: Y

Approved Date: 1/7/2013 9:28:05 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002249

Date Added: 1/6/2013 2:10:46 PM

Chapter: 2. Delivering Sustainable Development **Section:** Smaller Rural Settlements

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Email:

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:28:34 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002250

Date Added: 1/6/2013 2:12:55 PM

Chapter: 2. Delivering Sustainable Development **Section:** Managing Growth

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Phone: _____

Justification: _____

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:37:28 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Already

entered

Ref: NLP002251

Date Added: 1/6/2013 2:13:56 PM

Chapter: 2. Delivering Sustainable Development **Section:** Strategic Green Gaps

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:43:33 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002252

Date Added: 1/6/2013 2:17:03 PM

Chapter: 2. Delivering Sustainable Development **Section:** Securing Facilities and Infrastructure

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address:

Justification:

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:27:04 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002253

Date Added: 1/6/2013 2:18:03 PM

Chapter: 2. Delivering Sustainable Development **Section:** Transport and Accessibility

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address |

Agent Phone: 1 |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:29:36 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002254

Date Added: 1/6/2013 2:19:59 PM

Chapter: 2. Delivering Sustainable Development **Section:** Design of New Development

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:30:22 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002255

Date Added: 1/6/2013 2:21:34 PM

Chapter: 2. Delivering Sustainable Development **Section:** Sustainable Construction

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:31:21 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002256

Date Added: 1/6/2013 2:23:24 PM

Chapter: 3. Planning for Prosperity **Section:** Improving the Strategic Transport Network

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |
[REDACTED]

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:26:38 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002257

Date Added: 1/6/2013 2:33:22 PM

Chapter: 3. Planning for Prosperity **Section:** Improving Education and Skills

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent _____

Agent Email: _____

Support or Objection: Support

Justification: Please see comments below.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:29:50 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002258

Date Added: 1/6/2013 2:34:26 PM

Chapter: 3. Planning for Prosperity **Section:** Priority Areas for Regeneration

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

btinternet.com

Phone: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:30:47 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002259

Date Added: 1/6/2013 2:35:33 PM

Chapter: 3. Planning for Prosperity **Section:** Town, District, Village and Neighbourhood Centres

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:36:35 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002260

Date Added: 1/6/2013 2:36:44 PM

Chapter: 3. Planning for Prosperity **Section:** Retail, Leisure and Office Development

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: 70

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:28:49 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002261

Date Added: 1/6/2013 2:43:51 PM

Chapter: 3. Planning for Prosperity **Section:** Tourism

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address:

Support or Objection: Support

Justification: Whilst we support this policy in principle, we consider that due care has to be taken in relation to the retention of holiday parks that might be better used for new housing development. Consequently, a pragmatic approach should be taken when implementing this policy and where a caravan park or other holiday facility is outdated and in need of replacement an innovative redevelopment that is not tourism related should still be acceptable. Similarly, the provision of new marinas has to be considered against other environmental issues.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:37:15 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002262

Date Added: 1/6/2013 2:44:48 PM

Chapter: 3. Planning for Prosperity **Section:** Hotels and Guesthouses

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: | _____

| _____
Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:31:00 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002263

Date Added: 1/6/2013 2:53:19 PM

Chapter: 3. Planning for Prosperity **Section:** Holiday Parks

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent|

Support or Objection: Support

Justification: We support the policy in principle, but please refer to comments below.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:43:14 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002264

Date Added: 1/6/2013 2:54:37 PM

Chapter: 3. Planning for Prosperity **Section:** Camping and Caravanning

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:47:14 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002265

Date Added: 1/6/2013 2:58:22 PM

Chapter: 3. Planning for Prosperity **Section:** Employment Sites

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent|

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:26:58 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002266
Date Added: 1/6/2013 3:00:07 PM
Chapter: 4. Planning for People **Section:** Housing Supply
Handled by Agent: Y

Consultee: Mr Derek Sayer
Consultee Job Title: Director
Consultee Organisation: Martello Land And Properties Ltd
Consultee Address:
Consultee Email:
Consultee Phone:

Agent: Mr Stephen Sibley
Agent Job Title: Planning Consultant
Agent Organisation: Highcroft Planning
Agent|

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N
Justification:

Approved: Y
Approved Date: 1/7/2013 9:28:41 AM
Attachment: N
Added by Council: N
Reply: N
Notes:

Ref: NLP002267
Date Added: 1/6/2013 3:02:00 PM
Chapter: 4. Planning for People **Section:** Housing Density
Handled by Agent: Y

Consultee: Mr Derek Sayer
Consultee Job Title: Director
Consultee Organisation: Martello Land And Properties Ltd
Consultee Address:
Consultee Email:
Consultee Phone:

Agent: Mr Stephen Sibley
Agent Job Title: Planning Consultant
Agent Organisation: Highcroft Planning
Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N
Justification:

Approved: Y
Approved Date: 1/7/2013 9:37:36 AM
Attachment: N
Added by Council: N
Reply: N
Notes:

Ref: NLP002268

Date Added: 1/6/2013 3:03:33 PM

Chapter: 4. Planning for People **Section:** Housing Layout in Tendring

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: 70 |

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:25:53 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002269
Date Added: 1/6/2013 3:06:57 PM
Chapter: 4. Planning for People **Section:** Housing Choice
Handled by Agent: Y

Consultee: Mr Derek Sayer
Consultee Job Title: Director
Consultee Organisation: Martello Land And Properties Ltd
Consultee Address:
Consultee Email:
Consultee Phone:

Agent: Mr Stephen Sibley
Agent Job Title: Planning Consultant
Agent Organisation: Highcroft Planning
Agent Address: |

Support or Objection: Support
Justification: We support this policy in principle, but are concerned about setting percentages for each type of housing that are not implemented flexibly.

Want to Speak at Public Examination: N
Justification:

Approved: Y
Approved Date: 1/7/2013 9:31:35 AM
Attachment: N
Added by Council: N
Reply: N
Notes:

Ref: NLP002270

Date Added: 1/6/2013 3:08:09 PM

Chapter: 4. Planning for People **Section:** Aspirational Housing

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent|

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 10:09:19 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002271
Date Added: 1/6/2013 3:16:03 PM
Chapter: 4. Planning for People **Section:** Family Housing
Handled by Agent: Y

Consultee: Mr Derek Sayer
Consultee Job Title: Director
Consultee Organisation: Martello Land And Properties Ltd
Consultee Address:
Consultee Email:
Consultee Phone:

Agent: Mr Stephen Sibley
Agent Job Title: Planning Consultant
Agent Organisation: Highcroft Planning
Agent|

Support or Objection: Object

Justification: This proposed policy is not consistent with emerging government policy that suggests that in some areas, and Walton-on-the-Naze and Harwich would qualify in that category, are not capable of contributing to the supply of affordable housing due to very low land values, which makes any such provision non-viable and thus prevents any land coming forward for development.

Want to Speak at Public Examination: Y

Justification:

Approved: Y
Approved Date: 1/7/2013 9:46:27 AM
Attachment: N
Added by Council: N
Reply: N
Notes:

Ref: NLP002272

Date Added: 1/6/2013 3:19:26 PM

Chapter: 4. Planning for People **Section:** Flats, Apartments and Maisonettes

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Object

Justification: The policy is not justified by any detailed analysis but by merely heresay.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:28:28 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002273

Date Added: 1/6/2013 3:21:07 PM

Chapter: 4. Planning for People **Section:** Residential Institutions and Care

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: | _____

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:36:47 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002274

Date Added: 1/6/2013 3:38:06 PM

Chapter: 4. Planning for People **Section:** Green Infrastructure in New Residential Development

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address:

ibley

Justification: This policy is well established and maintains the status quo.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 10:00:54 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002275

Date Added: 1/6/2013 3:39:01 PM

Chapter: 4. Planning for People **Section:** Children's Play Areas

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:29:04 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002276

Date Added: 1/6/2013 3:42:07 PM

Chapter: 5. Planning for Places **Section:** Development and Flood Risk

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent |

Agent Phone: _____

Support or Objection: Support

Justification: The proposed policy is consistent with national policy.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:26:43 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002277
Date Added: 1/6/2013 3:43:20 PM
Chapter: 5. Planning for Places **Section:** Coastal Protection
Handled by Agent: Y

Consultee: Mr Derek Sayer
Consultee Job Title: Director
Consultee Organisation: Martello Land And Properties Ltd
Consultee Address:
Consultee Email:
Consultee Phone:

Agent: Mr Stephen Sibley
Agent Job Title: Planning Consultant
Agent Organisation: Highcroft Planning
Agent|

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N
Justification:

Approved: Y
Approved Date: 1/7/2013 10:01:55 AM
Attachment: N
Added by Council: N
Reply: N
Notes:

Ref: NLP002278

Date Added: 1/6/2013 3:44:21 PM

Chapter: 5. Planning for Places **Section:** Water Conservation, Drainage and Sewerage

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent |

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:30:29 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002279

Date Added: 1/6/2013 3:45:43 PM

Chapter: 5. Planning for Places

Section: Nature Conservation and Geo-diversity

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:36:13 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002280

Date Added: 1/6/2013 4:02:23 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Regeneration in Walton-on-the-Naze

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Email: stephen@_____

Support or Objection: Support

Justification: There is a clear and demonstrable need for new housing development in Walton in order to secure the regeneration of the town. This can be delivered at the Martello site in the short to medium term, within the plan period, and will act as the catalyst for regeneration of the area as a whole. The Mere should be reserved for a boating lake facility with a strictly limited amount of enabling development around the edge, which could be a mixture of residential and small-scale retail/commercial uses.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:35:20 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002281

Date Added: 1/6/2013 4:05:25 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Housing Supply

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Phone: _____

Support or Objection: Support

Justification: The proposed policy is sound, justified, effective and consistent with national policy.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:31:28 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002282

Date Added: 1/6/2013 4:11:03 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Housing Supply

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address:

[REDACTED]

Support or Objection: Support

Justification: The policy meets all the above criteria, but more importantly will kick-start the regeneration of the town, which otherwise will continue sliding into dereliction and decay.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:47:03 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002283

Date Added: 1/6/2013 4:20:14 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: The Martello Development

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Support or Objection: Support

Justification: We support this policy, but require two amendments to the wording: - 1. The requirement that the Martello Tower should be gifted to the Walton and Frinton Heritage Trust is overly prescriptive and should be omitted; and, 2. The one hectare area of open space around the Martello Tower has not been justified and whilst some open space will serve to enhance its setting this should be a matter of detailed design. Therefore, a precise figure for the open space should be omitted from the policy wording.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:30:02 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002286

Date Added: 1/6/2013 4:36:17 PM

Chapter: Appendix 1: Housing Requirements for Individual Settlements **Section:**

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Limited

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: _____

Agent Phone: _____

Support or Objection: Support

Justification: The policies meet all the above criteria.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:27:59 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002287

Date Added: 1/6/2013 4:42:17 PM

Chapter: Appendix 3: Estimated Dwelling Numbers for Allocated Sites **Section:**

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Limited

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Justification: The redevelopment of the Martello site at Walton-on-the-Naze meets all of the above criteria. It will also serve as the catalyst for regeneration of the town as a whole. Furthermore, the site can accommodate at least 250 permanent residential dwellings, as well as commercial development and a new healthcare facility.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:46:37 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002294

Date Added: 1/7/2013 8:30:38 AM

Chapter: Appendix 2: Internal Space Standards for Housing

Section:

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Limited

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address:

Support or Objection: Object

Justification: The car parking standards which require the provision of one additional space in a driveway per bedroom are not justified and are not sustainable.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:36:27 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002335

Date Added: 1/7/2013 2:43:59 PM

Chapter: 4. Planning for People **Section:** Housing Density

Handled by Agent: Y

Consultee: Mr Derek Sayer

Consultee Job Title: Director

Consultee Organisation: Martello Land And Properties Limited

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Stephen Sibley

Agent Job Title: Planning Consultant

Agent Organisation: Highcroft Planning

Agent Address: |

Agent |

Support or Objection: Object

Justification: No justification has been provided for the car parking requirement of one space per bedroom.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 2:53:26 PM

Attachment: N

Added by Council: N

Reply: N

Notes:

Mary Foster

From: Viktoria Oakley [REDACTED]
Sent: 07 January 2013 08:24
To: Planning.policy
Subject: Tendring Draft Local Plan Representation submission - The Avon Works, Walton on the Naze
Attachments: 100 Site Location Plan-100 - Site Location Plan.pdf; Avon Works.pdf; ATT00001.txt

Dear Sirs,

Tendring Draft Local Plan Representation submission - The Avon Works, Walton on the Naze

Please find attached the submission documentation for the above named representation in relation to the Mitchellson Group's landholdings at Walton on the Naze.

I look forward to confirmation that you have received the representation.

Please do not hesitate to contact me with any questions.

Kind regards,

Viktoria

Viktoria Oakley

MSc MRTPI

Planner

Strutt & Parker LLP

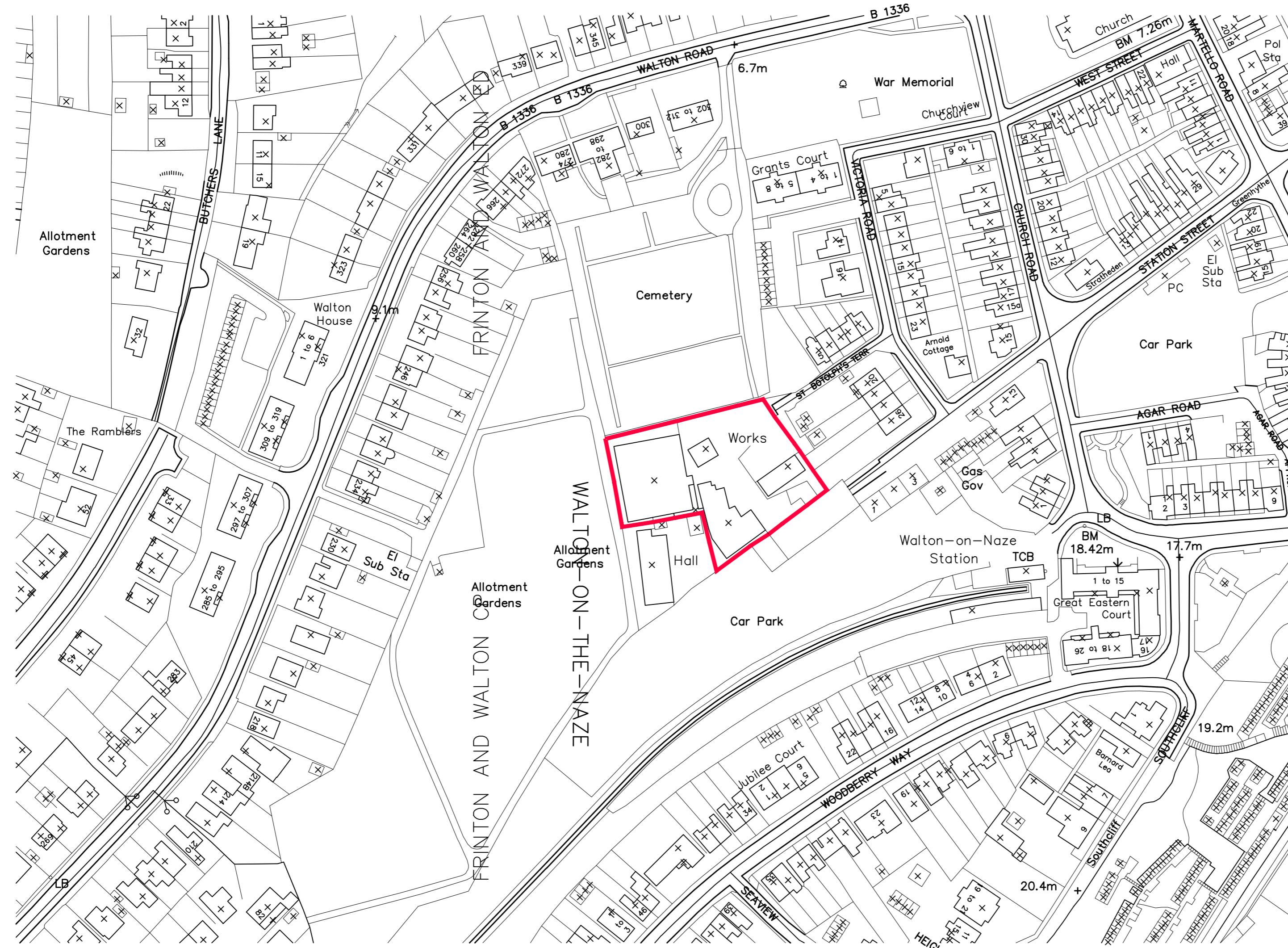


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jpb
architects

JOB TITLE
AVON WORKS
WALTON ON THE NAZE
C014 8DA

DRG TITLE

Feasibility - Site Location Plan

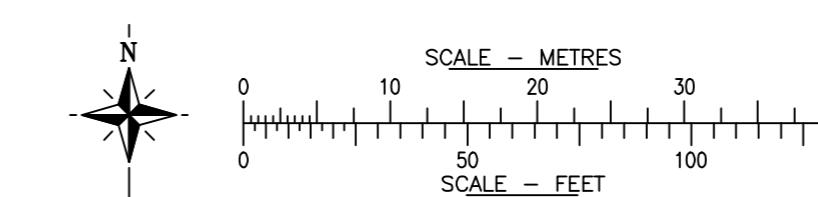
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DATE
Mar '11

JOB NO.
10175

DRG NO.
100

REV
P1





Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

..... Mitchellson Group of Companies

If an organisation, please provide a contact name: Please contact agent

E-mail: Tel No.

Address

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

..... Strutt and Parker LLP

If an organisation, please provide a contact name: ...Viktoria Oakley.....

E-mail: Tel No.

Address

..... Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- “**Positively Prepared**” – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- “**Justified**” – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- “**Effective**” – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- “**Consistent with national policy**” – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Paragraph 8.34 Policy FWK8	<p>Strutt and Parker LLP have been instructed by Mitchellson Group of Companies who are the owners of the Avon Works to submit the following representation in relation to Policy FWK8: STATION YARD AND AVON WORKS, WALTON. A red line plan of the land in question is enclosed for reference.</p> <p>We can confirm our support for the Local Plan (2012) Policy FWK8 and fully acknowledge that it forms part of the Council's Walton Regeneration Framework (2010).</p> <p>It is considered that the identification of the site for mixed use development would generally meet the tests of soundness. However whilst it is understood that the specific requirements of the policy are consistent with the regeneration strategy, we have objections to the policy on the following grounds:</p> <ul style="list-style-type: none">• Requiring 2,000 square meters of commercial floor space is too inflexible in terms of the amount of development stipulated;• The Regeneration Framework published in 2010 was based on economic circumstances before that date. Given the downturn of the economy it is unrealistic for the amount of commercial uses to be prescriptive; and• The policy is too prescriptive in terms of the locations for residential and commercial development.

To expand on these points, the site is a brownfield site and the costs of redevelopment, for potential issues such as contamination and land clearance, have not been quantified. As described within the National Planning Policy Framework (NPPF) it will be important that the site is tested in terms of viability to ascertain that it is deliverable.

In relation to bullet point three, being so inflexible at the policy stage of the planning process could lead to isolated development of either the commercial or residential coming forward without achieving the policy objectives.

The policy ought to make reference to the preparation of a master plan which provides for the quantum of uses on the site, and deal with access issues. The masterplan needs to be accompanied by a proper viability assessment to ensure that development can be delivered on the site. Section 'a)' should be omitted from the policy as the initial paragraph of the policy already talks about mixed use.

In order to meet the objectives of the policy to ensure that the plan has been positively prepared, is justified and effective and consistent with national policy the following wording is proposed:

The Station Yard and adjoining Avon Works, as defined on the Policies Map Inset, is allocated for mixed-use development of commercial premises and residential dwellings. Alongside relevant policy requirements in Chapters 2 to 5 of this Local Plan a masterplan shall be prepared for the site supported by a viability assessment to provide for development to take place on a comprehensive basis.

The masterplan shall set out:

- a) the description of land uses;*
- b) the quantum of development;*
- c) design and accessibility principles to ensure that;*
- d) the development must create an attractive entrance to the town and contribute toward public realm improvements around the entrance to the station.*

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No



(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

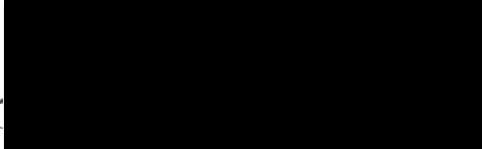
N/A

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form:

Signed:



Date: 7/1/2013

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Mary Foster

From: David Fletcher [REDACTED]
Sent: 07 January 2013 14:54
To: Planning.policy
Subject: Draft Local Plan- Land to the west of High Tree Lane, Walton- on- the- Naze email 1 of 4
Attachments: Eagle- Walton Representation Form.pdf; Walton- Delivery Statement.pdf; ATT00001.txt

Dear Sir/Madam,

Please find attached representation form and accompanying delivery statement to accompany the submission of information to promote land to the west of High Tree Lane, Walton-on- the- Naze on behalf of Mr D Eagle and Mr J Eagle.

Email 1 of 4, Appendices A to D of the Delivery Statement will follow.

Please let me know if you require any hard copies of the attached. If you could please acknowledge receipt of this representation that would be appreciated.

Kind Regards,

David

David Fletcher

Associate Planner
Strutt & Parker LLP



Description: Description: sp-signature-final.jpg

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Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

Mr J Eagle and Mr D Eagle C/O Strutt and Parker

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: David Fletcher

If an organisation, please provide a contact name: Strutt and Parker

E-mail: [REDACTED] [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object ✓

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- “**Positively Prepared**” – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- “**Justified**” – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- “**Effective**” – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- “**Consistent with national policy**” – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
SD5, PEO2 and Chapter 8 of the Plan-Object.	The plan needs to be amended to include land to the west of High Tree Lane, Walton for a residential development of 14 dwellings. The rationale for this is set out in the attached Delivery Statement. The amendments are required in order for the plan to be sound and consistent with national planning policy.
SD1, SD2, SD8, SD9, PEO1, PEO3, PEO8, PEO9, PEO10, FWK1- Support	Refer to attached delivery statement.

Please turn over ↗

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes ✓

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To fully demonstrate why land to the west of High Tree Lane, Walton- on- the- Naze should be allocated for a residential development and to demonstrate why the changes to the plan are required in order to conform to the National Planning Policy Framework.

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed: D Fletcher

Date: 07/01/12

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

**Tendring District Local Plan Proposed Submission Draft
Delivery Statement**

LAND TO THE WEST OF HIGH TREE LANE WALTON- ON- THE- NAZE
Mr J Eagles & Mr D Eagles

January 2013



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Appendix A: Highways, Drainage and Utilities Statement, undertaken by Ardent Consulting Engineers.

Appendix B: Ecological Appraisal, undertaken by DF Clark Bionomique.

Appendix C: Arboricultural Report, including opportunity and constraints plan, undertaken by DF Clark Bionomique.

Appendix D: Initial Masterplan and opportunities and constraints plans, undertaken by Go Planning.

1. INTRODUCTION

- 1.1 This representation has been prepared by David Fletcher MSc MRTPI on behalf Mr J Eagle and Mr D Eagle to support the promotion of land to the west of High Tree Lane, Walton-on- the- Naze as part of the current Tendring District Council Local Plan Proposed Submission Draft.
- 1.2 This document provides a comprehensive assessment of the site against the key policy criteria set out within Tendring District Council's current Local Plan consultation. This includes assessment of the credentials of the site against the key planning policies.
- 1.3 In accordance with criteria set out in the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) when allocating sites for development Local Authorities need to be satisfied that their plan is "sound." Paragraph 182 of the NPPF to be sound a Development Plan Document should be positively prepared, justified, effective and consistent with national policy.
- 1.4 To be positively prepared means the plan must be:
'prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.'
- 1.5 To be 'justified' means that the document must be:

'The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'

- 1.6 "Effective" means that the document must be:
'The plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence;
- 1.7 To support the promotion of Land to west of High Tree Lane, Walton- On- The- Naze a number of supporting documents have been undertaken by suitably qualified specialist consultants. This includes the following:
 - Phase 1 Habitat Survey, prepared by DF Clark Bionomique Limited.
 - Arboricultural Report and landscape opportunities and constraints plan, prepared by DF Clark Bionomique
 - Highways, Drainage and Utilities Statement, prepared by Ardent Consulting Engineers
 - Initial concept Masterplan, prepared by Go Planning
- 1.8 The supporting documentation, along with the evidence submitted in this report proves beyond doubt that the site is both deliverable, founded on a robust evidence base and the most appropriate site for new to come forward in Tendring.

2. THE SITE AND ITS SURROUNDINGS

- 2.1 Walton- on- the- Naze is one of the key towns in Tendring District, along with Clacton, Harwich, Manningtree and Brightlingsea. It has been identified as an 'urban Settlement' within the current Local Plan Submission Draft Consultation.
- 2.2 This promotion relates to land directly to the west of High Tree Lane, which is situated towards the north- west of Walton. The site is currently partly laid down to arable land and partly consists of 5 dwellings that are in a state of disrepair. The site covers an area of just under 0.5 hectares.
- 2.3 The site is adjacent to residential properties on its south and east boundaries and Willow Caravan Park on its northern boundary. To the west the site is adjacent to open agricultural land.
- 2.4 The proposals are for a total of 14 units, 6 of which are proposed to be served from High Tree Lane with the remaining 8 units served via a new access from Hall Lane to the south.



Figure 1: Location Plan of the Site.

3. PLANNING POLICY CONSIDERATIONS

- 3.1 Tendring District Council are currently in the process of preparing a new Local Plan which will replace the current adopted Local Plan. In early 2013 Tendring will be submitting the new Local Plan to the Government for independent examination. Final adoption will be late 2013 / early 2014.
- 3.2 This section assesses planning policies from within the current Local Plan Proposed Submission Draft in relation to the site promoted by Mr J and D Eagles in Walton- on- the Naze. The answers are focused on whether the plan is considered to be positively prepared, justified, effective and consistent with national policy.

Policy SD1: Presumption in favour of sustainable development

- 3.3 This policy is considered to be sound and consistent with national planning policy. It sets out the presumption in favour of sustainable development, especially in instances where the Development Plan is not up to date. This approach is supported.

SD2: Urban Settlements

- 3.4 This policy is supported and is considered to be consistent with the NPPF, which advocates the use of a settlement hierarchy. Frinton, Walton and Kirby Cross have correctly been classified as an urban settlement, given their close proximity to each other and their cumulative size.

- 3.5 The 6% increase in housing stock provides for what appears to be a fair distribution of housing across the key urban settlements and an effective policy.

Policy SD5: Managing Growth

- 3.6 The Council's approach to re- define the settlement development boundaries to account for development sites that could potentially accommodate the maximum number of new homes proposed for that settlement either individually or cumulatively, is supported in part.
- 3.7 The area of the plan that is currently not sound, is that land to the west of High Tree Lane, Walton- on- the- Naze is not currently allocated for a residential development. For the plan to be sound it is considered that the plan and proposed settlement boundary for Walton-on- the- Naze should be amended to include this area of land for residential development of 14 dwellings. The reasoning that this should be included is due to its very good relationship with the current town development boundary in Walton- on- the Naze and that it will provide choice and competition for market land as required by the NPPF. It is also proposed to demolish the five existing dwellings along High Tree Lane and replace with new high quality residential properties. This part of the scheme is flexible and will be subject to detailed discussions with Tendring District Council.
- 3.8 It is considered that the site meets all of the criteria set out in policy SD5 as follows:

- a) The development will help deliver market housing that the District needs and as required by the NPPF.
 - b) the development is very well related to the existing development boundaries and therefore would not impact upon the wider functions of the open countryside.
 - c) The site is located on the edge of Walton, which is a key urban settlement and is in close proximity to a range of services. It is therefore a very sustainable location for new growth.
 - d) The technical documents summarised in sections 5-8 and shown in the Appendices in full demonstrate that the site is fully deliverable.
- 3.9 The full benefits and deliverability of this site is discussed in further detail in sections 5-8 of this report. However it is strongly recommended that in order for the Local Plan to be 'sound' that this site is included and given an allocation for a residential development. This is on the basis that it is the most sustainable location for new development in Walton and that it will provide additional choice and competition for market land as required by the NPPF.

SD5: Changes to Policy Wording

- 3.10 It is not recommended that any amendments are required to the policy wording of SD5, however it is recommended that the inset plan for Walton is amended to include the site (as shown on figure 1) within the development boundary for Walton- on- the- Naze.

Policy SD8: Transport and Accessibility

- 3.11 This policy is supported; it has been fully justified and is in accordance with national policy. As demonstrated in section 5 of this report the site is located in sustainable location along a key bus route and in close proximity to local services.

Policy SD9: Design of New Development

- 3.12 This policy is supported and is fully justified. The proposed masterplan (refer to section 8) shows an indicative layout for the site, that is in full accordance with this proposed policy.

Policy PEO1 Housing Supply

- 3.13 This policy sets out that the Council seeks to deliver circa 4,000 dwellings (net) between 1st April 2012 and 31st 2021. This reflects the 6% increase in the districts total housing stock. This includes provision for 2,200 new dwellings to be delivered within Urban Settlements. This policy is supported and it provides a good mix of growth, with key areas of growth being focused on the larger settlements, but also with provision for development in smaller settlements. In sustainability terms Walton- on- the- Naze, along with Frinton, Clacton and Harwich are the most suitable locations to deliver the majority of the Districts growth over the plan period. This is reflected in the draft plan and is considered to be in full accordance with the NPPF and has been fully justified by the Council.

Policy PEO2: Housing Trajectory

- 3.14 This policy is partly supported as it sets out that the Council will seek to maintain a 5 year housing land supply, plus an additional 5%. This is in accordance with the guidance set out in the NPPF and this part of the policy is consistent with national framework.
- 3.15 To maintain the 5 year housing supply, plus an additional 5% it is considered that the Council should introduce additional flexibility to this policy. In order to provide the choice and competition for housing as required by paragraph 47 of the NPPF it is considered that the Council should allocate additional housing sites, such as land to the west of High Tree Lane, Walton- on- the- Naze. Modest sized sites such as this one will have the ability to introduce additional competition for market land, whilst at the same time not compromising the strategic objectives of the Local Plan. It is considered that this change to the plan should be made in order for it to be effective and considered as 'sound'
- 3.16 It is considered that additional clarity and justification should be provided within this policy to account for the large fluctuations in predicted housing growth on the year by year basis between April 2011 and March 2021. The current policy does not provide clear justification for the rationale behind the relatively low increase in dwelling stock at the beginning and end of the plan period, when compared to the high level of growth within the middle of the plan period. It is requested that clarification is provided on this point.

Policy PEO3: Housing Density

- 3.17 This policy is supported. The initial masterplan for the site as shown in section 8 have sought to respond to this policy and provide a density that is suitable for the edge of settlement location.

Policy PEO8 and PE09: Aspirational & Family Housing

- 3.18 Both of these policies are generally supported; the initial masterplan has sought to respond to this by providing low density 'Aspirational Housing' that meets the requirements of this policy.

Policy PEO10: Council Housing

- 3.19 This policy is supported and provides an appropriate level of affordable housing that meets the shortfall but will not compromise the viability of most developments. This is in accordance with the NPPF.

Frinton, Walton and Kirby Cross- Chapter 8

- 3.20 Paragraph 8.5 recognises that one of the key challenges facing Frinton, Walton and Kirby Cross is the high demand for new housing in the area. This results, in part, from its popularity as a place to retire and the impact this demand will have on future generations of local people and their ability to afford their own home unless some new housing, of the right type, is provided.

- 3.21 Paragraph 8.5 of the Local Plan also recognises one the key constraints of the area being the physical and environment constrains which limit the extent to which the urban area can expand without causing significant harm to the surrounding countryside and wildlife areas.
- 3.22 Land to the west of High Tree Lane is one of the few sites that can be developed without impacting upon the strategic functions of the surrounding countryside and wildlife areas and would help address the current housing shortfall in Walton and Frinton.

Policy FWK1: Regeneration in Walton- On- The- Naze

- 3.23 This policy is fully supported and sets out a strategy for regeneration of Walton Town Centre. The principles of this policy are strongly supported by guidance within the NPPF, which puts a strong emphasis on the need to ensure vitality of town centres.
- 3.24 In order to provide additional support for Walton's regeneration, additional housing needs to be provided within the town to provide the footfall the local retail and businesses in the area require all year round. It is considered that the allocation of land to the west of High Tree Lane would help in part to secure the regeneration of the local economy, with the increase in population that the new housing would provide helping increase footfall in the town centre. Given its sustainable location and good relationship to the town centre, the benefits of allocating this site considerably out- weigh the very modest loss of arable land as a result of the development.

Proposed New Policy: FWK10: Development on Land to the West of High Tree Lane

- 3.25 In order for the plan to be sound it is considered that an additional policy FWK10 should be added to section 8 of the Local Plan, which provides an allocation for 14 dwellings on Mr J and D Eagles site to the west of High Tree Lane. The suggested wording is set out as follows:

'Land to the west of High Tree Lane, Walton-on- the- Naze is allocated for a residential development of approximately 14 dwellings. This may include the demolition of 5 properties along High Tree Lane, which will be subject to detailed pre-application discussions. In total the development site will deliver a net increase in approximately 9 dwellings.'

The Council will work with the landowner to prepare a high-quality development for the site. Alongside relevant policy requirements in Chapters 2 to 5 of this Local Plan, development proposals will seek to meet the following requirements:

- a) *A new access point will be provided from the site to Naze Park Road/Hall Lane.*
- b) *A landscape buffer will be provided along the west boundary of the site to provide screening from the open countryside to the west.*

4. DETAILED EVALUATION OF THE SITE

4.1 This section and the following sections provide further detail to support section 3 and provide further evidence to support the promotion of the site. This part of the document should be considered in response to policy SD5 and the suggested new policy FWK10.

Ownership and Deliverability

4.2 The site is under the joint ownership of Mr J Eagle and Mr D Eagle and they are fully committed to a promotion of the site for residential development. Therefore the proposed development is fully deliverable. The owners have also declared willingness to provide a high-quality development.

4.3 In order to demonstrate that this is a suitable housing site to accommodate additional growth a number of consultant's reports have been commissioned. The consultant's reports demonstrate that the site is fully deliverable. The reports are summarised in sections 5-8 of this report, with full copies of each report contained within the appendices.



Picture 1: View of Site 1 towards the east



Picture 2: Residential properties on east boundary of site potentially to be demolished.

5. DELIVERY OF THE DEVELOPMENT: TRANSPORT ASSESSMENT

5.1 A transport appraisal of the proposed site has been undertaken by Ardent Consulting Engineers. The transport appraisal has included an assessment of public transport links, highway capacity and potential access points from the site, all matters that are considered to be important to demonstrate that the site is fully deliverable.

Sustainable Location of the Site

5.2 As set out within section 2 of the transport appraisal report the site is located within a very sustainable location. Four bus routes pass adjacent to the site on Naze Park Road and Hall Lane directly to the south. The buses provide very good transport links to Clacton, Frinton, Great Holland and Kirby-Le- Soken. In addition the site is within walking and cycling distance from Walton- on- the- Naze railway station, which is only 1.5km southwest from the site, on the Parade.

5.3 The site is located within a predominately residential area in close proximity to a number of local facilities. This includes being within close proximity to Walton- on- the- Naze Primary School and only 3km from Tendring Technology College. It is also located within walking distance to a number of local shops, restaurants and takeaways.

5.4 The Triangle Shopping Centre is situated only 3km away and is within walking/cycling distance as well as being easily accessible by a regular bus service. Further details on the sustainable location of the site are shown on figure 2.

Highway Network and Access

5.5 As part of the proposals it is intended to provide a new access onto Hall Lane/Naze Park Road to the south of the site. This will serve 8 of the 14 dwellings, with the remainder being served off the access onto High Tree Lane. The transport statement demonstrates that adequate visibility can be achieved from both access points, in accordance with the Essex County Council adopted standards.

5.6 In terms of capacity of the existing road network, it is not considered that a development of 14 dwellings would have any significant impact and could be accommodated using the existing road network without the requirement for any form of upgrade. It is also considered that the existing junction between High Tree Lane and Naze Park Road is of a suitable standard to accommodate the modest increase in traffic as a result of the development.

KEY

- | | |
|-----------------------|------------------------|
| BUS STOP | CAR REPAIR CENTRE |
| SHOPS / RETAIL | PARK / RECREATION |
| PLACE OF WORSHIP | CARAVAN PARK |
| TAKEAWAY / RESTAURANT | 400m WALKING ISOCRONE |
| GYM | 800m WALKING ISOCRONE |
| TIMBER YARD | 1200m WALKING ISOCRONE |
| SALVAGE YARD | SITE BOUNDARY |

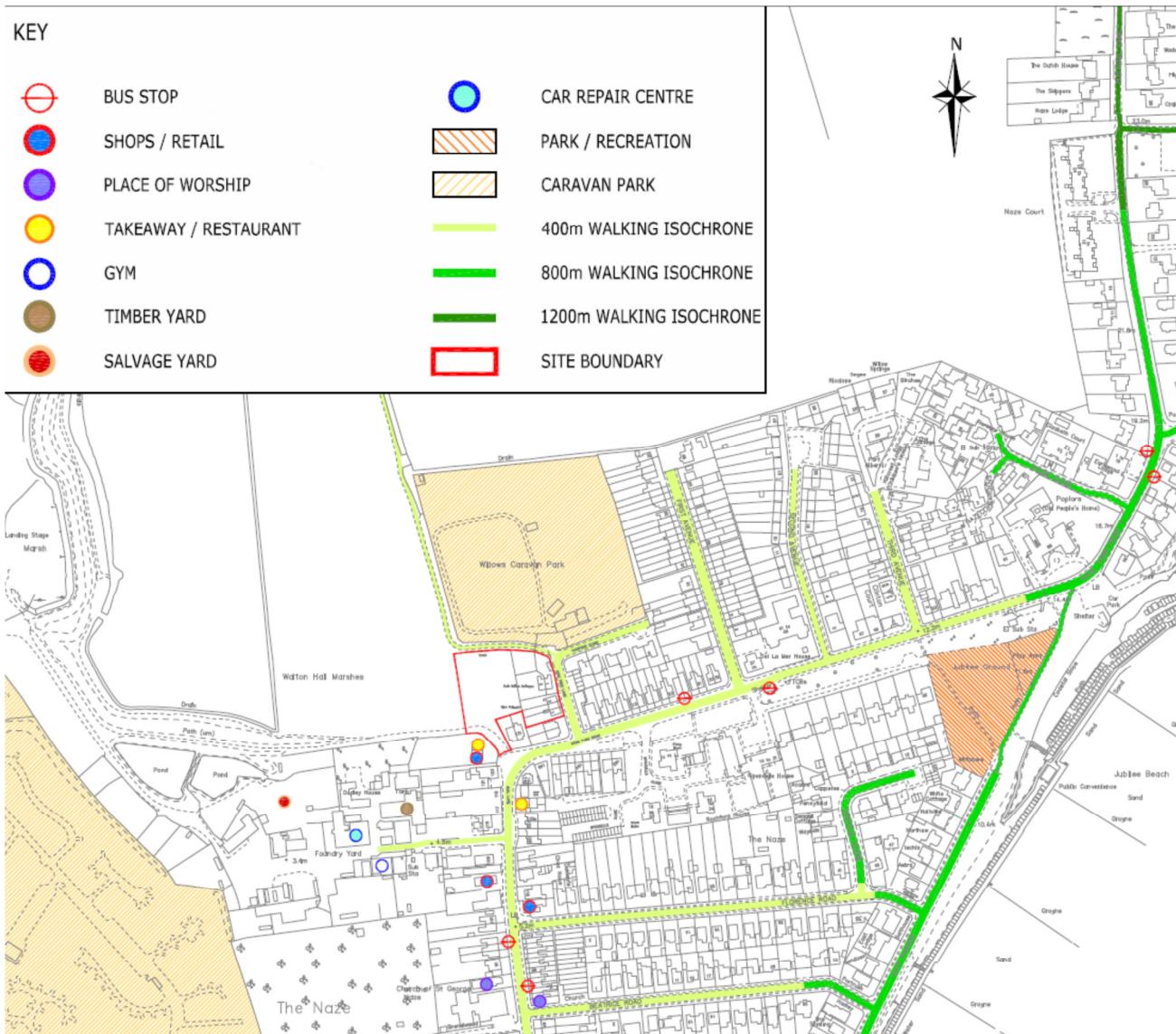


Figure 2: Sustainable Location of the Site © Ardent Consulting Engineers

6. FLOOD RISK ASSESSMENT, DRAINAGE AND UTILITIES APPRAISAL

6.1 As part of the remit of work undertaken by Ardent Consulting Engineers a Flood Risk, Drainage and Utilities appraisal of the site has been undertaken. This appraisal has been informed by initial discussion with Anglian Water and the Environment Agency, as well as other statutory bodies.

Flood Risk and Surface Water Drainage

6.2 As shown on figure 1 the site is located within a flood zone 1 (low risk zone) and therefore passes the Environment Agency flood risk sequential test as set out in the NPPF.

The purpose of the sequential test is to give preference to sites within flood zone 1 above sites within flood zone 2 and 3 and is a material consideration when determining the most suitable areas to allocate new development.

6.3 The site is situated approximately 350 metres from the Walton Channel, but being on higher ground the flood risk overview undertaken by Ardent Consulting Engineers demonstrates that the site is at low risk of from both fluvial, tidal and reservoir flooding (refer to figure 3).

6.4 In terms of drainage it is intended to use Sustainable Urban Drainage (SuDs) techniques, in order to maintain, or preferably reduce the existing runoff and flood risk in the area. The site is situated on clay ground; therefore the SuDs scheme is likely to consist of above ground storage in ponds or detention basins, or below ground attenuation in lined permeable paving or oversized pipes/tanks.

6.5 In addition the drainage report suggests the use of permeable paving to private drives and parking area to minimise run-off. There is an off-site drainage ditch that may be able to be utilised for the development, however this will be determined at detailed design stage.

6.6 The drainage report demonstrates that the site is fully deliverable in flood risk terms and will not increase flood risk off site.



Figure 3: Location of site in relation to Walton Channel

Foul Water Drainage Strategy

- 6.7 Initial discussions undertaken by Ardent Consulting Engineers with Anglian Water indicate the presence of foul sewer in High Tree Lane, adjacent to the site running south to Naze Park Lane. This sewer has been visually inspected and confirmed to be 0.9 metres deep, 150mm in diameter increasing to 225mm diameter sewer 2m deep in Naze Park Lane. Another foul sewer runs east- west along Naze Park Lane and the development is well served in this regard.
- 6.8 A foul capacity assessment has been carried out by Anglian Water, which confirms that there is capacity within the existing sewer network for the proposed flows from the site.
- 6.9 Confirmation has also been received from Anglian Water that foul drainage from the development is in the catchment of Walton-on-the- Naze Sewage Treatment Works, which has capacity to treat foul flows from the proposed development site.
- 6.10 An initial assessment of other utilities has also been undertaken. The National Grid has confirmed that the nearest gas main with sufficient capacity is adjacent to the site on High Tree Lane. Therefore in drainage and utilities terms the development is considered to be fully deliverable.

7. LANDSCAPE AND ECOLOGY

7.1 To support this delivery statement an ecology and arboricultural survey, along with a landscape constraints and opportunities plan of the site has been undertaken by DF Clarke Bionomique. Both reports can be reviewed in appendix B and C respectively.

Ecology

7.2 The phase 1 ecology report provides an overview of the ecological considerations with regard to the delivery of development. Approximately half of the site is laid down to arable agricultural use and is of low ecological value. The remainder of the site consists of residential properties and their gardens.

7.3 The ecology report identified that two of the existing residential dwellings on the site may have the potential to support roosting bats or birds. The trees on and adjacent to the site also provide potential for a variety of bird species. Therefore in the event that the existing dwellings on site are demolished as part of the proposal a detailed bat and bird survey will be undertaken.

7.4 The site does not currently form a suitable habitat for reptiles and no presence of reptiles was found on the site. Reptiles were identified within 2 km of the site, however site as it is currently does not provide a suitable habitat for reptiles. This will be re-assessed as and when a detailed application is submitted.

7.5 The ecology survey identified a presence of badgers, otter and water vole. Two ponds are located approximately 170 metres from the site. At this stage it is not known whether the ponds provide a suitable habitat for great crested newts, and this will be subject to further assessment at detailed application stage.

7.6 Overall the site is of relatively low ecological value and nothing has been identified within the phase 1 ecology report that would affect the deliverability of the proposals. As part of the detailed planning application proposals phase 2 ecological surveys will be undertaken to ensure that the proposals do not impact upon protected species.



Picture 3: Sparse grass and vegetation cover at ground level, providing low ecological potential.

Hamford Water

- 7.7 To the north- west of the site is Hamford Water Nature Reserve, which is designated as a Special Protected Area (SPA), RAMSAR Site, National Nature Reserve and Site of Special Scientific Interest (SSSI). Whilst it is not envisaged that the proposals will have any direct impact upon the Nature Reserve, it is possible that there may be some impact on Hamford Water as the result of a modest increase in visitor pressure associated with the proposed new development. This is the case not only for this development but for several other developments proposed in this broad area of Tendring District.
- 7.8 As part of the detailed design stage it may be necessary to provide some mitigation measures to offset any visitor impact upon Hamford Water and this will be developed as appropriate at planning application stage.

Arboriculture

- 7.9 A tree survey of the site was undertaken by DF Clarke Bionomique. This survey identified that in total there are five trees, one group and four hedgerows that are either on or adjacent to the site. The conclusions of the report are that none of the onsite trees or group will be a constraint to development. The plum trees are in poor, declining condition and the hawthorn has decay at a structurally important part of its trunk. This means that none of the trees have a long safe, useful life expectancy and should not be retained on a new development.

- 7.10 The hedgerows at the boundaries of the site are of varying quality, with some of the hedgerows being gappy in places. The hedgerows currently provide screening from the site to the adjacent caravan park. It is likely that this hedge along the northern boundary will be improved and managed as part of the proposals.
- 7.11 Currently the tree cover on the site is low and it is intended that this will be increased as part of the proposals. Once the development is complete it is likely that both the on-site arboriculture and biodiversity will be improved and increased from the present situation.



Picture 4: Hedges on northern boundary, which will be managed and enhanced as part of the proposals.

8. INITIAL CONCEPT MASTERPLAN

8.1 To support the promotion an initial concept masterplan has been prepared by Go Planning (see figure 4). Whilst the masterplan should be considered only as indicative at this stage, it does provide detailed information to demonstrate that a residential development on this site could be successfully achieved in layout terms. The masterplan has been fully informed by the consultant's reports, which can be read in the appendices of this report. A full copy of the masterplan can be seen in appendix D.

Layout of the Site

8.2 The masterplan demonstrates a possible layout of the residential development in the future should an allocation be achieved. As demonstrated by the consultant's reports, the site benefits from being relatively un-constrained greenfield site, with ample opportunity to provide access onto both High Tree Lane and Naze Park Road/Hall Lane. The site also benefits from being of a good shape and size for development, which allows for a flexible layout and a well-connected development.

8.3 The masterplan of the site has been informed by the consultants reports and by undertaking a constraints and opportunity analysis of the site (refer to appendix D).

8.4 The site will provide a development of 14 dwellings, which is considered to be a suitable density and in accordance with

policy PE03 of the adopted Local Plan. It is likely that this will include demolition of 5 dwellings along the eastern boundary, although this will be subject to detailed pre-application discussions with Tendring District Council. The net increase in dwellings as a result of the proposals will be 9 dwellings.

8.5 Provision has been made for the 6 proposed dwellings to the east of the site to front onto High Tree Lane and follows the existing building line of the residential properties directly to the south- east. The remaining 8 dwellings are situated towards the west of the site with a new access road being provided from a new access to the south.

8.6 The site is relatively well screened in landscape terms by the residential properties to the east and south and by the caravan park to the north. The key landscape sensitivity is across the adjacent arable land to the west. To minimise the impact of the development to views across the open countryside the initial concept masterplan makes provision for landscape planting along this west boundary. This will both enhance the visual appearance of the site in biodiversity terms, but also provide an opportunity for foraging grounds for birds.



Figure 4: Indicative Masterplan of the Site (See full size plan in Appendix D) © Go Planning (2013)

9. CONCLUSION

- 9.1 This delivery statement has been made in reference to Tendring District Local Plan Proposed Submission Draft (2012). This representation has responded to a number of questions raised in the consultation, but with particular focus in relation to policy SD5 and chapter 8 of the Local Plan, which relates directly to Walton, Frinton and Kirby Cross.
- 9.2 The majority of the Council's submission draft is supported and is considered to be justified, effective and in accordance with national policy. However in order for the plan to be 'sound' and to meet the requirements of the NPPF, specifically with regard to providing choice and competition for market land, it is considered that land to the west of High Tree Lane, Walton should be allocated for residential development. It is considered that the proposed inset map for Walton is amended to include this site as shown on figure 1. Without this amendment objection is raised to policy SD5 and chapter 8 of the Local Plan.
- 9.3 The rationale for inclusion of this site for residential development has been demonstrated throughout this delivery statement. The key support for the development is set out as follows:
- The site is under the ownership of Mr J and D Eagles and they are both fully committed to bringing the site forward for residential development.
 - The site is well-related to the town development boundary of Walton and is one of only a few greenfield sites in Walton

that can be delivered without impacting upon the wider countryside.

- The proposed housing could help meet the identified shortfall and pressure for new housing within Walton and Frinton.
 - The site is situated within a very sustainable location, in close proximity to a number of bus routes and within walking distances to a range of services, including the local schools.
 - The proposals provide the opportunity to demolish some run-down dwellings and replace them with high quality new residential properties (subject to the preference of Tendring District Council).
 - There is an opportunity to provide safe vehicular access from the site onto Naze Park Road/Hall Lane.
 - The site is fully deliverable in ecology, flood risk and drainage terms and benefit from potential for connection to the existing sewerage network.
- 9.4 This delivery statement and supporting documents have demonstrated that this site is the most appropriate site to accommodate additional growth in Walton, and the Council are urged to allocate this site for development as part of the adoption of the New Local Plan

Mary Foster

From: David Fletcher [REDACTED]
Sent: 07 January 2013 14:55
To: Planning.policy
Subject: Draft Local Plan- Land to the west of High Tree Lane, Walton- on- the- Naze email 2 of 4
Attachments: Appendix A- Highways Drainage and Utilities Assessment and Drawings.pdf; Appendix A- Highways, Drainage and Utilities Appendices.pdf; ATT00001.txt

Dear Sir/Madam,

Please find attached appendices to accompany the submission of information to promote land to the west of High Tree Lane, Walton-on- the- Naze on behalf of Mr D Eagle and Mr J Eagle.

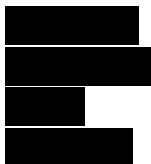
Email 2 of 4, Appendices A to D of the Delivery Statement will follow.

Kind Regards,

David

David Fletcher

Associate Planner
Strutt & Parker LLP



Residential | Commercial | Rural | Development | Professional Services

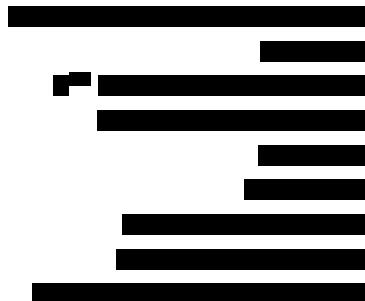
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LAND AT WALTON-ON-THE-NAZE

HIGHWAYS, DRAINAGE AND UTILITIES STATEMENT



**REPORT REF: P240-001
PROJECT NO. P240
JANUARY 2013**

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P240-001	-	Local Accessibility
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APPENDICES

- Appendix A – Highway Boundary Information
- Appendix B – Development Site plan
- Appendix C – National Grid Gas Correspondence
- Appendix D – Anglian Water Correspondence
- Appendix E - Affinity Water Correspondence
- Appendix F – UK Power Network Correspondence
- Appendix G – Environment Agency Correspondence

DOCUMENT CONTROL SHEET

REV	ISSUE PURPOSE	AUTHOR	CHECKED	APPROVED	DATE
-	Draft for comment	PJI/SJH	SBr	TRF/ML	17.12.12
-	Final for issue	PJI/SJH	SBr	TRF/ML	3.01.13

1.0 INTRODUCTION

- 1.1 Ardent Consulting Engineers (ACE) has been commissioned by The Eagle Family to advise on the transport and infrastructure planning aspects of the proposed development of land at Walton-on-the-Naze, for residential development.
- 1.2 Representations are to be made to the local planning authority, Tendring District Council (TDC). Essex County Council (ECC) is the local highway authority responsible for all roads in the area.
- 1.3 This report has been prepared in support of the promotion of this site for residential development through the emerging new Tendring District Local Plan.
- 1.4 In preparation of this report, ACE has consulted with all of the relevant Statutory Undertakers that provide services in the area.
- 1.5 It should also be noted that elements of this report have been produced on the basis of information received from relevant service companies and as such, ACE cannot accept responsibility for the accuracy of the information received and all service locations should be confirmed on Site.
- 1.6 Copies of the correspondence received from the Statutory Undertakers have been provided in the appendices of this report for further reference.
- 1.7 This report aims to provide an outline summary of the provision of utilities to serve the development and demonstrate that the Site can be suitably served without having a detrimental impact on the surrounding networks and environs.

2.0 BASELINE PARAMETERS

Existing Site

- 2.1 The site being put forward for representation, hereafter referred to as the Site, is located off Hall Lane, Walton-on-the-Naze as illustrated in **Figure 1** below.



Figure 1 – Site Location Plan

- 2.2 The Site is approximately 0.5 hectares in size and is located on the corner of Hall Lane and Naze Park Road. The Site is bounded by a caravan site to the north, High Tree Lane to the east and farm land to the west.
- 2.3 The existing Site redline boundary comprises of open farmland and four residential dwellings that front High Tree Lane at the east.
- 2.4 An aerial view of the Site is shown below in **Figure 2** below.



Figure 2 – Aerial Photograph

- 2.5 The Site is centred on an Ordnance Survey grid reference 625855mE, 222932mN.

Access

- 2.6 No formal existing vehicular access is available into the site from Hall Lane, Naze Park Lane or High Tree Lane. However, an informal opening exists at Hall Lane, which has evidence that vehicles have used it to access the site.
- 2.7 The four existing dwellings on the site are served direct from High Tree Lane.

Local Highway Network

Hall Lane/Naze Park Road

- 2.8 Hall Lane/Naze Park Road is a single carriageway road which forms the site's southern boundary. The road is essentially split into two parts, with the road named 'Hall Lane' as it continues to the west/south of the site, and 'Naze Park Road' as the road continues to the east/north. Hall Lane/Naze Park Road forms the main arterial

road through Walton-on-the-Naze, and connects the site to its main residential, employment, recreational areas and key public transport interchanges. It does not form part of the "County Road" network and acts as a local distributor road.

- 2.9 In the vicinity of the site's southern boundary, the carriageway measures approximately 7.3m wide. It runs east-west to the south of the site and is subject to a 30mph speed limit.
- 2.10 In vicinity of the site, Hall Lane/Naze Park Road provides direct access to residential properties on both sides of the road. Along the Hall Lane part of the road, parking restrictions, in the form of double yellow lines exist on both sides of the road, with intermittent parking layby areas available. No parking restrictions exist along the Naze Park Road.
- 2.11 The existing informal site opening is located on the carriageway bend as the road changes from Naze Park Road to Hall Lane. This informal point of access measures approximately 9.5m wide and is served via a layby/access area located on the outside of the bend.
- 2.12 Details of highway boundary information has been obtained from ECC, a copy of which is provided at **Appendix A**. The output shows that the majority of Naze Park Road is owned and maintained by ECC. The data shows that that a small section on the northern edge of Naze Park Road (highlighted in pink) has no record of ownership. However, ECC do confirm that the area of land does form part of the existing carriageway and adjacent footway.

High Tree Lane

- 2.13 High Tree Lane is located at the site's eastern boundary. It is an 8m wide residential access road that serves 12 residential dwellings, and the 'Willows Caravan Park'. High Tree Lane is accessed from Naze Park Road by way of a priority T-junction.

- 2.14 Details of highway boundary information, provided at **Appendix A**, shows that High Tree Lane is privately owned, with the existing dwellings within the site having a right of access.

Pedestrians

- 2.15 There is good pedestrian provision along both Hall Lane and Naze Park Road, with lit footways on both sides of the carriageway that measure between 1.5m and 2m wide on both sides of the carriageway. The southern footway on Naze Park Road is segregated from the carriageway by a grass verge. These connect the site to the facilities on the Hall Lane and its adjoining streets.
- 2.16 High Tree Lane is also lit and has a 1.5m wide footway on its western edge, which extends to the north from Naze Park Road for circa 20 metres. No facilities exist on the eastern edge.

Cycling

- 2.17 There are currently no designated cycle routes in the immediate vicinity of the site.

Public Transport

Buses

- 2.18 There are 4 primary bus routes that pass the site along Naze Park Road and Hall Lane. These are route numbers 7, 7X, 8 and 13, which run at a combined frequency of one bus every 17 minutes between Clacton/Frinton-on-Sea and The Naze via the Triangle Shopping Centre, Great Holland and Kirby-le-Soken. The nearest stops are located on either side of Naze Park Road, 80m (eastbound services) and 100m (westbound services) to the east of High Tree Lane. These stops can be accessed via the footways on both sides of Naze Park Road.

Rail

- 2.19 Walton-on-the-Naze railway station is located approximately 1.5km southwest of the site, on The Parade. The station forms part of the Greater Anglia rail network, which provides links to Colchester via

Frinton-on-Sea, Kirby Cross, Weeley, Hythe and Colchester Town, with trains running every 60 minutes throughout the day in each direction, increasing to one every 30 minutes at peak times.

- 2.20 Walton-on-the-Naze railway station is located approximately 200 metres from bus stops located on High Street. These stops are served by each of the above bus services (para 2.16), which connect to the Site. The journey time between the stops on High Street and the stops closest the Site is approximately 12 minutes.

Local Amenities and Facilities

- 2.21 The surrounding area is predominately residential in character, with a number of local facilities within an acceptable walking distance from the site. **Drawing Number P240-001** demonstrates the site's location and its proximity to surrounding amenities and facilities. These include a number of local shops, restaurant/takeaway and employment opportunities within easy walking distance on Hall Lane and Naze Park Road.
- 2.22 **Drawing Number P240-002** demonstrates available facilities located slightly further afield. The figure shows that the Walton-on-the-Naze Primary School is located circa 1.2km from the site, with Hamford Primary School and Tendring Technology College located circa 3km away. These facilities are all served by bus route numbers 7, 8 and 13, which also pass the site. The travel time on the bus between the site and Walton-on-the-Naze Primary School is 2 minutes. The travel time on the bus between the site and Hamford Primary School/Technology College is 10 minutes.
- 2.23 The Triangle Shopping Centre is also located circa 3km from the site, opposite the Technology College. This is also served by bus route numbers 7, 8 and 13. The travel time on the bus between the site and the shopping centre is 10 minutes.
- 2.24 The site is in a sustainable location, within walking distance of local services and of bus stops that link the site to further areas for shopping, employment, education and larger public transport

interchanges. The site is therefore considered a highly suitable location for residential development.

Topography

- 2.25 A detailed topographical survey of the existing Site has been carried out which indicates that levels vary across the Site from 5.65m to the south and east of the Site down to 5.02m to the north-west of the Site.

Ground Conditions

- 2.26 No geotechnical ground investigations have been carried out to date. A review of British Geological mapping information shows that the Site is predominantly formed of clayey sequence up to 140m thick confining underlying aquifers.

Flood Risk

- 2.27 The proposed development Site is in Flood Zone 1, which is classified by the Environment Agency as being at low probability of flooding from the Walton Channel approximately 350m to the north west of the Site as shown in **Figure 3**.



Figure 3 – Flood Risk Mapping

-
- 2.28 A pre development enquiry has been sent to the Environment Agency (EA) which confirms that the Site is located in Flood Zone 1 and is at low risk of flooding. Full correspondence from the EA can be found in Appendix G.
 - 2.29 A review of the Tendring Strategic Flood Risk Assessment (SFRA), March 2009 by JBA consulting has been carried out to assess the risk of flooding to the Site.
 - 2.30 Based on the Flood Mapping available within the Tendring SFRA, the Site is not affected by fluvial, tidal or reservoir flooding and there are no records of sewer flooding in the area.
 - 2.31 However, the Site is predicted to be at risk of tidal flooding when the future effect of climate change for the next 100 years (2107) is considered.
 - 2.32 There has been one historic event of tidal flooding from the Walton Channel which inundated the Site in 1953.
 - 2.33 The EA has confirmed that since the Site is less than a hectare in size, a National Planning Policy Framework compliant Flood Risk Assessment is not required. Therefore surface water drainage will be designed in accordance with good practice and the Tendring SFRA.

Development Proposals

- 2.34 A conceptual development layout is shown in **Figure 4** below and provided within **Appendix B**.



Figure 4 – Concept Development Site Plan Extract

- 2.35 The development concept comprises the redevelopment of the four existing dwellings and fields to provide 14 residential units (increase of 10). Six of the 14 units are to be served directly from High Tree Lane, with the remaining 8 units served via a new access from Hall Lane.
- 2.36 Each unit is to be accompanied by off-street parking.

3.0 HIGHWAYS AND TRANSPORT ASSESSMENT

Access

- 3.1 Hall Lane/Naze Park Road is identified as an "Estate Road" within the Essex DMP document. Policy DM4 of the Essex DMP states that to protect the function of Estate Roads, it should be endeavored that any new access point be designed and constructed in accordance with current standard.
- 3.2 As shown on the concept masterplan, 8 of the proposed 14 units are to be served via a new access from Hall Lane, utilising the existing opening at the carriageway bend. The Essex Design Guide (EDG) provides guidance on new residential development. The document states that to provide access for residential development, a "Type 7 Mews" could be provided. As a cul-de-sac, this road type could provide direct access for up to 50 dwellings, with a 5.8m wide shared surface and a dropped kerb access arrangement from Hall Lane.
- 3.3 In line with the above guidance, a proposed access arrangement from Hall Lane to serve 8 units is shown on **Drawing No. P240-003**. The layout shows a Type 7 - Mews.
- 3.4 The remaining six units are to be served directly from High Tree Lane. To provide access from at High Tree Lane, it is recommended that negotiations take place between the site developer and the owners of High Tree Lane (once established) to allow rights of access to be permitted.

Visibility

- 3.5 ECC policy requires visibility on internal estate roads to comply with the standards contained within the EDG or *Manual for Streets* (MfS). In line with the requirements of the EDG for a Type 7 – Mews, **Drawing No P240-003** shows 2.4 x 33m visibility splays in each direction of the junction.

-
- 3.6 Pedestrian intervisibility splays of 1.5 x 1.5m have also been shown from the proposed Mews, which have been taken from the edge of the carriageway to the back of footway.

Highway capacity

- 3.7 Based on the level of development, it is not considered that a significant increase in traffic flows would occur. Therefore, no detailed capacity assessments of the proposed site access or existing Naze Park Road/High Tree Lane junction should be required.

Internal Layout

- 3.8 The site layout to serve the 8 residential dwellings from Hall Lane will be designed with consideration given to both *EDG* and the *Manual for Streets*, with the emphasis on reducing car dominance and keeping traffic speeds within the target of 20mph.
- 3.9 The internal road would be designed as a shared surface, culminating into a 'Size 3' turning head. This arrangement should satisfactorily accommodate the swept path requirements of an 'Essex' Large Refuse Vehicle. These manoeuvres are demonstrated on **Drawing No P240-003**.

4.0 DRAINAGE ASSESSMENT

- 4.1 The existing Site is largely undeveloped farm land with four dwellings. The Tendring SFRA states that for developments less than 1Ha, appropriate application of SuDS techniques are to be used to maintain, or preferably reduce the existing runoff and flood risk in the area.
- 4.2 Existing Greenfield run off rates from undeveloped sites of 50Ha or less, can be calculated adopting the methodology outlined within the Institute of Hydrology's Report 124 (IoH 124) – Flood Estimation for Small Catchments.
- 4.3 Greenfield run-off rates have been calculated using the source control module within the hydraulic software, WinDES. This application calculates surface water run-off using the IoH 124 method. Parameters input into this application for the proposed development are shown in **Figure 5** below:

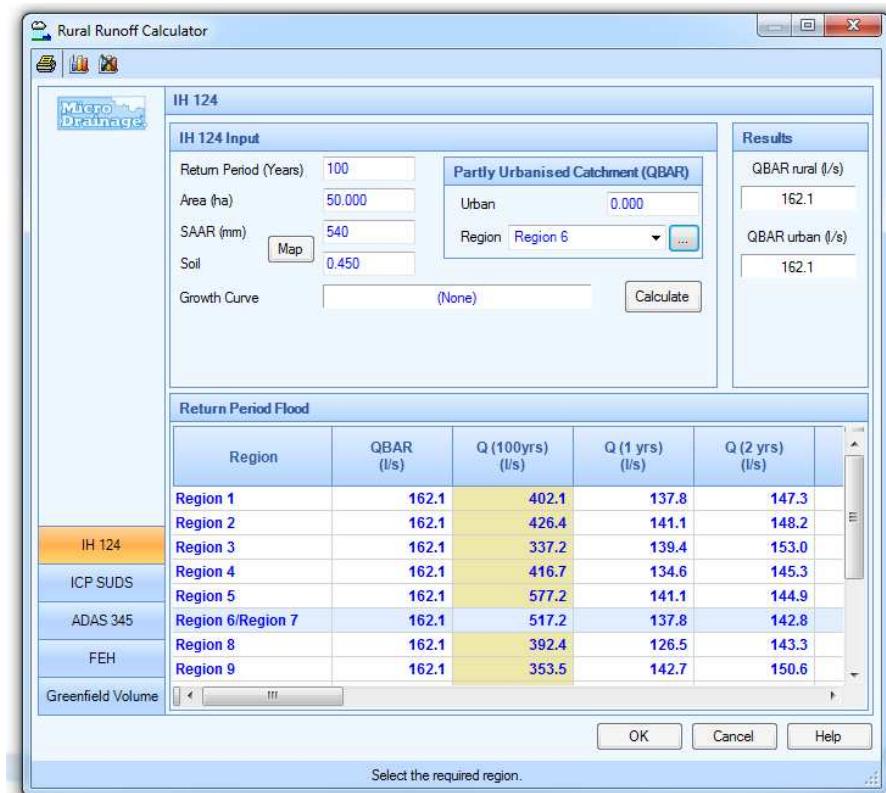


Figure 5 – IoH124 Parameters

- 4.4 Based on a Site area of 0.5Ha the greenfield run off rates for a variety of storms is listed below:

Q 1 Years	1.38 l/s
Q 30 Years	3.68 l/s
Q 100 Years	5.15 l/s

- 4.5 However, best practice suggests that the proposed development run-off should not be less than 5l/s to reduce the risk of blockage within any flow control device, therefore a limit of 5l/s, the approximate value of the 1 in 100 year greenfield run-off rate, is the proposed post developed flow rate.
- 4.6 It has been assumed that 60% of the proposed site area is impermeable. Therefore based on an impermeable site area of 0.3ha the proposed volume of attenuation for the 1 in 100 year plus climate change will be approximately 133m³.
- 4.7 An initial review of possible SuDS features to attenuate this volume has been carried out. The British Geological mapping indicates that the site is on clay which is not suitable for infiltration techniques therefore above ground storage in ponds and detention basins, or below ground attenuation in lined permeable paving or oversized pipes/tanks would be appropriate for this Site.
- 4.8 From an inspection of the public sewer record plans provided by the Drainage Authority for the area, Anglian Water, there are no existing surface water sewers in the vicinity of the Site. Alternative methods of surface water disposal will need to be considered.
- 4.9 The British Geological mapping indicates that the Site is on clay which is not suitable for infiltration techniques.
- 4.10 The ordnance survey mapping indicates that there is a network of ditches to the north and west of the Site which drain to the Walton Channel. The nearest ditch to the proposed development Site is

believed to be within land under the Landowner's ownership is 140m to the west of the Site.

- 4.11 Additional topographical information and confirmation from the Landowner is required to determine whether the development drainage can cross this land connecting to the ditch.
- 4.12 The suggested method of surface water disposal will therefore be lined permeable paving to private drives and parking areas discharging to a below ground network of pipes and an attenuation tank under the proposed parking court to attenuate approximately 133m³ of surface water volume for storms up to the 1 in 100 year plus climate change. This will discharge at greenfield run-off rates for all storm event to the existing network of ditches, 140m to the west of the Site, subject to approval from the Landowner.

5.0 UTILITY SERVICE PROVISION

Introduction

- 5.1 The following relevant Statutory Undertakers have been consulted in relation to the proposed development:
- Anglian Water - Sewerage;
 - Affinity Water – Water supply;
 - UK Power Networks – Electricity;
 - National Grid – Gas;
 - ES Pipelines – Gas;
 - GTC – Electricity and Gas;
 - Envoy Pipelines – Electricity and Gas;
 - McNicholas – Various plant;
 - Cable and Wireless – Telecoms;
 - BT – Telecoms; and
 - Virgin Media.
- 5.2 Each Statutory Undertaker with known plant in the region has been contacted and requested to provide details of:
- Existing assets in the area;
 - The extent of any necessary diversion or protection works;
 - The requirement for any off-site reinforcement works to meet the peak load demand generated by the development proposals; and
 - The potential point of connection to the existing supply distribution network.
- 5.3 Consultation with the various Utility Companies has been based on 14 residential dwellings.

-
- 5.4 The following utilities companies are confirmed not to have any plant within 200m of the Site:

BOC Limited (A Member of the Linde Group)	Linesearch before U dig Asset Owners
BPA	Mainline Pipelines Limited
Centrica Energy	Manchester Jetline Limited
ConocoPhillips UK Ltd	Marchwood Power Ltd (Gas Pipeline)
Coryton Energy Co Ltd (Gas Pipeline)	NPower CHP Pipelines
E-on UK Plc (Gas Pipelines Only)	National Grid Gas and Electricity Transmission
ESSAR	Oikos Storage Limited
Esso Petroleum Company Limited	Perenco UK Limited (Purbeck Southampton Pipeline)
FibreSpeed Limited	Phillips 66
Geo Networks Limited	Premier Transmission Ltd (SNIP)
Government Pipelines & Storage System	RWEpower (Little Barford and South Haven)
HV Cables	SABIC UK Petrochemicals
Humbly Grove Energy	Scottish Power Generation
IGas Energy	Shell Pipelines
INEOS Manufacturing (Scotland and TSEP)	Total UK (Finaline, Colnbrook & Colwick Pipelines)
Ineos Enterprises Limited	Wingas Storage UK Ltd

Gas Supply

- 5.5 The asset record plans provided by National Grid Gas (NGG) illustrate the presence of existing supply networks in close proximity to the Site as shown in **Figure 6** below.
- 5.6 The National Grid Gas record plans show a 63mm PE low pressure main in High Tree Lane, increasing to a 180mm PE low pressure Naze Park Road.



Figure 6 – Gas Supply Record Plan Extract

- 5.7 National Grid has confirmed that nearest main with sufficient capacity is the low pressure main in High Tree Lane.
- 5.8 A copy of National Grid correspondence can be found in **Appendix C**.
- 5.9 Envoy Pipelines, ES Pipelines and McNicholas do not have any mains in the vicinity of the Site.
- 5.10 No diversions of National Grid gas mains are anticipated on the Site.

Foul and Surface Water drainage

- 5.11 The local Water Authority, Anglian Water, has provided record plans of the existing foul and surface water network around the Site. Refer to **Figure 7** below.

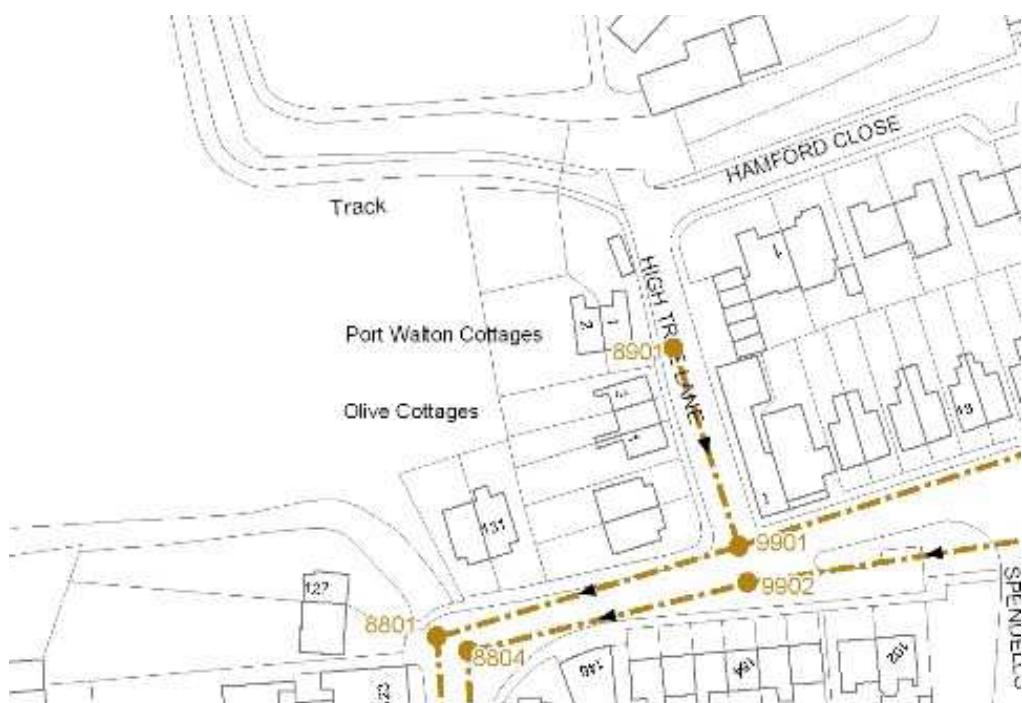


Figure 7 – Foul and Surface Water

- 5.12 The Anglian Water record plans indicate the presence of a foul sewer in High Tree Lane running south to Naze Park Lane. This sewer has been visually inspected and confirmed to be 0.9m deep, 150mm diameter increasing to a 225mm diameter sewer 2m deep in Naze Park Lane at. Another foul sewer runs east-west along Naze Park Lane. Visual inspection confirmed this to be 1m diameter and 3m deep.
- 5.13 Based on the site levels of around 5.2m AOD, the site will discharge by gravity to manhole 8801 in Hall Lane.
- 5.14 Anglian Water record plans indicated no surface water sewers on or around the proposed Site.
- 5.15 A foul capacity assessment has been carried out by Anglian Water which confirms that there is capacity within the existing sewer network for the proposed flows of 0.65l/s (based on 4000l/dwelling/day as per Sewers for Adoption 6th Edition) within either manhole 8801 or 8901.

5.16 The report also confirms that the foul drainage from the development is in the catchment of Walton On The Naze Sewage Treatment Works, which has capacity to treat the flows from your development site.

5.17 A copy of Anglian Water correspondence can be found in **Appendix D**.

Water Supply

5.18 Record plans of the existing water supply network have been obtained from Affinity Water which indicates the presence of the existing 4 inch PVS main in High Tree Lane, leaving to a 180mm MDPE main in Naze Park Road.

5.19 There are no water supply pipes within the existing Site boundary.

5.20 An extract of the record plan has been provided in **Figure 8** below. A copy of Affinity Water correspondence can be found in **Appendix E**.

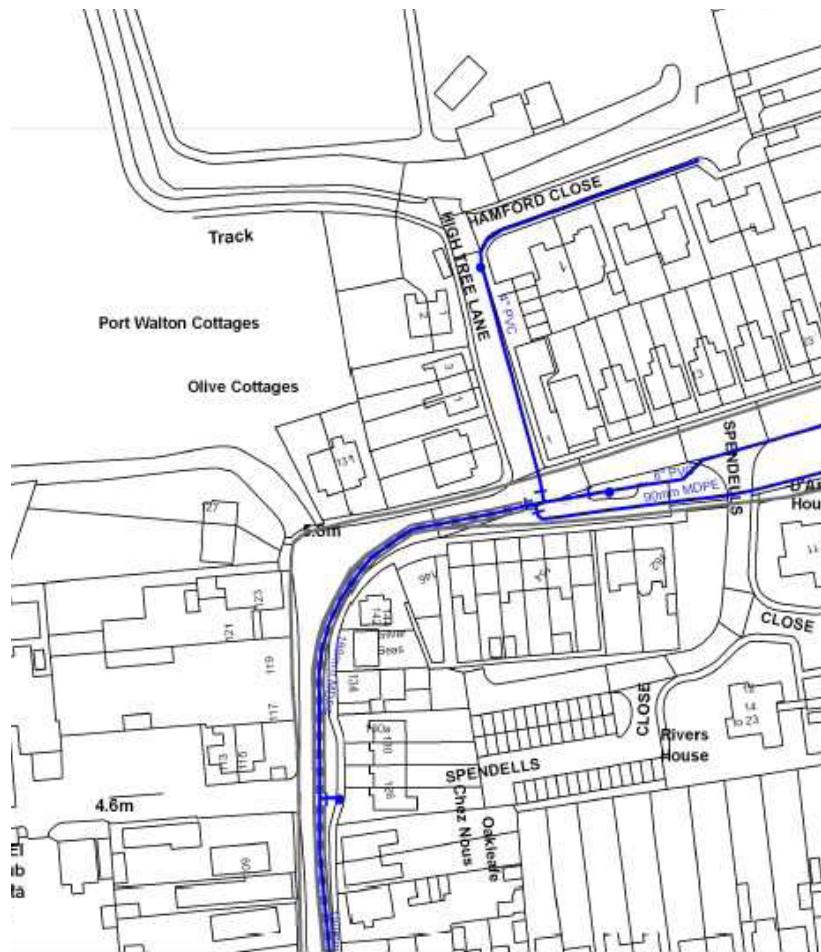


Figure 8 – Water Supply Record Plan Extract

- 5.21 A capacity assessment has been undertaken by Affinity Water which confirms that network has available capacity to supply the proposed development of 14 residential dwellings.

Electricity Supply

- 5.22 Record plans of the existing electricity distribution network have been obtained from UK Power Networks which illustrate that there is a high voltage (HV) and low voltage (LV) network in the vicinity of the Site. Refer to **Figure 9**.



Figure 9 – UK Power Network Record Plan Extract

- 5.23 The plans show a LV underground cable running under the northern footway of Hall Lane/Naze Park Road which enters the Site and travels west.
- 5.24 The nearest substation to the Site is the Walton Naze substation, approximately 100m south west of the Site.
- 5.25 UK Power Networks has carried out a capacity assessment and budget estimate for the proposed Site which confirms that there is capacity in the existing low voltage network in Hall Road/High Tree Lane. Correspondence from UK Power Networks is provided in **Appendix F**.

Telecommunications Connections

- 5.26 The asset record plans provided by BT Openreach below illustrates that there is both existing underground plant (black) and overhead plant (red) located in close proximity to the Site as shown in **Figure 10** below.



Figure 10 – BT Telecommunications Record Plan Extract

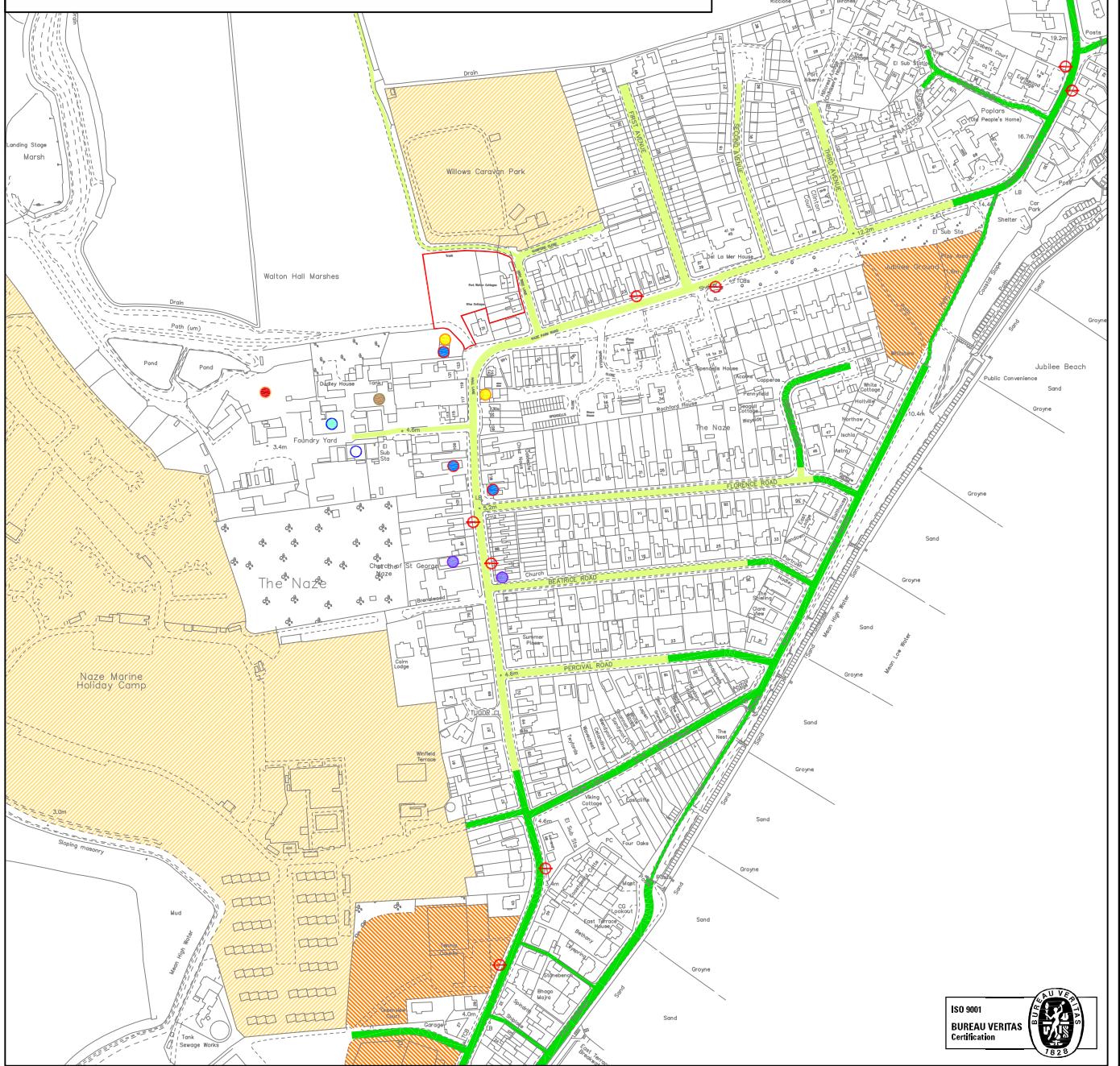
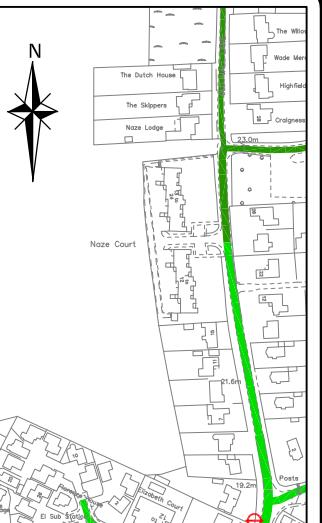
- 5.27 BT Openreach has confirmed that a detailed survey of their network and apparatus is required to determine the extent that their network may be affected by the new development proposals.
- 5.28 Diversion or lowering of the existing BT cable in Hall Lane may be required to facilitate the proposed access.
- 5.29 Openreach (Newsites) has yet to confirm that new connections can be provided to serve the development, however British Telecoms are legally obliged to serve the development proposals once consent has been achieved.

- 5.30 Virgin Media has been contacted and have advised that Virgin Media plant should not be affected by the proposals and that no strategic additions to the existing network are envisaged in the immediate future.
- 5.31 Cable and Wireless has confirmed that they do not have apparatus in the vicinity of the Site.

Drawings

KEY

- | | | | |
|--|-----------------------|--|-------------------------|
| | BUS STOP | | CAR REPAIR CENTRE |
| | SHOPS / RETAIL | | PARK / RECREATION |
| | PLACE OF WORSHIP | | CARAVAN PARK |
| | TAKEAWAY / RESTAURANT | | 400m WALKING ISOCHROME |
| | GYM | | 800m WALKING ISOCHROME |
| | TIMBER YARD | | 1200m WALKING ISOCHROME |
| | SALVAGE YARD | | SITE BOUNDARY |



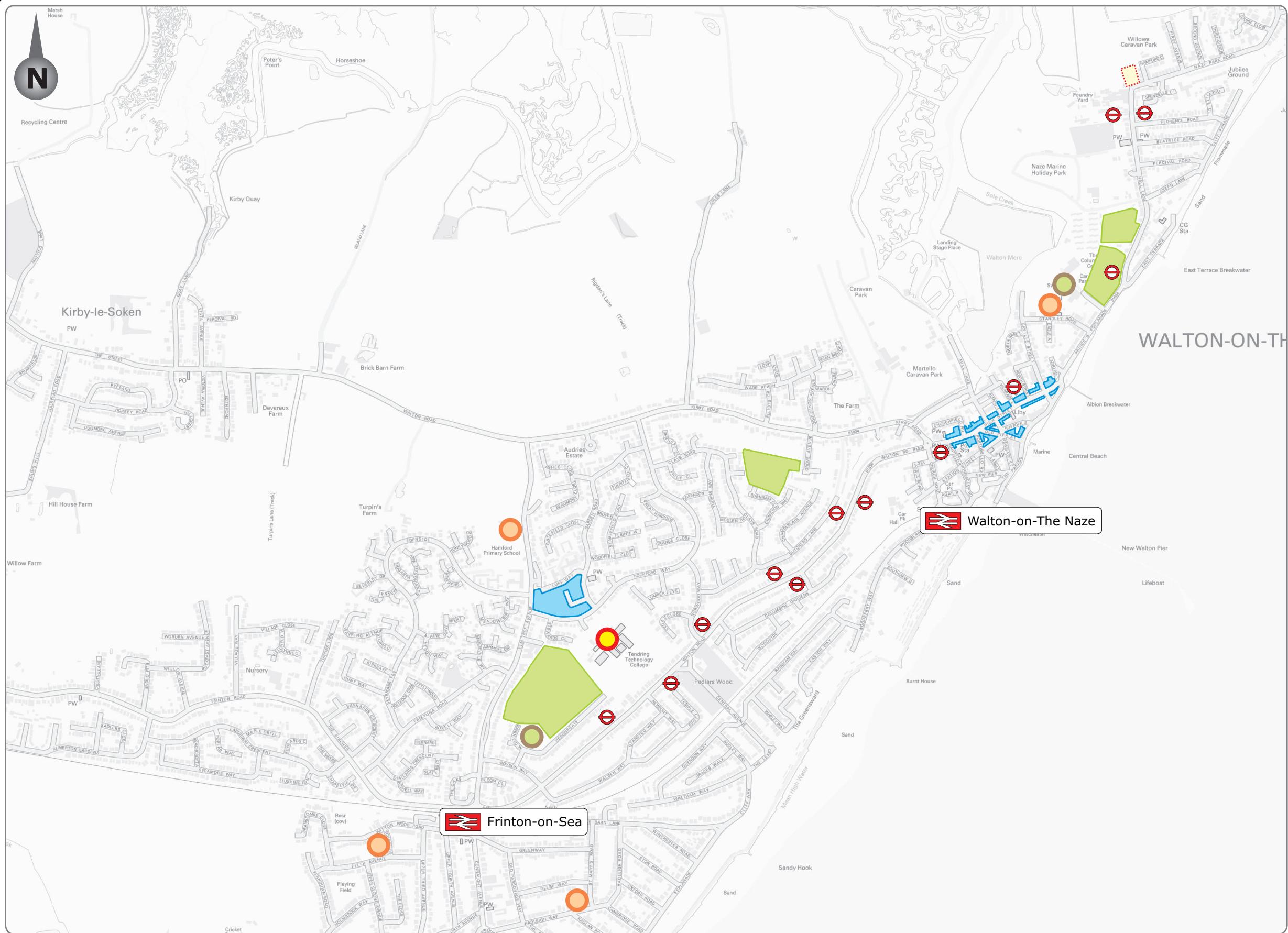
ARDENT CONSULTING ENGINEERS

PROJECT TITLE:
LAND AT WALTON-ON-THE-NAZE

DRAWING TITLE:
LOCAL ACCESSIBILITY

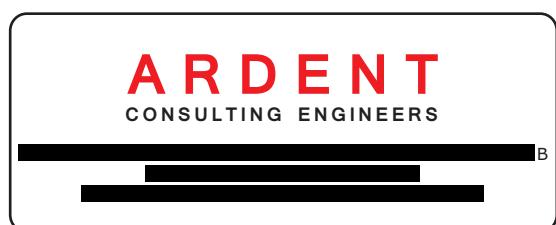
CLIENT:
THE EAGLE FAMILY

SCALE: 1:5000 @ A4	DATE: 12.12.12	DESIGNED: DE
DRAWN: DE	CHECKED: SJH	APPROVED: ML
DRAWING NO. P240-001		REV -



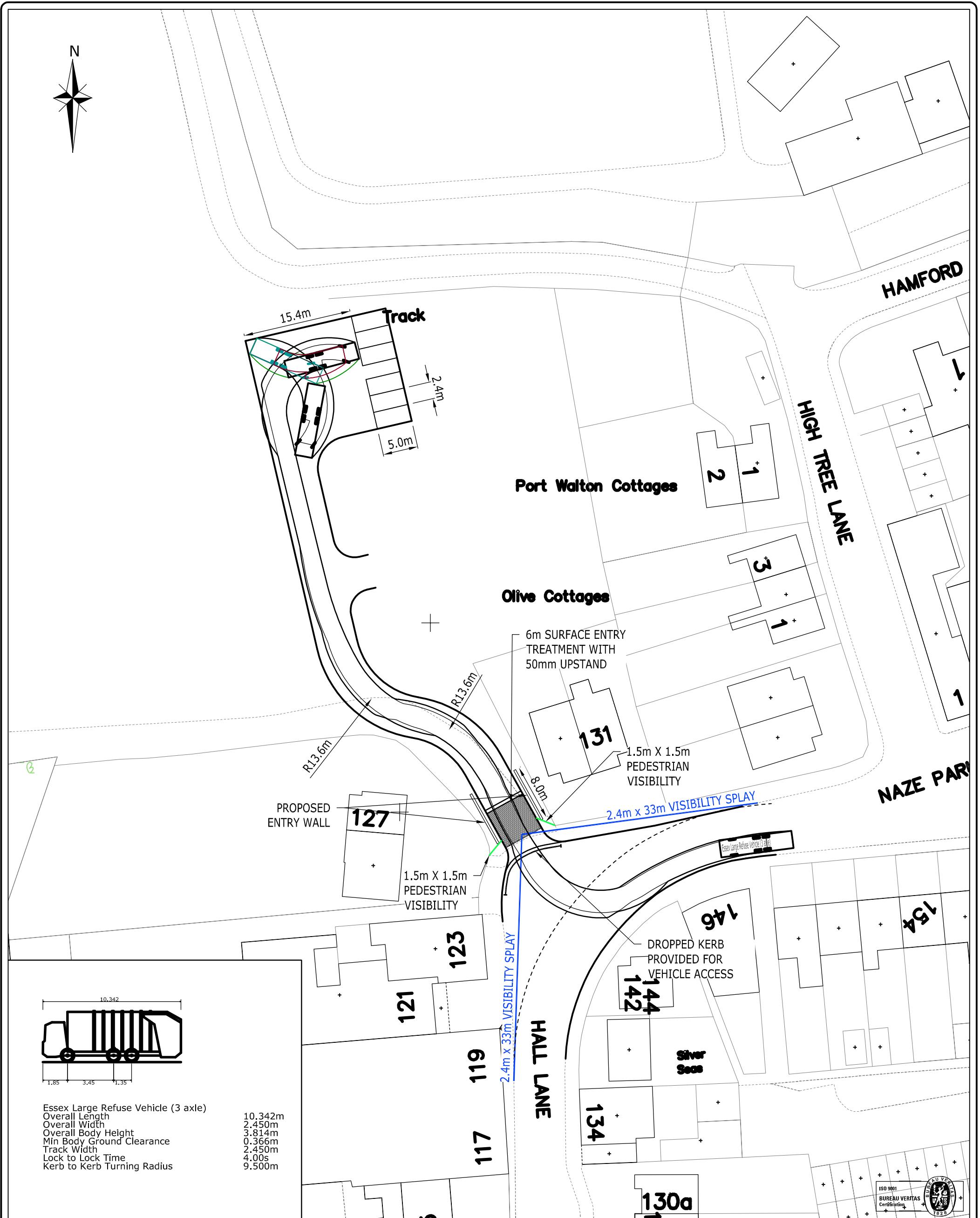
Key

- Primary School
- College / University
- Leisure / Recreation
- Retail Area
- Parks / Open Space
- Site Location
- Bus Stop Location



Project Title	LAND AT WALTON-ON-THE NAZE		
Dwg Title	STRATEGIC ACCESSIBILITY		

Scale	N.T.S	Date	13.12.12	Designed	DE
Drawn	DE	Checked	SJH	Approved	ML
Drawing No.					Rev -
P240-002					



ARDENT CONSULTING ENGINEERS

PROJECT TITLE:
LAND AT WALTON-ON-THE-NAZE

DRAWING TITLE:
PROPOSED SITE ACCESS

CLIENT:
THE EAGLE FAMILY

SCALE: 1:250 @ A3	DATE: 14.12.12	DESIGNED: DE
DRAWN: DE	CHECKED: SH	APPROVED: ML
DRAWING NO. P240-003	REV -	

Job No	Date
P390	21/11/12
Director	Circulation
TDP	SJH

~~JK~~

Our Ref: RECORDS/CY/98644/L.3F
Your Ref: SJH/ss13477/P390
Date: 17 December 2012

Dear Sirs

LAND AT NAZE PARK ROAD WALTON ON THE NAZE

I acknowledge receipt of your letter dated 7 December 2012 regarding the above site. I acknowledge receipt of your cheque for £120 received on 10 December.

I attach a plan showing, coloured yellow, what is considered to form part of the publicly maintainable highway in relation to the area of interest. This information is given with the proviso that where there is a roadside ditch or pond that ditch or pond and any land to the rear would not normally form part of the highway. The land coloured pink was not historically highway and I hold no record that it has been formally dedicated as public highway. However it would appear to now form part of the carriageway and adjoining footway. I also have no record that the area shown hatched fronting 126 – 130a Hall Lane has been adopted.

Please note that High Tree Lane is not adopted.

I have shown, dashed green, the route of Public Footpath 31as indicated on the Definitive Map.

I have no information regarding maintenance responsibility of the grass areas on the south side of Naze Park Road.

I trust this information assists you.

Yours faithfully

Christine Yallop
Highway Records Specialist
Essex Highways

Please reply to:
Tel: 01245 342528

Location Map



This information is given with the proviso that where there is a roadside ditch or pond, the the ditch or pond and any land to the rear would not normally form part of the highway.

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Appendix B
Development Site Plan



Appendix C
National Grid Gas Correspondence



Plant Protection
National Grid
Block 1; Floor 1
Brick Kiln Street
Hinckley
LE10 0NA
E-mail: plantprotection@nationalgrid.com
Telephone: +44 (0)800 688588

Philippa Illingworth
Ardent Consulting Engineers Limited
Fourth Floor
Diamond house
36 - 38 Hatton Garden
London
EC1N 8EB

National Grid Electricity Emergency Number:
0800 40 40 90*

National Gas Emergency Number:
0800 111 999*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.nationalgrid.com

Date: 25/11/2012

Our Ref: EA_TE_Z6_2S_15614

Your Ref: Hall Lane

RE: Proposed Works, Hall Lane, WALTON ON THE NAZE

Thank you for your enquiry which was received on 21/11/2012.

Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of National Grid's network areas please see the National Grid website
(<http://www.nationalgrid.com/uk/Gas/Safety/work/>) or the enclosed documentation.

As your works are at a "proposed" stage, any maps and guidance provided are for information only. You must submit a "Scheduled Works" enquiry at the earliest opportunity and failure to do this may lead to disruption to your plans and works. National Grid will endeavour to provide an initial assessment within 10 working days of receipt of a Scheduled Works enquiry and dependent on the outcome of this, further consultation may be required.

In any event, for safety and legal reasons works must not be carried out until a Scheduled Works enquiry has been completed and final response received.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG) apparatus. This assessment does **NOT** include:

- National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact National Grid.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on the National Grid Website (<http://www.nationalgrid.com/NR/rdonlyres/6D6525F9-59EB-4825-BA89-DBD7E68882C7/51319/EssentialGuidance.pdf>).

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to National Grid's easements or wayleaves nor any planning or building regulations applications.

NGG and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the National Grid Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

National Grid Plant Protection Team

ASSESSMENT

Affected Apparatus

The National Grid apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Requirements

BEFORE carrying out any work you must:

- Carefully read these requirements including the attached guidance documents and maps showing the location of National Grid apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

http://www.nationalgrid.com/NR/rdonlyres/2D2EEA97-B213-459C-9A26-18361C6E0B0D/25249/Digsafe_leaflet3e2finalamends061207.pdf

Standard Guidance

Essential Guidance document:

<http://www.nationalgrid.com/NR/rdonlyres/6D6525F9-59EB-4825-BA89-DBD7E68882C7/51319/EssentialGuidance.pdf>

General Guidance document:

<http://www.nationalgrid.com/NR/rdonlyres/55C13C4D-A1AA-4B13-BFDA-1CF59F88B326/51318/GeneralGuidance.pdf>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the National Grid Website:

<http://www.nationalgrid.com/uk/Gas/Safety/work/downloads/>



ID: EA_TE_Z6_2S_15614 View extent: 361m, 196m

USER: megan.drake

DATE: 25/11/2012

DATA DATE: 20/11/2012

REF: Hall Lane

MAP REF: TM2522

CENTRE: 625844, 222940

LP MAINS
MP MAINS
IP MAINS
LHP MAINS
NHP MAINS

0m 25m
Approximate scale 1:1250
on A4 Colour Landscape

National Grid apparatus may be affected

This plan shows those pipes owned by National Grid Gas plc in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.



Depth of Cover
✓ Syphon

Diameter Change

Material Change

Map 1 of 1 (GAS)

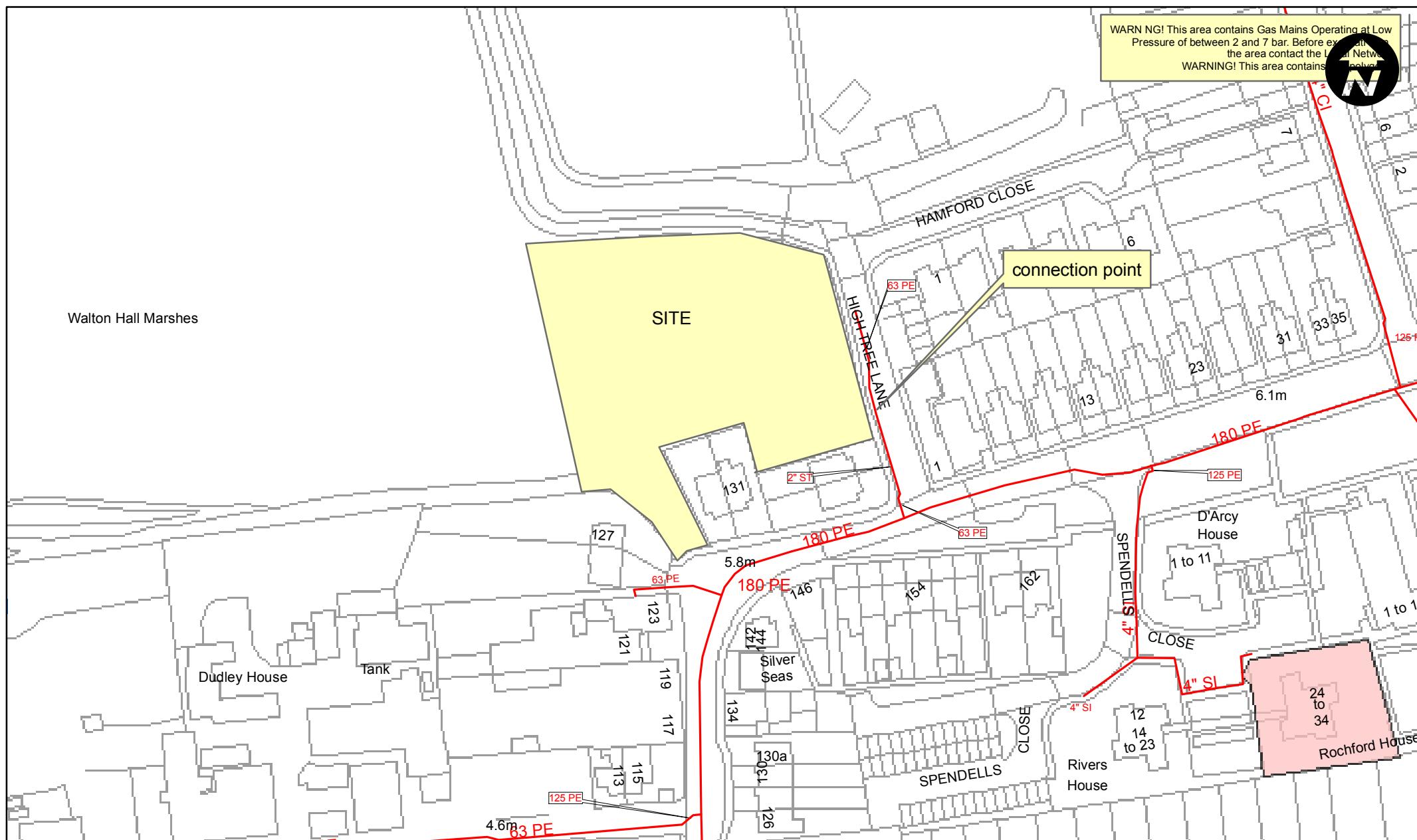
MAPS Plot Server Version 1.7.4

nationalgrid

Requested by: Ardent Consulting Engineers Limited

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SCALE: 1:1,250 @ A4

USER ID: roger.harman

DATE: 02-Jan-2013 11:25:54

INTERNAL USE ONLY

MAP REF: 625855, 222932

CENTRE:

L/P GAS MAIN	
M/P GAS MAIN	
V/P GAS MAIN	
H/P GAS MAIN	
N/H/P GAS MAIN	
PROPOSED PIPE - LP	
PROPOSED PIPE - MP	
PROPOSED PIPE - IP	
ABANDON - LP	
ABANDON - MP	

SCHEME: <NG GDO Scheme Name>

DESIGN: <NG GDO Design Number>

REVISION: <NG GDO Revision>

This plan shows those pipes owned by National Grid in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and any other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

1800000381

nationalgrid

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**Network Enquiry No
Your Reference**

: 180000381
: CO14 8HW



**Network Strategy
Block 4 Area 6
Brick Kiln Street
Hinckley
LE10 0NA.**

National Gas Emergency Service - 0800 111 999* (24hrs)
***calls will be recorded and may be monitored**

Philippa Illingworth
Ardent Consulting Engineers
4th Floor
Diamond House, 36-38 Hatton Garden
London
EC1N 8EB

Date : 2nd January 2013
Contact : Roger Harman
Direct Tel : 0845 3666758
Direct Fax : 0845 0700868
Email : networkdesign@nationalgrid.com

www.nationalgrid.com

Dear Philippa,

Re: Land Enquiry for Proposed Development Site at NEW SUPPLY, HALL LANE, WALTON ON THE NAZE, CO14 8HW.

Thank you for your enquiry which we received on 3rd December 2012. I enclose details of National Grid Gas plant in the vicinity of your proposed supply.

The nearest main with sufficient capacity is 3 metres from the site boundary and it is a Low Pressure main.

Plans attached: Yes

A copy of the National Grid Connections Charging Statement referenced in this letter can be found on National Grid's website:

<http://www.nationalgrid.com/uk/Gas/Charges/statements/connection/publications/>

If you require a printed version please contact us on the details provided above.

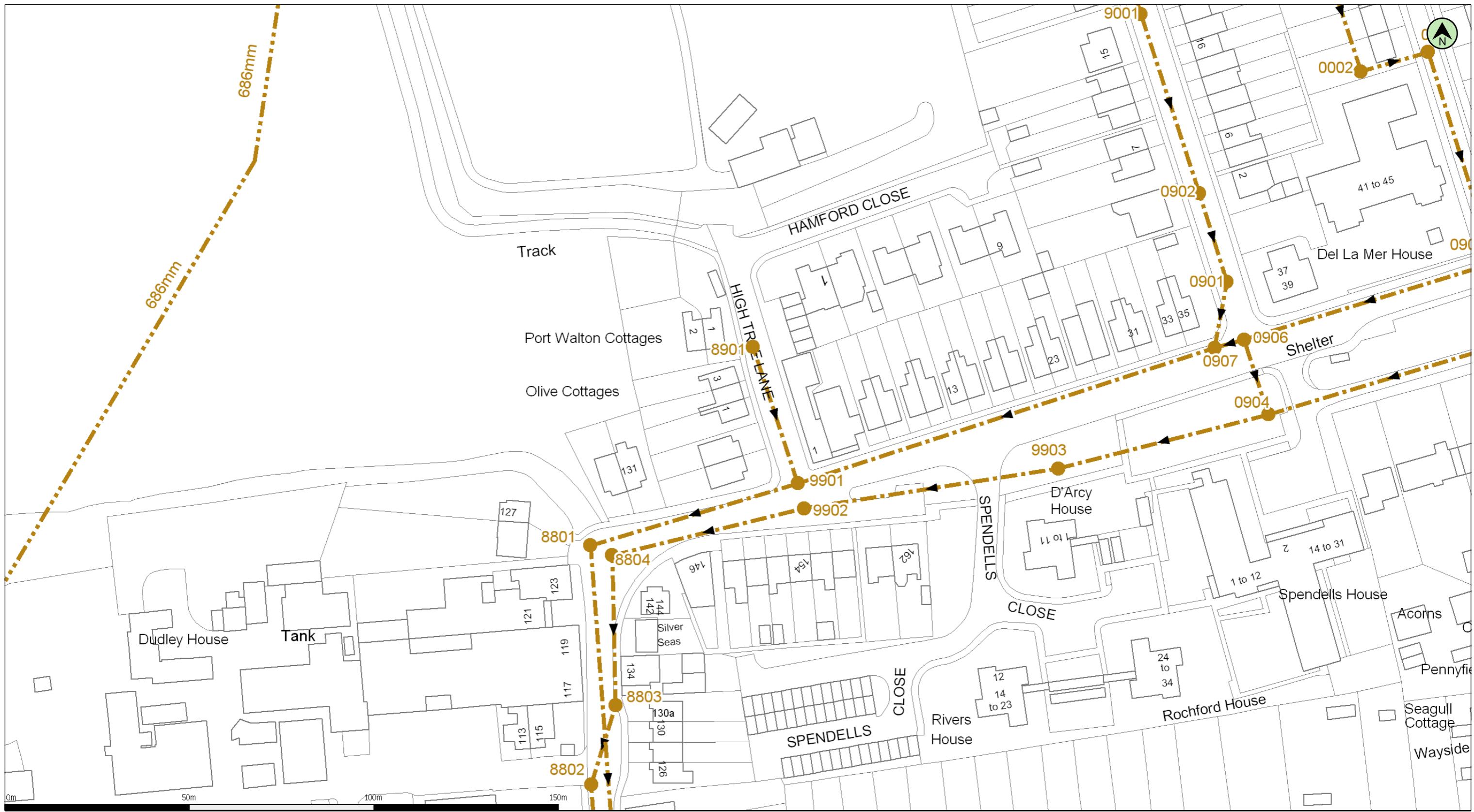
I trust this meets with your requirements at this stage. If you have any queries please do not hesitate to contact Roger Harman on the above number.



National Grid Gas plc
Registered No.2006000
Registered Address 1-3 Strand, London, WC2N 5EH

Letter Id: CRM013
Page 1 of 1

Appendix D
Anglian Water Correspondence



Ordnance Survey Mapping © Crown Copyright 1000018507

Date: 28/11/12

Scale: 1:994

Map Centre: 625889,222933

Data updated: 01/08/12

Wastewater Plan A3

This plan is provided by Anglian Water pursuant to its obligations under the Water Industry Act 1991 sections 198 or 199. It must be used in conjunction with any search results attached. The information on this plan is based on data currently recorded but the position must be regarded as approximate. Service pipes, private sewers and drains, and former private sewers and drains transferred to Anglian Water on or after 1 October 2011 are generally not shown. Users of this map are strongly advised to commission their own survey of the area shown on the plan before carrying out any works. The actual position of all apparatus MUST be established by trial holes. No liability whatsoever, including liability for negligence, is accepted by Anglian Water for any error or inaccuracy or omission, including the failure to accurately record, or record at all, the location of any water main, discharge pipe, sewer or drain or disposal main or any item of apparatus. This information is valid for the date printed. The plan is produced by Anglian Water Services Limited from Ordnance Survey © Crown Copyright, 100018507. This map is to be used for the purposes of viewing the location of Anglian Water infrastructure only. Any other use of the map data or further copies are not permitted. This notice is not intended to exclude or restrict liability for death or personal injury resulting from negligence.

Foul Sewer	
Surface Sewer	
Combined Sewer	
Final Effluent	
Rising Main	
(Colour denotes effluent type)	
Private Sewer	
(Colour denotes effluent type)	
Decommissioned Sewer	
(Colour denotes effluent type)	

Outfall	
(Colour denotes effluent type)	
Inlet	
(Colour denotes effluent type)	
Manhole	
(Colour denotes effluent type)	
Sewage Treatment Works	
Pumping Station	

aaron.hayward@geodesys.com

anglianwater



Pre Planning Assessment Report

Hall Lane, Walton On The Naze,
FRINTON & WALTON
Ardent Consulting Engineers

Reference Number: 0411/SP121(001)

Anglian Water Services contact:

Keith Simpson
Growth Planning Advisor
Thorpe Wood House
Thorpe Wood
Peterborough
PE3 6WT

Telephone Number: 01733 414690

Please use the above reference number in all communications

YOUR DEVELOPMENT SITE: Hall Lane, Walton On The Naze

The information provided within this report has been generated based on the following information provided in your application form:

- The grid reference for the site is TM25852293.
- The site currently does not have planning permission and is located on a Brownfield site.
- The development site will contain 14 Dwellings across 0.5 Hectares.
- The anticipated residential build rate is:

Year	2012	2013	2014
Build rate	-	-	14

The comments contained within this report relate to the public water mains and sewers indicated on our records. Your attention is drawn to the disclaimer in the useful information section of this report.

Due to the recent adoption of private sewers in October 2011 many newly adopted public wastewater assets and their history are not indicated on our records. You also need to be aware that your development site may contain private water mains, drains or other assets not shown on our records. These are private assets and not the responsibility of Anglian Water but that of the landowner.

ASSETS AFFECTED

Our records indicate that there are no public water mains/public sewers or other assets owned by Anglian Water within the boundary of your development site. However, it is recommended that you carry out a thorough investigation of your proposed working area to establish whether any unmapped public or private sewers and lateral drains are in existence.

WASTEWATER SERVICES

In examining the wastewater system we assess the ability for your site to connect to the public sewerage network without causing a detriment to the operation of the system. We also assess the receiving sewage works and determine whether the sewage works can cope with the increased flow and influent quality arising from your development.

Wastewater Treatment

The foul drainage from this development is in the catchment of Walton On The Naze Sewage Treatment Works, which has capacity to treat the flows from your development site. Anglian Water cannot reserve capacity at this sewage works and you are recommended to formally apply for a connection at your earliest convenience. Please note that capacity at the sewage works can be reduced at

any time due to increased requirements from existing businesses and houses, from new housing and new commercial developments as well as from environmental and regulation driven changes.

Foul Sewerage Network

As per your request we have assessed a gravity solution to your preferred connection point. We can confirm that this is acceptable as the foul sewerage system, at present, has available capacity for your site. The connection point will be to manhole reference 8801 close to the proposed site entrance at NGR TM2584822895. If the topography of the site dictates, then a connection may also be made to manhole 8901 in High Tree Lane at NGR TM2589222949.

Surface Water Disposal

The proposed method of surface water disposal is not relevant to Anglian Water; we suggest that you contact the future SuDS Approving Body for the area, the Environment Agency, the Internal Drainage Board.

Wastewater Budget Costs

It has been assumed that the onsite foul network will be provided under a section 104 Water Industry Act application. It is recommended that you also budget for both infrastructure charges and connection costs. The 2012/13 charges are:

Infrastructure Charge	£328.00 per connection
S104 Supervision and inspection costs	2.5% of estimated construction costs
S104 Surety costs	10% of estimated construction costs

Map of proposed connection points

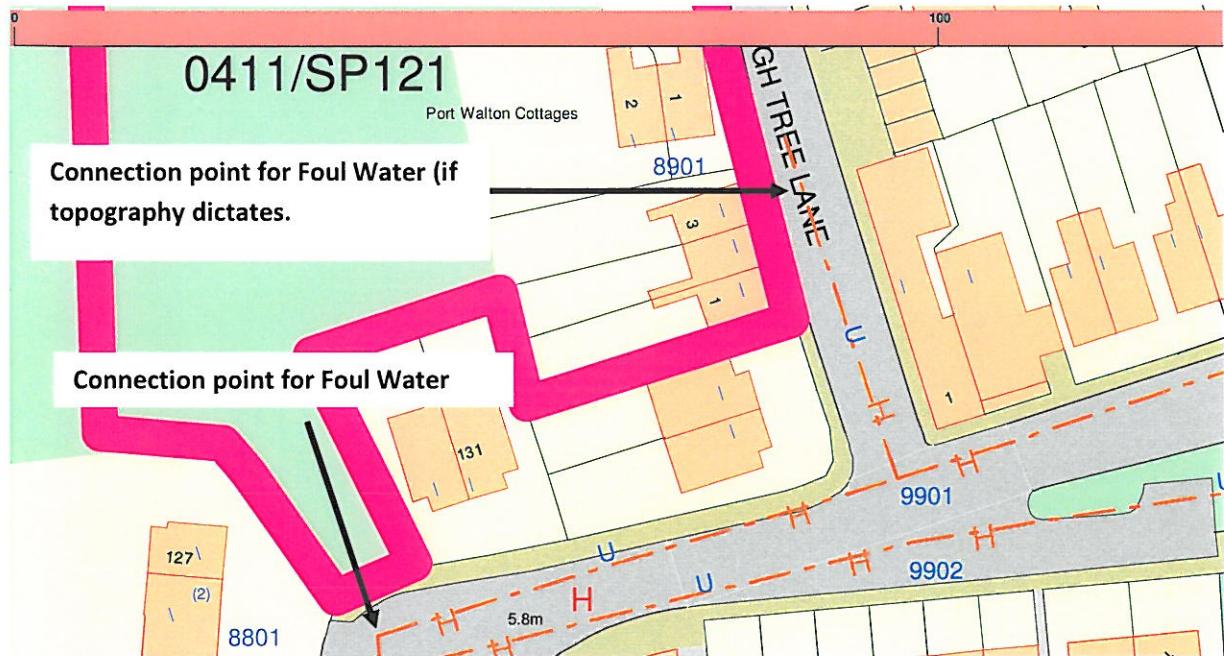


Figure 1: Showing your foul water point of connection

USEFUL INFORMATION

Sustainable Drainage Systems: Many existing urban drainage systems can cause problems of flooding, pollution or damage to the environment and are resilient to climate change in the long term. Therefore our preferred method of surface water disposal is through the use of Sustainable Drainage Systems (SuDS). SuDS are a range of techniques that aim to mimic the way surface water drains in natural systems within urban areas. For more information on SuDS, please visit our website at <http://anglianwater.co.uk/developers/sewer-connection/suds.aspx>. We also recommend that you contact the future SuDS Approving Body (SAB) for the area to discuss your application.

Water Industry Act – Key Wastewater Sections:

- **Section 98:** This provides you with the right to requisition a new public sewer. The new public sewer can be constructed by Anglian Water on your behalf. Alternatively, you can construct the sewer yourself under section 30 of the Anglian Water Authority Act 1977.
- **Section 102:** This provides you with the right to have an existing sewerage asset vested by us. It is your responsibility to bring the infrastructure to an adoptable condition ahead of the asset being vested.
- **Section 104:** This provides you with the right to have a design technically vetted and an agreement reached that will see us adopt your assets following their satisfactory construction and connection to the public sewer.
- **Section 106:** This provides you with the right to have your constructed sewer connected to the public sewer.
- **Section 185:** This provides you with the right to have a public sewerage asset diverted.

Details on how to make a formal application for a new sewer, new connection or diversion are available on our website at www.anglianwater.co.uk/developers/application-form or via our Developer Services team on 08457 60 66 087.

Private Sewer Transfers: Sewers and lateral drains connected to the public sewer on the 1 July 2011 transferred into Water Company ownership on the 1 October 2011. This follows the implementation of the Floods and Water Management Act (FWMA). This included sewers and lateral drains that were subject to an existing Section 104 Adoption Agreement and those that were not. There were exemptions and the main non-transferable assets were as follows:

- Surface water sewers and lateral drains that did not discharge to the public sewer, e.g. those that discharged to a watercourse.
- Foul sewers and lateral drains that discharged to a privately owned sewage treatment/collection facility.
- Pumping stations and rising mains will transfer between 1 October 2011 and 1 October 2016.

The implementation of Section 42 of the FWMA will ensure that future private sewers will not be created. It is anticipated that all new sewer applications will need to have an approved section 104 application ahead of a section 106 connection.

Encroachment: Anglian Water operates a risk based approach to development encroaching close to our wastewater infrastructure. We assess the issue of encroachment if you are planning to build within 400 metres of a Sewage Treatment Works or, within 15 metres to 100 metres of a pumping station. We have more information available on our website at <http://anglianwater.co.uk/developers/encroachment.aspx>

Water Industry Act – Key Water Sections:

- **Section 41:** This provides you with the right to requisition a new water main to connect your site to the public water network.
- **Section 45:** This provides you with a right to have a connection from a building or part of a building to the public water main.
- **Section 51A:** This provides you with the right to provide the water main or service connection yourselves and for us to vest them into our company.
- **Section 185:** This provides you with the right to have a public water asset diverted. Details on how to make an application and the s185 form is available on our website at www.anglianwater.co.uk/developers/application-forms or via our Developer Services team on 08457 60 66 087.

Details on how to make a formal application for a new water main, new connection or diversion are available on our website at www.anglianwater.co.uk/developers/application-form or via our Developer Services team on 08457 60 66 087.

If you have any other queries on your rights to requisition or connect your housing to the public water and wastewater infrastructure then please contact our developer services team at: Developer Services, Anglian Water, PO Box 495, Huntingdon, PE29 6YY or Tel: 0845 60 66 087 or Email: developperservices@anglianwater.co.uk

Self Lay of Water Mains: A list of accredited Self Lay Organisations can be found at www.lloydsregister.co.uk/schemes/WIRS/providers-list.aspx.

Water pressure and flow rate: The water pressure and consistency that we must meet for your site is laid out in the Water Industry Act (1991). This states that we must supply a flow rate of 9 litres per second at a pressure of 10 metres of head to the external stop tap. If your water pressure requirements exceed this then you will need to provide and maintain any booster requirements to the development site.

Locating our assets: Maps detailing the location of our water and wastewater infrastructure including both underground assets and above ground assets such as pumping stations and treatment works are available from www.digdat.co.uk. All requests from members of the public or non-statutory bodies for maps showing the location of our assets will be subject to an appropriate administrative charge. We have more information on our website at: www.anglianwater.co.uk/developers/our-assets/

Summary of charges: A summary of this year's water and wastewater connection and infrastructure charges can be found at www.anglianwater.co.uk/developers/charges

Disclaimer: The information provided within this report is based on the best data currently recorded, recorded within the last 12 months or provided by a third party. The position must be regarded as approximate. If there is further development in the area or for other reasons the position may change.

The accuracy of this report is therefore not guaranteed and does not obviate the need to make additional appropriate searches, inspections and enquiries. You are advised therefore to renew your enquiry should there be a delay in submitting your application for water supply/sewer connection to re-confirm the situation.

Any cost calculations provided within the report are estimated only and may be subject to change.

No liability whatsoever including liability for negligence is accepted by Anglian Water Services Limited for any error or inaccuracy or omission including the failure to accurately record or record at all, the location of any water main, discharge pipe, sewer, or drain or disposal main or any item of apparatus.

Contacting us: If you have any comments or suggestions based on the information provided in this report then please feel free to contact me on 01733 414690.

Appendix E
Affinity Water Correspondence



Direct Line Number

Tel: 01206 399262
Fax: 01206 399255
Your Ref: PI/ss13363/240
Our Ref: CV/F141/JVM/NRSWA
Date: 4 December 2012

Philippa Illingworth - Senior Engineer
ARDENT CONSULTING ENGINEERS

Fourth Floor,
Diamond House,
36-38 Hatton Garden,
London,
EC1N 8EB

Dear Sir / Madam

ENQUIRY - POSITION OF APPARATUS – Hall Lane, WALTON ON THE NAZE, CO14 8HW.

In reply to your recent communication advising of works to be carried out at the above, I enclose a copy of our records showing the approximate position of apparatus, which may be affected by your work. Individual services are not shown.

Mains and services should be located by hand excavated trial holes before any mechanical apparatus is used. Provided reasonable notice is given, assistance will be provided in tracing the location of apparatus. This information will be given in good faith but does not release you of the responsibility for safety of the Company's apparatus.

No pipes, cables or other apparatus should be sited or laid directly over the line of the Company's mains or other apparatus.

Where it is necessary to cross over or beneath a water main the excavation should be backfilled with lean mix to within 150mm (6") of the underside of the main, followed by stone free soil, hand rammed beneath, around and above the main, to cover it by 300mm (12"). Further backfilling should then be carried out as necessary to the requirements of the Street Authority.

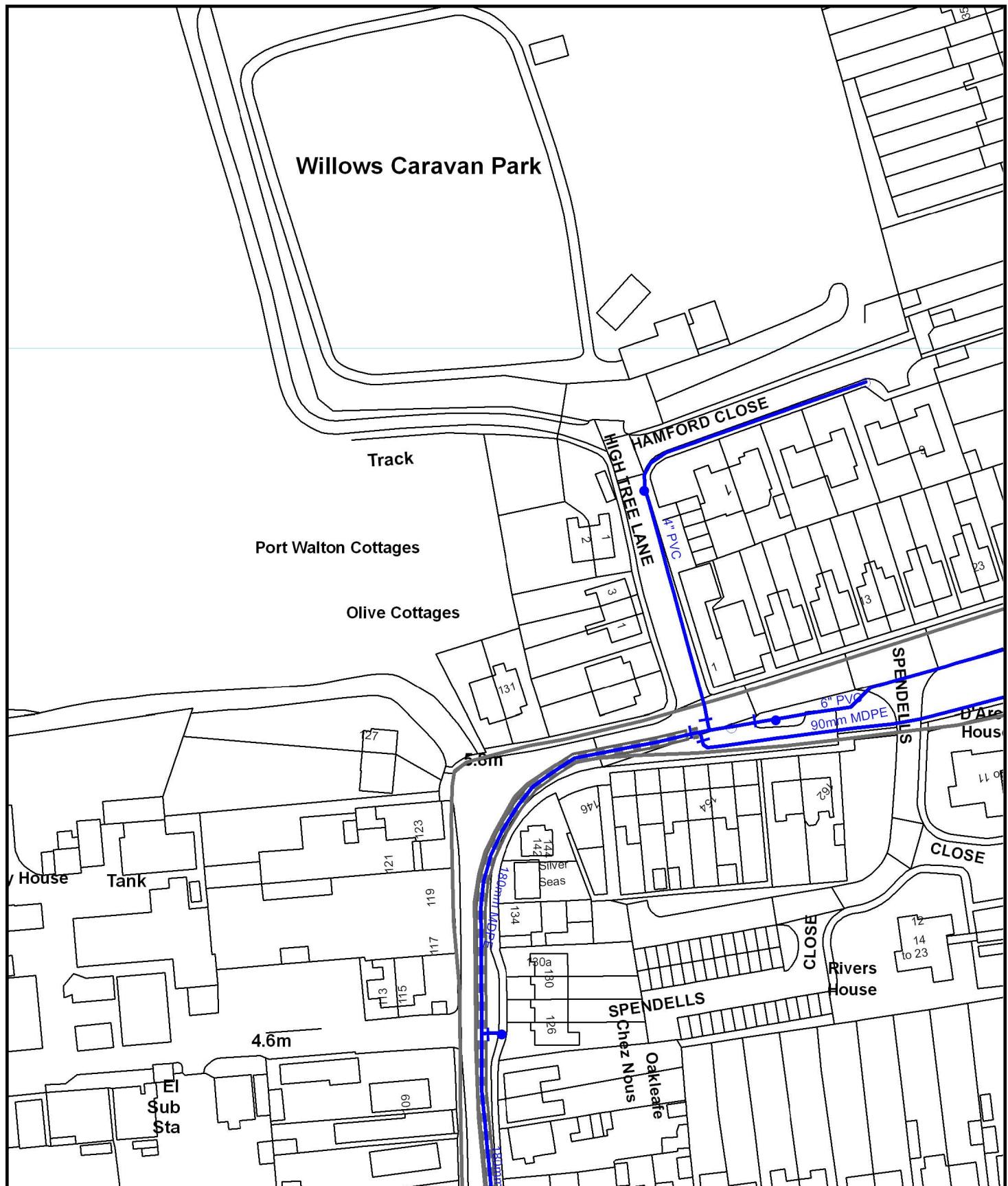
Where services are encountered, pipes and ducts must be adequately supported across the excavation.

Requests for assistance or reports of damage to Company apparatus should be made to the above officer.

Yours sincerely

CHARLES BOWELL
DRAUGHTSMAN
for and on behalf of Affinity Water Limited.

Hall Ln, Walton-on-the-Naze, CO14 8HW



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This information is provided for general guidance only. The position of water mains on this plan should not be relied upon as being precise. The actual position and depth must be established by taking trial holes in all cases. The Company must be given two working days' notice of the intention to excavate trial holes. Service pipes are not necessarily shown on this plan



1:1250

Map Centre
625859, 222939

— Distribution Main	● / ○ Fire / Washout Hydrant
— Trunk Main	■ / □ Sluice Valve (Open / Closed)
— Raw Water Main	◆ Air Valve
- - - Abandoned Main	► Pressure Reducing Valve
— Telemetry Cable	

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Created on 12/4/2012 9:45:23 AM

Philippa Illingworth

From: Welham, Ross <Ross.Welham@affinitywater.co.uk>
Sent: 10 December 2012 14:17
To: Philippa Illingworth
Subject: RE: New development in Walton on Naze and Kirby Le Soken.

Hi Philippa

My apologies for not clarifying by written response

As per our telephone conversation I can confirm that in the case of these 2 schemes; Hall Lane, Walton on Naze, Essex and Walton Road, Kirby Cross, Essex Affinity Water has ample capacity in our network supply both sites via a mains extension into the individual sites and without the need for any offsite reinforcement.

I trust this is ok?

Kind Regards Ross

Ross Welham

Customer Services Technician Supervisor/ Developer Services

Ross.welham@affinitywater.co.uk

From: Philippa Illingworth [mailto:pillingworth@ardent-ce.co.uk]
Sent: 10 December 2012 11:46
To: Welham, Ross
Subject: RE: New development in Walton on Naze and Kirby Le Soken.

Hi Ross,

Please can you let me know when I can expect to hear from Affinity Water regarding the capacity assessments for the two site, Walton on Naze and Kirby Le Soken.

Kind Regards,

Philippa Illingworth
Senior Engineer

A R D E N T
CONSULTING ENGINEERS

Fourth Floor, Diamond House, 36-38 Hatton Garden, London, EC1N 8EB

Tel: 020 74301209 - Fax: 020 7430 0318

www.ardent-ce.co.uk

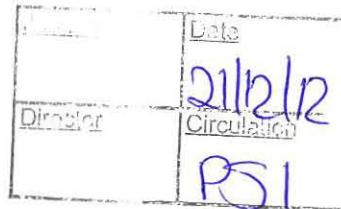
Follow us on: 



This e-mail is intended for the addressee(s) only. If however you have received this e-mail in error, please delete all copies of it and any attachments, and treat the contents as confidential. We apologise for any inconvenience this may cause.

Appendix F
UK Power Networks Correspondence

Mrs Philippa Illingworth
Ardent Consulting Engineers
4th Floor Diamond House
36-38 Hatton Garden
London
EC1N 8EB



18th December 2012
Our Ref: 401233335/QID159316

Dear Mrs Illingworth

Site Address: Land at Hall Road, Walton on the Naze, CO14 8HW

Thank you for your recent enquiry regarding the above premises. I am writing to you on behalf of Eastern Power Networks PLC the licensed distributor of electricity for the above address trading as UK Power Networks.

I am pleased to be able to provide you with a budget estimate for the work. It is important to note that this budget estimate is intended as a guide only. It may have been prepared without carrying out a site visit or system studies. No enquiry has been made as to the availability of consents or the existence of any ground conditions that may affect the works. It is not an offer to provide the connection and nor does it reserve any capacity on UK Power Networks' electricity distribution system.

1. Budget estimate

The budget estimate for this work is:

£20,000.00 (exclusive of VAT) if the Point Of Connection (POC) is to our Low Voltage network along Hall Road/High Tree Lane.

An additional sum of **£7,500.00** may also be chargeable if further diversionary or re-enforcement works become necessary.

2. Budget estimate assumptions

This budget estimate is based on the following assumptions:

- The most appropriate Point of Connection (POC) is as described above.
- A viable cable or overhead line route exists along the route we have assumed between the Point of Connection (POC) and your site.
- In cases where the Point of Connection (POC) is to be at High Voltage, that a substation can be located on your premises at or close to the position we have assumed.

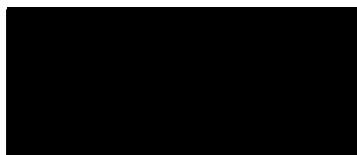
- Where electric lines are to be installed in private land UK Power Networks will require an easement in perpetuity for its electric lines and in the case of electrical plant the freehold interest in the substation site, on UK Power Networks terms, without charge and before any work commences.
- You will carry out, at no charge to UK Power Networks, all the civil works within the site boundary, including substation bases, substation buildings where applicable and the excavation/reinstatement of cable trenches.
- Unless stated in your application, all loads are assumed to be of a resistive nature. Should you intend to install equipment that may cause disturbances on UK Power Networks' electricity distribution system (e.g. motors; welders; etc.) this may affect the estimate considerably.
- All UK Power Networks' work is to be carried out as a continuous programme of work that can be completed substantially within 12 months from the acceptance of the formal offer.

Please note that if any of the assumptions prove to be incorrect, this may have a significant impact on the price in any subsequent quotation. You should note also that UK Power Networks' formal connection offer may vary considerably from the budget estimate. If you place reliance upon the budget estimate for budgeting or other planning purposes, you do so at your own risk.

If you would like to proceed to a formal offer of connection then you should apply for a quotation, Please refer to our website http://www.ukpowernetworks.co.uk/internet/en/help-and-advice/documents/the_connection_process.pdf for '**The connection process**' which details our application process. To help us progress any future enquiry as quickly as possible please quote the UK Power Networks Reference Number from this letter on all correspondence.

If you have any questions about your budget estimate or need more information, please do not hesitate to contact me. The best time to call is between the hours of 9am and 4pm, Monday to Friday. If the person you need to speak to is unavailable or engaged on another call when you ring, you may like to leave a message or call back later.

Yours sincerely



Helen Cardoza
Project Designer
Tel: 01279 824623
Email: PrelimsEPN@ukpowernetworks.co.uk

Appendix G
Environment Agency Correspondence

Modelled Level Node Point Map centred on Walton-on-the-Naze. Created 11th December 2012.
Ref: CCE/2012/49262



Scale 1:30,000

Legend

- Modelled Level Node Point
- Site



Historic Flood Map centred on Walton-on-the-Naze. Created 11th December 2012.

Ref: CCE/2012/49262



Scale 1:10,000

Legend

- Site (Red line)
- 1953 Flood Outline (Blue box)



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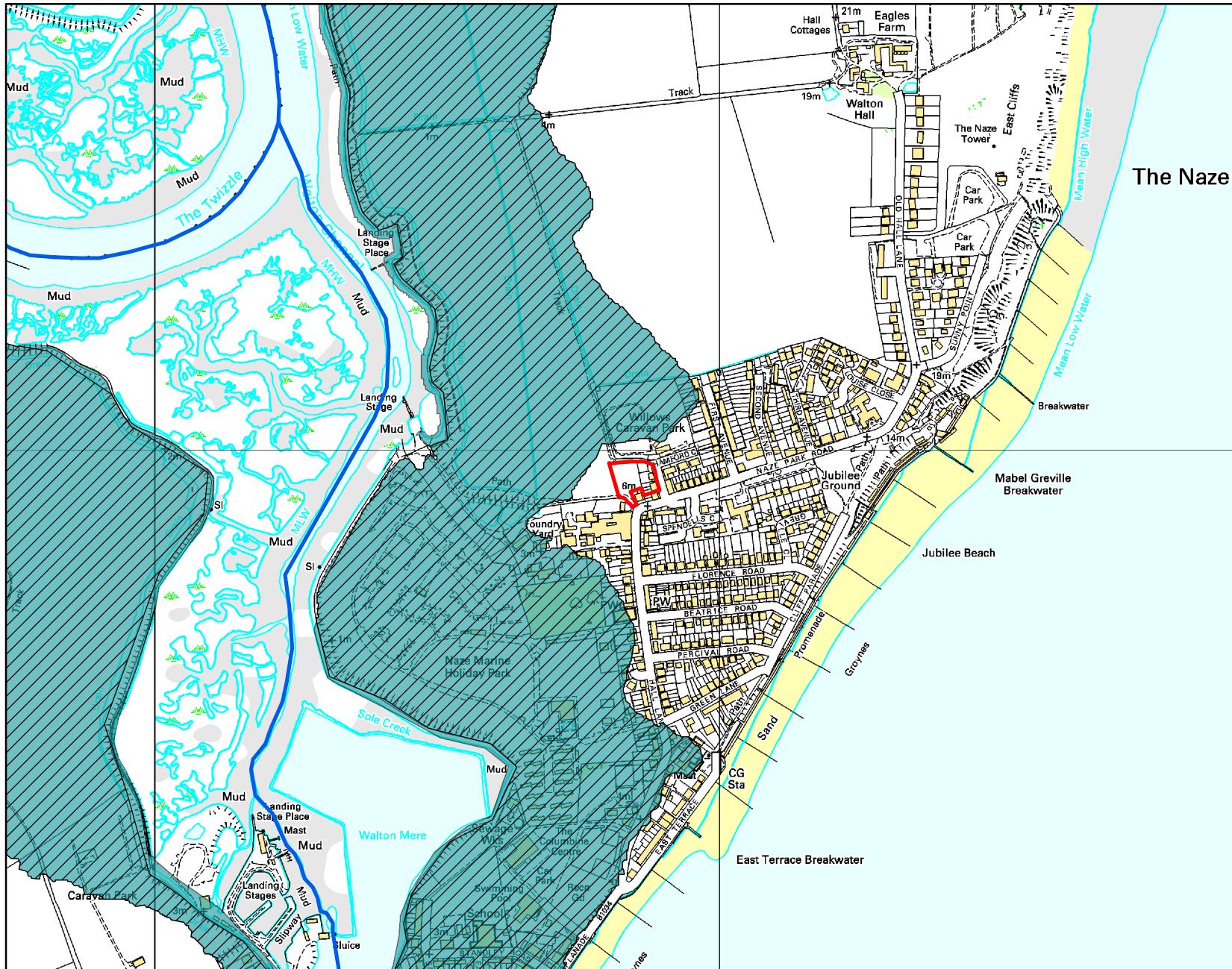
© Environment Agency

Contact Us: National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY. Tel: 08708 506 506 (Mon-Fri 8-6). Email: enquiries@environment-agency.gov.uk



Detailed Flood Map centred on Walton-on-the-Naze. Created 11th December 2012

Ref: CCE/2012/49262



Scale 1:10,000

Legend

- Site
- Main River
- Areas Benefit Flood Defence
- Flood Storage Area
- Flood Zone 3
- Flood Zone 2



Flood Defence Location Map centred on Walton-on-the-Naze. Created 13th December 2012.

Ref: CCE/2012/49262



Scale 1:10,000

Legend

- Site (Red line)
- Defence Line (Red dashed line)





Philippa Illingworth
Ardent Consulting Engineers
pillingworth@ardent-ce-co.uk

Our ref CCE/2012/49262
Date 18 December 2012

Dear Ms Illingworth

Hall Lane, Walton on the Naze

Thank you for your enquiry addressed to our Enquiries Unit which was received on 26 November, and subsequent payment of £60.

Following internal consultations, please find attached the following:

- * Flooding map showing the Flood Zones (outlines) for the area of the site
- * Historic flood map
- * Flood defence location map
- * Modelled level node point map
- * Modelled flood level data
- * Defence data

- * Product 5 ~ Coastal Flood Boundaries / 4 x “Delivering Benefits through Evidence” pdf leaflets (to follow in disc format)

According to our records, this area falls within Flood Zone 1, Tidal.

For your information, Flood Zone 1 shows a less than 0.1% annual probability of flooding.

The Flood Zone 2 outline shows a 1 in 1000 chance of flooding at a location in any one given year (i.e., a 0.1% annual probability of flooding).

The Flood Zone 3 fluvial outline shows a 1 in 100 chance of flooding at a location in any one given year (i.e., a 1% annual probability of flooding). The Flood Zone 3 tidal outline shows a 1 in 200 chance of flooding at a location in any one given year (i.e., a 0.5% annual probability of flooding).

The flood outlines show areas of potential flooding as a direct result of floodwater coming from a watercourse. No direct effects of surface runoff or surface flooding are included. The Flood Maps show areas at risk of flooding, and not the risk to individual properties. This is because we do not hold data on individual properties.

Eastern Area - Iceni House

Cobham Road, Ipswich, Suffolk, IP3 9JD

General Enquiries: 03708 506506 Fax: 01473 724205

Weekday Daytime calls cost 8p plus up to 6p per minute from BT Weekend Unlimited.

Mobile and other providers' charges may vary

Email: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk

Examination of our historic flooding records shows that the general area of Walton-on-the-Naze was flooded in 1953. Please note that these records show flooding to the land and do not necessarily indicate that properties within the historic flood events were flooded internally. It is also possible that the pattern of flooding in this area has changed and that this area would now flood under different circumstances.

For more information regarding the open coast modelled flood levels, please follow the link below and search for **SC060064** in the keywords box:

http://publications.environment-agency.gov.uk/epages/eapublications.storefront?lang=_e

I give below comments from our Planning Liaison Department :

Flood Risk

As mentioned, the proposed development site is to be located within Flood Zone 1, classed as low probability risk, as defined in Table 1 of the Technical Guidance to the National Planning Policy Framework (NPPF). From the plan submitted the site appears to be approximately 0.29 Hectares in size. According to the Environment Agency's Flood Risk Standing Advice (<http://www.environment-agency.gov.uk/research/planning/82584.aspx>) development proposals classed as 'Operational development less than 1 hectare/ Flood Zone 1' fall outside of our remit. We offer surface water management good practice advice, which can be viewed at the link provided above.

Foul Water Disposal

We expect developments discharging domestic sewage to connect to the public foul sewer where it is reasonable to do so: we note that network runs to the South of the site. You will need to clarify which waste water treatment works will receive waste water from the development and whether there will be issues with the capacity of the network or of the receiving waste water treatment works, or with the effluent quality from the treatment works. You should consult the Council's Water Cycle Study (WCS), and consult with Anglian Water Services Ltd on any issues identified.

Groundwater

According to our records, the site is located outside of a Source Protection Zone (SPZ).

Soakaways for the disposal of surface water should only be used in areas on site where they will not present a risk to groundwater, with the depth of soakaway kept to a minimum to ensure that the maximum possible depth of unsaturated material remains between the base of the soakaway and the top of the water table, ensuring that a direct discharge of surface water into groundwater is prevented.

In that regard such soakaways should therefore not be constructed in land affected by contamination, where they may promote the mobilisation of contaminants and give rise to contamination of groundwater.

Eastern Area - Iceni House

Cobham Road, Ipswich, Suffolk, IP3 9JD

General Enquiries: 03708 506506 Fax: 01473 724205

Weekday Daytime calls cost 8p plus up to 6p per minute from BT Weekend Unlimited.

Mobile and other providers' charges may vary

Email: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk

Contamination

For land that may have been affected by contamination as a result of its previous use or that of the surrounding land, sufficient information should be provided with the planning application to satisfy the requirements of the National Planning Policy Framework (NPPF) for dealing with land contamination, in the form of a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk), and to provide assurance that the risk to controlled waters is fully understood and can be addressed through appropriate measures.

If you do require further clarification on this, please contact my colleague Neil Dinwiddie of our Planning Liaison Team on 01473 706819.

Please see the attached notice for details of the permitted use of the information provided.

If you have any specific requirements because of dyslexia, visual or other physical impairment etc, we will be able to supply the data in an alternative format.

If we can be of any further assistance, please do contact the Corporate Services Team at the number below.

[REDACTED]

External Relations Officer
Corporate Services Team
01473 706720

Eastern Area - Iceni House

Cobham Road, Ipswich, Suffolk, IP3 9JD

General Enquiries: 03708 506506 Fax: 01473 724205

Weekday Daytime calls cost 8p plus up to 6p per minute from BT Weekend Unlimited.

Mobile and other providers' charges may vary

Email: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk

Tidal flood levels (mAODN)

Node	100% (1 1)	50% (1 2)	20% (1 5)	10% (1 10)	5% (1 20)	4% (1 25)	2% (1 50)	1.3% (1 75)	1% (1 100)	0.66% (1 150)	0.5% (1 200)	0.4% (1 250)	0.33% (1 300)	0.2% (1 500)	0.1% (1 1000)	0.01% (1 10,000)
0	2.77	2.91	3.09	3.24	3.40	3.45	3.61	3.71	3.79	3.90	3.97	4.03	4.09	4.23	4.43	5.20
1	2.78	2.92	3.10	3.25	3.41	3.46	3.62	3.72	3.80	3.90	3.98	4.04	4.09	4.24	4.44	5.20
2	2.80	2.94	3.12	3.27	3.43	3.48	3.65	3.75	3.82	3.93	4.01	4.07	4.12	4.26	4.46	5.23

CC = Climate Change

Source of information: Coastal Flood Boundaries Study (2011) by the Environment Agency

Defence Information

Asset Refere	Maintainer	Bank	Asset Type	Asset Description	Overall Condition Grade		Crest Level
					Standard of Protection	Grade	
051CDHAMF2701C01	Coastal	sea defence (man-made)	Clay seawall	(1 200) 0.5%	4	4.2	
051CDHAMF2701C02	Coastal	sea defence (man-made)	Clay seawall	(1 200) 0.5%	3	5.2	
051CDHAMF2601C01	Coastal	sea defence (man-made)	Clay seawall	(1 200) 0.5%	4	5.0	

Key to Overall Condition Grades

Grade	Rating	Description
1	Very Good	Cosmetic Defects that will have no effect on performance.
2	Good	Minor defects that will not reduce the overall performance of the asset.
3	Fair	Defects that could reduce performance of the asset
4	Poor	Defects that would significantly reduce the performance of the asset. Further investigation.
5	Very Poor	Severe defects resulting in complete performance failure.

Mary Foster

From: David Fletcher [REDACTED]
Sent: 07 January 2013 14:54
To: Planning.policy
Subject: Draft Local Plan- Land to the west of High Tree Lane, Walton- on- the- Naze email 3 of 4
Attachments: Appendix B- Ecology Appraisal.pdf; Appendix C- Arboricultural Report.pdf; DFC 1389 TSP.pdf; DFC 1389 constraints & opportunities.pdf; ATT00001.txt

Dear Sir/Madam,

Please find attached appendices to accompany the submission of information to promote land to the west of High Tree Lane, Walton-on- the- Naze on behalf of Mr D Eagle and Mr J Eagle.

Email 3 of 4, Appendices A to D of the Delivery Statement will follow.

Kind Regards,

David

David Fletcher

Associate Planner
Strutt & Parker LLP



Description: Description: sp-signature-final.jpg

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For further details of Strutt & Parker LLP please visit our web site <http://www.struttandparker.com>



**Ecological Appraisal
of
Land at High Tree Lane, Walton on the Naze
on behalf of
JW and FD Eagle**



Reference: DFC 1390
Written by: Liz Brooks BSc (Hons) MIEEM
Reviewed by: David Smith BSc (Hons) PhD MIEEM
Date: 3rd January 2013

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Appendix 1: Site Photographs

Appendix 2: Phase 1 Habitat Map

Appendix 3: Designated Sites Map

Appendix 4: Wildlife Legislation and National Planning Policy

1.0 Summary

An Ecological Appraisal was carried out on land to the west of High Tree Lane, Walton on the Naze, Essex on 23rd November 2012. The site (central grid reference TM 258 229) comprises an area of former agricultural land that is now becoming established with ruderals and grasses, boundary hedgerows, and two residential buildings with associated gardens. The survey area was approximately 0.4ha. The site has potential to support breeding birds, bats, great crested newts and in the future, reptiles. However in the event that any of these species are found to be present on site, they are unlikely to pose a constraint to development if the recommendations of this report are followed. Any impacts on these species can be adequately mitigated within or close to the site.

The purpose of this detailed ecological appraisal is to identify all habitats, trees and structures that may be of ecological value or support protected species.

Whilst some minor adverse affects are likely to some ecological components present on site, overall the proposals have the potential to deliver a net-gain in biodiversity with mechanisms in place to offset potential minor adverse effects. These could be implemented in a combination of ways, including careful planning at the detailed design stage, input into local recreational facilities, the improvement of existing habitats on site and the creation and appropriate management of new habitats on site.

Mechanisms may need to be put in place to avoid any potential impact upon nearby Hamford Water Special Protected Area (SPA), Ramsar site, National Nature Reserve and Site of Special Scientific Interest as a result of recreational disturbance associated with an adjacent footpath. However, with the inclusion of appropriate mitigation a potential effect on the 'integrity of the site in view of its conservation objectives'¹ is not likely. Any mitigation measures will be developed as more information becomes available at the detailed design stage. Due to the complexities of the site, we recommend this report is read in full.

The site does not appear to contain any flora of conservation interest therefore no further survey is recommended at this stage. No evidence was found of invasive species such as Japanese knotweed on or immediately adjacent to the site.

The habitats within the site are unsuitable for otters, water vole and dormice. No evidence of badger was found on site. No further surveys in respect of these species are recommended.

Key Recommendations

- Carry out an assessment of three offsite ponds to determine their suitability for newts. If suitable, carry out a presence / absence survey for great crested newts. Such surveys can only be carried out between mid March and mid June;
- In the apparent unlikely event that the site remains undisturbed, and site clearance is to be carried out more than 2 years from the date of this report, carry out a reptile survey of the site prior to clearance. The survey should be carried out between April and September inclusive;
- Carry out an internal inspection of the roof spaces followed by three dusk / dawn surveys of the residential dwellings between May and September inclusive;
- The trees, hedges and buildings provide suitable habitat for nesting birds. Vegetation and building clearance should be undertaken during the period October to February inclusive to avoid the bird nesting season. If this is not possible then prior to commencement of works on site a check for nesting birds should be undertaken by a suitably experienced ecologist and any active nests will need to be left *in situ* until birds have stopped using the nest;
- With appropriate mitigation it is unlikely that there will be any adverse effect upon Hamford Water. However, in order to inform mitigation design, the site should be subject to further detailed desktop and site surveys to determine whether the birds for which Hamford Water Ramsar / SPA is designated are using land within the zone of influence of a nearby footpath. It is possible that notable bird species are not using land within this zone, and that no mitigation will be required during the project design stage. Any mitigation provided also needs to be informed by the Habitat Regulations Assessment of the new Local Plan;
- Replace and / or enhance existing habitats of low conservation interest, such as the native hedgerow along the northern boundary, is recommended. Ideally an overall increase in length of native hedges on site is recommended to provide an overall biodiversity gain for the site; and
- Design the site with wildlife in mind - create opportunities for ecological enhancement within the design of the site to ensure long-term biodiversity gain for the local area. This applies to provision of permanent, built-in nesting and roosting facilities as well as soft landscaping.

2.0 Introduction

2.1 Instruction

On 6th November 2012 DF Clark Bionomique Ltd were instructed by David and John Eagle to undertake an Ecological Appraisal of the land at High Tree Lane, Walton on the Naze.

The proposals for the site include the redevelopment of the site for around 13 dwellings with associated garages, parking and gardens. This is based on Preliminary Go Planning Drawing number 2012-264-SC01 dated September 2012.

Recommendations included within this report are the professional opinion of an experienced ecologist based on the client's proposals for the site, the site survey and a review of any existing ecological records.

The survey was carried out by Liz Brooks, who has been a professional ecologist since 2005, holds Natural England licences to survey bats, barn owls and great crested newts, and is a full member of the Institute of Ecology and Environmental Management (IEEM).

2.2 Aims

This survey and report aims to:

- Accurately assess and record the existing habitats on site;
- Highlight any potential protected species presence and make recommendations for further surveys where appropriate;
- Identify any statutory or non-statutory designated sites likely to be impacted by the proposed development;
- Identify how ecological constraints may affect development; and
- Identify opportunities for ecological mitigation and enhancement.

National planning policies and wildlife legislation relevant to the proposed development can be found in Appendix 4.

2.3 Site description

The site is located within the town of Walton on the Naze. It is bordered to the south and east by residential housing and roads. To the north is a static caravan park, with intensively farmed arable fields to the west.

The site comprises an area of approximately 0.4ha. Around half of the site is an arable field corner, becoming colonised with ruderals and grasses. The remaining half comprises well-kept residential gardens and associated two-storey residential dwellings. Photographs of the site can be found in Appendix 1.

2.4 Survey Limitations

This ecological appraisal provides an initial view of the likelihood of protected species occurring on the site. This is based on the suitability of the habitat, the records returned from the biological records search and any direct evidence of presence on site. The habitat survey does not constitute a full and definitive survey of any protected species group and is only valid at the time the survey was undertaken.

The habitat surveys were designed to inform Local Plan promotion and not a full or outline planning application. Further survey work will be required should a planning application be submitted.

Despite these limitations the survey and desk top search are considered to provide a robust assessment of the site's ecological conditions and be suitable to fulfil the aims of the report.

3.0 Method

3.1 Desk Study

The Multi Agency Geographic Information for the Countryside (MAGIC) website provided by DEFRA was consulted to obtain information about Special Protection Areas, Ramsar sites and Special Areas of Conservation within a 5km radius of the site, and for any other statutory designated sites such as Sites of Special Scientific Interest (SSSI) within a 2 km radius of the site.

Essex Ecology Services and Essex Mammal Surveys were consulted to obtain information about any local/non-statutory designated sites within a 2 km radius of the site and existing records for protected species within a 2 km radius of the site.

3.2 Site Visit

A single daytime site visit was carried out on 23rd November 2012. The survey was conducted based on the standard methodology for Extended Phase 1 Habitat Survey (JNCC, 2010). Vegetation communities were assessed through the identification of individual plant species, and then the groups were classified and mapped according to the standardised habitat descriptions. Any evidence of invasive species such as Japanese knotweed *Fallopia japonica* was noted.

The survey also included an assessment of the potential of the site to support any legally protected species. Where best practice guidelines exist, these have been used to assess the likelihood that individual species will be present, for example Bat Surveys: Good Practice Guidelines (Bat Conservation Trust, 2012) and Habitat Suitability Index for Great Crested Newt (Oldham *et al.*, 2000). Observations of protected species made on site during the survey are also included within the report.

3.3 Assessment

Based on criteria detailed within best practice guidelines for individual species, habitat suitability ratings have been used as a guide to inform any need for further surveys in respect of these species.

3.4 Zone of Influence

The Zone of Influence for the proposed works is dependent upon the species likely to be impacted. Given the information available at this stage it is not possible to determine the impact of the proposals on the species or habitats present on the site or within the

surrounding vicinity. The Zone of Influence may extend out of Site 2 if bat surveys highlight the presence of roosting or significant numbers of foraging bats, however this is not predicted to be a constraint to development and could be adequately mitigated for.

Information from the 2012 Local Plan Sustainability Appraisal indicates that the Tendring District has a population of around 138,000 living in approximately 69,000 dwellings. This gives an average occupancy rate of 2 people per dwelling. On the above basis, the proposed development could be expected to introduce 26 new residents. The potential impact of recreational pressure from informal activities such as dog walking on the nearby Hamford Water SPA / Ramsar site is potentially significant without mitigation. However, with appropriate measures, such as the enhancement or provision of recreational facilities, these potential impacts could be fully mitigated for. This issue will be subject to further investigation as the designs for the proposed developments move forwards.

4.0 Survey Results

4.1 Results of desk study

4.1.1 Designated Sites

The Multi Agency Geographic Information for the Countryside (MAGIC) website indicates that there is one SPA / Ramsar site within 5 km of the site, and two other statutory sites:

Site	Designation	Distance from site	Citation
Hamford Water	National Nature Reserve (NNR)	250m NW	Hamford Water is a large estuarine basin comprising tidal creeks, intertidal mud and sand flats, and saltmarshes. It has been designated as an SPA for supporting significant numbers of breeding and wintering waders and wildfowl: <ul style="list-style-type: none">• Breeding little tern;• Overwintering pied avocet, golden plover and ruff;• Migratory ringed plover; and• Overwintering black tailed godwit, dark bellied brent goose, grey plover and teal. It is also designated for regularly supporting over 20,000 waterfowl (44,500).
	Ramsar		Hamford Water is a designated Ramsar site for the additional species <ul style="list-style-type: none">• Spotted redshank and common greenshank;• Wintering red knot and shelduck; and• Breeding Mediterranean and black headed gulls.
	Special Protection Area (SPA)		
	Site of Special Scientific Interest (SSSI)		
The Naze	Site of Special Scientific Interest (SSSI)	450m NE	Designated for its geological value. Rare fossils, notably those of importance to the study of small seed fossils and bird evolution, are found in cliff exposures.
Essex Coast	Environmentally Sensitive Area (ESA)	On site	The Essex Coast is one of the top five coastal wetlands in Britain in terms of its value to bird, invertebrate and plant communities, some of which are nationally rare or scarce. The main ecological interest comprises the grazing marshes, associated borrow dykes and ditches, as well as the sea wall grassland.

The record search shows there are three non-statutory designated sites (County Wildlife Sites) within a 2 km radius of the site. Walton Mere is located 500m to the south west, and is designated for its saltmarsh habitats and use by wildfowl and waders. Barnes Spinney lies 160m south of the site, and is designated for its mosaic of meadow and scrub habitat. The Naze is also designated a Local Wildlife Site for its value to rare invertebrates, amphibians and small birds.

A figure showing the location of statutory designated sites can be found in Appendix 3.

4.2 Protected species

A records search provided by Essex Ecology Services and Essex Mammal Surveys identified the presence of a number of protected species within 2 km of the survey site. The closest and most recent record for each statutory protected species can be found in Table 2 below.

Table 2: Protected species within 2 km

Common name	TAXON	Date	Distance from site	Direction from site
Water vole	<i>Arvicola amphibius</i>	2011	1.8 km	North
Common Lizard	<i>Zootoca vivipara</i>	2007	1.1km	North east
Badger	<i>Meles meles</i>	2010	1.7km	North east
Otter	<i>Lutra lutra</i>	1998	0.14km	South west
Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	1989	0.4km	East
Brown Long-eared	<i>Plecotus auritus</i>	1987	0.8km	North east

4.3 Habitats and Plants

A Phase 1 Habitat Map indicating the extent of the habitats present can be found in Appendix 2.

4.3.1 Tall ruderal

Around half of the site consists of a former agricultural field which has become colonised by ruderals and grasses. Species present include frequent bristly ox-tongue *Picris echioides*, couch grass *Elymus repens* and cocksfoot *Dactylis glomerata*. Occasional rosebay willowherb *Chamerion angustifolium*, spear thistle *Cirsium vulgare*, dandelion

Taraxacum officinale, hedge bindweed *Calystegia sepium*, dove's-foot cranes-bill *Geranium molle*. And vetchlings *Lathyrus sp.* were also recorded. Bare ground can be seen at the bases of the individual plants through aerial vegetation, and grass cover is sparse.

4.3.2 Trees

Occasional trees are present, predominantly associated with the residential gardens which lie adjacent to the former arable field. A mature hawthorn *Crataegus monogyna* tree is present along the northern site boundary, with some small fruit trees (generally plum *Prunus sp.*) in the rear gardens.

None of the trees have potential for roosting bats.

4.3.3 Hedgerows

The northern side of the site is marked by a species poor hawthorn dominated hedgerow, beyond which is a mown grass track with a further length of hawthorn hedgerow. Both hedgerows are tall and leggy, with occasional elder and plum. Beneath the hedges is an understorey of nettle *Urtica dioica*, cow parsley *Anthriscus sylvestris*, hedge bindweed, bramble *Rubus fruticosus agg.*, ivy *Hedera helix*, hedge bedstraw *Galium album*, false oat grass *Arrhenatherum elatius*, and occasional spear thistle and mallow *Malva sylvestris*. Periwinkle *Vinca major* is also present in the southern hedge.

One of the houses, which are located on the eastern side of the site, has a trimmed privet *Ligustrum vulgare* hedge marking the eastern boundary.

4.3.4 Improved grassland

A small patch of improved grassland exists in the south western corner of the site, along what appears to be the former access way into the arable field immediately adjacent to the site. False oat grass and couch grass dominate, with occasional patches of nettles and common mallow.

4.3.5 Amenity grassland

Between the two northern hedgerows is a strip of apparently regularly mown amenity grassland. Species present include false oat grass, rough meadow grass *Poa trivialis* and perennial ryegrass *Lolium perenne*. The central third of the site comprises the rear gardens of the residential properties. These are dominated by short amenity grassland with occasional and scattered fruit trees, buddleia *Buddleja davidii* and ornamental shrubs and plants such as *Hebe sp.*, *Phormium sp.*, *Crocosmia sp.* and conifers.

4.3.6 Buildings and hardstanding

On its eastern side the site supports one semi-detached dwelling and a three-house terrace, as described below:

1) Semi-detached – northern end of site

A two storey house with a clay tiled, double ridge roof with a central valley. The ground floor walls are brick, whilst the first floor walls are rendered brick. Window frames are worn-looking but with no apparent gaps between the frames and surrounding wall. Occasional tiles are missing or cracked. There appear to be potential access into the roof space via gaps beneath the eaves, with one area showing evidence of regular bird access.

2) Terrace – southern end of site

A two-storey brick building with barge boards on front and back sides only. All of the tiles appear to be well fitted, and lead flashing is in good condition. Gaps were noted around window frames, beneath lead flashing surrounding former front porches and beneath the barge boards. A large gap, possibly leading into the roof, was noted on the southern gable end of the building. A single storey, flat roofed, felted lean-to extends from the south western end of one of the properties. The felt was in reasonable condition.

Some wooden sheds with felt roofs and a static caravan were also present in the rear gardens. These were in varying condition, but did not provide suitable roosting habitat for bats.

4.3.7 Water bodies

There are no water bodies on or adjacent to the site.

4.3.8 Invasive species

No invasive plant species were recorded within the site or adjacent areas.

4.4 Animals

4.4.1 Invertebrates

The site is considered likely to support common and widespread invertebrate species typical of the habitats present.

4.4.2 Amphibians

The desk study did not identify records for great crested newts *Triturus cristatus* within 2km of the site. The Ordnance Survey map for the area indicates that there are two ponds around 170m to the south west of the site, and the Barnes Spinney CWS designation describes a small pond, which could be around 160m from the site.

It is not known whether these ponds are suitable for great crested newts, and they should be subject to further assessment to determine whether full survey is necessary. The site provides suitable terrestrial habitat for great crested newts. Whilst Barnes Spinney is separated from the site by an area of residential development, the two ponds to the south west are connected to the site by a thick hedgerow.

4.4.3 Reptiles

The desk study identified common lizard within the surrounding 2km area, all recorded to the north east of the site.

None of the gardens provide suitable habitat for reptiles. The overgrown arable field does not currently provide suitable reptile habitat. Vegetation cover is sparse at ground level, and there are limited alternative opportunities for shelter.

If this area of vegetation is left undisturbed for a further two years, it is likely to provide suitable habitat for reptiles. This area is connected to tussocky grass verges to the north and south east, thus providing potential colonising opportunities in the long term.

However, it is understood that it is the landowners' intention to continually manage this area of land, and therefore it is unlikely that the vegetation in this area will remain undisturbed and become suitable for reptiles.

4.4.4 Birds

The hedgerows, trees and buildings provide favourable foraging and nesting habitat for a variety of bird species. Bird droppings were recorded beneath the eaves on the eastern face of the semi-detached building.

4.4.5 Bats

The trees on site are of negligible potential for roosting bats. The site provides limited foraging habitat.

Both buildings have high potential to support roosting bats, predominantly due to the gaps around the eaves of both buildings. No evidence of roosting bats – droppings, fur rubbing or urine staining – was noted on the external features of the buildings.

Located on the edge of Walton, the surrounding environment is relatively rural. Native hedges lead away from the site to the north, and gardens to the south and east contain trees and shrubs. Barnes Spinney is also located 160m to the south, and provides ideal foraging habitat for urban bat species such as pipistrelles *Pipistrellus spp.*

4.4.6 Badger

The desk study identified records of badgers within a 2km radius of the site.

No setts were identified on either site or within 30m of the site as far as could be determined. No mammal paths or evidence of badgers such as snuffle holes, scratch marks, latrines, hairs caught on fences or gates were recorded during the survey.

4.4.7 Otter and water vole

The desk top study highlighted records of otter within 140m of the site to the south west, and water vole 1.8km to the north west of the site. However, there is no habitat on or immediately adjacent to either site which is suitable for otters or water voles and it is unlikely that either species are present on site.

4.4.8 Dormice

No records of dormice were found within 2km of the site.

The site does not provide suitable habitat for dormice *Muscardinus avellanarius* or is connected to areas which are suitable for dormice. It is unlikely that dormice are present on site.

4.4.9 Other Legally Protected Species

It is considered unlikely that the site supports any other legally protected species.

The hedgerows may provide suitable foraging and sheltering habitat for hedgehogs *Erinaceus europaeus*, a UK BAP priority species.

5.0 Conclusions and Recommendations

5.1 Designated Sites

- 5.1.1 Two statutory designated sites are present in the surrounding area, Hamford Water, which is a designated NNR, Ramsar, SPA and SSSI; The Naze SSSI and Essex Coast ESA. SPA's and Ramsar sites are internationally designated sites which are fully protected by the Conservation of Habitats & Species Regulations 2010 (as amended). The three Local Wildlife Sites vary between 160m and 500m from the site. Of these, Walton Mere is adjacent to Hamford Water but is already recognised to be subject to high levels of disturbance. Barnes Spinney is located on inaccessible private land. The Naze is already subject to very high levels of disturbance as well as extensive erosion, and the impact of a potential 26 additional visitors is unlikely to have a significant detrimental impact on the site.
- 5.1.2 The site lies within the boundaries of the Essex Coast ESA. ESA's were primarily designated to encourage environmentally friendly agricultural practices in areas of national importance for their landscape, wildlife or historic value. The site does not contain any features for which the ESA was designated i.e. grazing marsh, dykes, saltmarsh. Due to its location close to existing residential developments, development is unlikely to adversely impact any features of value. The ESA scheme has now been replaced by Environmental Stewardship.
- 5.1.3 A one-way footpath route which leads north from the site and to the boundary sea wall of Hamford Water has been identified on OS maps. This walk would be easily accessible to the residents of the site, and with the combined impact of potential new residents from this and other developments, this activity has the potential to significantly increase the levels of disturbance experienced by birds using land on the north western side of the sea wall.
- 5.1.4 However, with the implementation of appropriate mitigation it is likely that there will be no significant adverse effect on those ecological features for which the SPA and Ramsar site was designated as a result of recreational activities. The potential for any impact and requirement for any mitigation depends on whether the features for which the site is designated (refer to list of bird species in Table 1, above) use the area of Hamford Water located within the zone of influence of the public footpath. This will be determined at the detailed design stage.

- 5.1.5 Further detailed desktop surveys, discussion with local bird recorders and potentially bird surveys of the area close to the footpath that is adjacent to Hamford Water will be used to determine whether the birds listed in Table 1 are using land within the zone of influence of the footpath. If these birds are not using habitats close to the path, there is unlikely to be a significant effect on these species and no mitigation will be required.
- 5.1.6 If the relevant bird species are present, with appropriate mitigation it will be possible to avoid likely significant effects. Mitigation options could include feeding into provision of open space and recreation facilities allocated within the Local Plan via financial contributions, providing additional recreation facilities in conjunction with other nearby development sites, or provide areas of open space elsewhere within the Kirby le Soken area. These features would draw people away from Hamford Water, thereby reducing the overall impact of recreation disturbance and thereby ensuring there is not likely to be a significant effect upon those ecological features for which the SPA and Ramsar site were designated. The precise details will be developed through the detailed design stage.
- 5.1.7 The development is small in size, which supports the Council's aim of spreading the provision of housing within the vicinity of internationally protected sites. This approach to housing aims to minimise impact upon these sites.
- 5.1.8 The 2012 Local Plan Sustainability Appraisal and associated Appendices indicate that without appropriate mitigation the Local Plan has the potential to adversely impact on Hamford Water SPA and Ramsar site as a result of increased disturbance. However, with appropriate monitoring and mitigation the Council (competent authority) has concluded that the new Local Plan will not adversely affect the integrity of any internationally notified site in the Tendring district. The Habitats Regulations Assessment of the Local Plan will be used to design appropriate mitigation measures during the detailed design stage. Therefore it is likely that the proposed development site will not have a likely significant effect on those ecological features for which Hamford Water SPA / Ramsar site was designated.

5.2 Habitats and Flora

Within the categories identified by the UK Biodiversity Action Plans (BAP) there is one priority habitat which is found within the survey site boundary: hedgerows.

The proposals are likely to result in the loss of sections of hedgerows due to works at the construction phase. Due to the species poor and leggy nature of the hedges present on

site, it is not recommended that the hedgerows be retained. It would be of greater long-term benefit for the hedges to be replaced with a species rich native mix, and then managed in a wildlife friendly manner i.e. a 2-3 year cutting rotation once established.

The site is not likely to support any rare plant species. Invasive plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were not recorded.

5.3 Invertebrates

The site contains limited invertebrate habitat and therefore no further surveys are recommended.

5.4 Amphibians

The two large ponds to the south west of the site, and if accessible, the pond in Barnes Spinney, require further assessment to determine whether they are suitable for great crested newts. The site does provide suitable terrestrial newt habitat, therefore if any of the ponds are considered to be suitable for newts, they should be subject to full survey.

Great crested newt surveys can only be carried out between mid March and mid June, and should include at least three of the following survey techniques: egg searching, netting, bottle trapping and torching.

Given the distance of the site from the ponds and the current low quality of the habitat on site for newts, it should be possible to accommodate any local newt population within the development site via newt-friendly landscape design, and immediately adjacent land via habitat enhancement.

5.5 Reptiles

All native reptiles are protected by the Wildlife and Countryside Act 1981 (as amended).

Whilst the site is currently considered unsuitable for reptiles, it is possible that an additional c.2 years' growth would provide ideal habitat for reptiles. In this situation, reptiles could colonise the site via tussocky hedgerows to the north and / or south. However, it is understood that it is the landowners' intention to continually manage this area of land, and therefore it is unlikely that the vegetation in this area will remain undisturbed and become suitable for reptiles.

Should the site remain undisturbed for more than two years from the date of this report, it is recommended that a survey for reptiles is undertaken. Any such survey should comprise laying out artificial refugia (0.5 x 0.5m sections of roofing felt, carpet tiles and/or corrugated metal) in areas of suitable habitat within the site. The refugia should be surveyed over a minimum of seven days during the reptile active period between April and September (inclusive) under suitable weather conditions (warm and sunny with air temperatures between 9°C and 18°C). Any reptiles observed should be recorded and mapped. The results of the survey will inform a mitigation strategy for the proposals for the site to avoid any detrimental impact on reptiles. If present, the small size of the site and the indicative site layout proposals suggest that it will be necessary to relocate reptiles to a suitable local receptor site.

Due to the current low quality of the habitats present on site, it is unlikely that more than a low population of reptiles, if any, would be present onsite prior to development. Any such individuals could be easily translocated to a range of suitable receptor sites within the local vicinity.

5.6 Birds

The trees, hedgerows and buildings provide suitable bird foraging and nesting habitat. An identified bird species was recorded to be accessing the roof area of the semi-detached dwelling.

Nesting birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Any vegetation clearance or building demolition should be undertaken during the period October to February to avoid the bird nesting season. If this is not possible, prior to commencement on site a check for nesting birds should be undertaken by a suitably experienced ecologist and any active nests will need to be left *in situ* until the chicks have fledged and the nest is no longer in use.

The provision of a range of nest boxes and new tree and shrub planting will provide permanent replacement nesting opportunities within a new development.

5.7 Bats

In accordance with national survey guidelines (BCT 2012), both of the buildings should be subject to an internal inspection followed by three dusk / dawn surveys. These should be carried out between May and September inclusive.

At least one dawn survey should be carried out on each building, and ideally all of the surveys will be spread evenly throughout the bat survey season.

The hedges on site provide potential foraging habitat, and it is recommended that any design proposals for the site include lengths of native hedgerows as well as a rich planting scheme based on flower and fruit producing plants which are attractive to insects.

Artificial lighting should be limited to minimise any impact upon foraging or commuting bats. There are a number of methods which can minimise negative impact on bats from lighting (Bat Conservation Trust, 2009), including:

- Minimising the use of external lighting to that required for security purposes;
- Use of timers for security lighting where required;
- Avoiding light spill by using accessories such as shields, louvres, hoods and cowls and careful design/choice of luminaire to be used; and
- Minimising the height of the lighting column.

The development provides the opportunity to incorporate a range of replacement or enhancement roosting facilities for bats. Both garages and houses provide opportunities for roof void roosts, and all buildings provide opportunities to incorporate roost crevices. The roosts could be provided anywhere on site, and therefore the development has the potential to provide for very small to large bat roosts of a variety of species.

5.8 Badger

No badger setts or evidence of badgers was found on site or within 30m of the site boundaries as far as could be assessed.

The author does not know of any badger setts within the local vicinity, and the site is not particularly attractive to badgers. No further survey is recommended.

5.9 Otters and water voles

There are no habitats on or adjacent to the site that are favourable for water voles or otters. No further surveys are therefore recommended.

5.10 Dormice

No further surveys are recommended.

5.11 Other Legally Protected Species

The proposed development is not anticipated to impact on any other legally protected species therefore no further surveys are recommended.

Hedgehogs, a UK BAP species may be present in the hedges. Measures to protect hedgehogs during site clearance should be employed, such as avoiding leaving piles of cleared vegetation or debris within the area of impact. Any hedgehogs found should be carefully moved away from the area of clearance. The provision of new areas of native hedge and shrub planting will provide replacement habitat for hedgehogs on site.

All wild mammals receive some protection by the Wild Mammals (Protection) Act 1996 and this includes offenses of crushing and asphyxiation of any wild mammal with intent to inflict unnecessary suffering. If any animal burrows (such as rabbit *Oryctolagus cuniculus* or fox *Vulpes vulpes* but excluding burrows used by legally protected mammals such as badgers) are found during works, careful excavation of animals from their burrows before works commence should be sufficient to avoid an offence.

6.0 Ecological Enhancement Opportunities

Within any proposed designs for the site there are opportunities for the project to deliver long-term enhancements for biodiversity. At the present time, these opportunities include:

- Retain or, ideally, replace lengths of hedgerow. Any replacement hedge should be native and species rich. All such hedgerows on site should be brought into active management to encourage dense, bushy growth as well as production of flowers and fruits i.e. a two to three year cutting rotation. The management of the hedgerows should aim to promote a diversity of species of benefit to a range of invertebrate, bat and bird species present within the local area;
- In small sites, planting space is often seen to be limited, however there are many options available to maximise wildlife friendly planting in small spaces including provision of trellis / wires for climbing plants, planting of narrow beds with vertical growing shrubs such as *Pyracantha spp.*. Planting areas should be maximised wherever possible;
- Due to the close proximity of the site to Hamford Water and its associated grazing marshes and saltmarsh, avoid the use of *Buddleja spp.* or *Cotoneaster spp.*, both of which can become invasive at the expense of native flora;
- Plant new trees which are native or wildlife friendly species appropriate for the area
- Permanent, built-in wildlife features should be incorporated within the design of the housing areas including features such as bird, bat and insect boxes. The boxes should built into walls. Boxes should provide for a range of species, but include notable or declining species such as swifts *Apus apus* and house sparrows *Passer domesticus*;
- Soft landscaping schemes should be based on plant species known to have benefits for biodiversity (such as plants with nectar-rich flowers and berries to provide a food source for invertebrates and birds). Planting should fill every possible spare corner, particularly with vertical or climbing species;
- Design with wildlife in mind – maximise the space available by providing additional habitat features such as partially buried deadwood piles within planting beds, and mulch all new planting beds to retain moisture whilst also providing additional habitat for invertebrates; and
- Any external lighting features should be angled towards the ground and cowed or shielded to ensure light is directed to the ground and away from hedgerows and bat commuting features. This will minimise light pollution and help to retain dark

corridors. Whilst some bat species will forage beneath artificial light sources, it is preferable to retain naturally dark foraging areas.

7.0 References

- Bat Conservation Trust (2009) *Bats and lighting in the UK*. Available from:
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- Essex Ecology Services (2012) *Desk top records search EECOS*

Appendix 1:
Site Photographs



Photograph 1: High Tree Lane – eastern boundary of site



Photograph 2: Semi-detached dwelling, with bird droppings on corner of building beneath eaves



Photograph 3: Southern end of the terrace. No barge boards on gable ends



Photograph 4: Ruderal-grassland mix on western side of site, to rear of residential properties



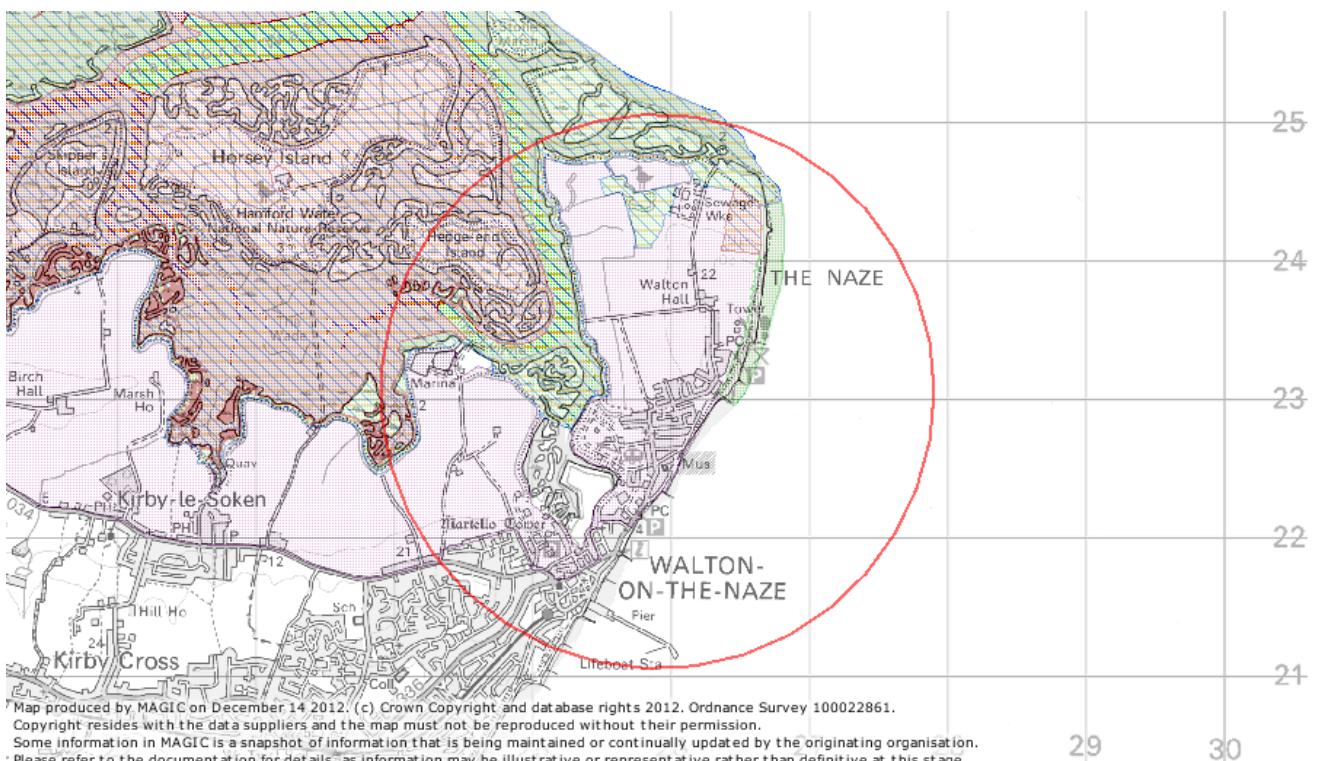
Photograph 5: Sparse grass and vegetation cover at ground level – bare earth visible



Photograph 6: Two hawthorn hedges along northern boundary, with grass track through centre

Appendix 2:
Phase 1 Habitat Map

Appendix 3:
Designated Sites Map



Local Nature Reserves (England)

National Nature Reserves (England)

Ramsar Sites (England)

Special Protection Areas (England)

Special Areas of Conservation (England)

Sites of Special Scientific Interest (England)

Environmentally Sensitive Areas (England)

Appendix 4:
Wildlife Legislation & National Planning Policy

Legislation

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats & Species Regulations 2010 and the Protection of Badgers Act 1992 confer various degrees of legal protection on species including bats, reptiles, great crested newts, otters, dormice, water voles, badgers and birds. (A full list of protected species and their specific legal protection is provided within the schedules of the legislation.) This legal protection overrides all planning decisions.

The level of protection varies depending on which schedule of the legislation applies; however, typically any activity that would injure, kill, ill-treat, intentionally damage or destroy any protected species or their place of shelter may be a criminal act. It is also an offence to deliberately disturb a European protected species in any way which would affect its ability to survive, breed or rear its young, or affect its local distribution.

Under certain circumstances licences can be granted by the Statutory Nature Conservation Organisation (Natural England in England) to permit actions that would otherwise be unlawful.

In addition to the above legislation, the Protection of Mammals Act (1996) provides protection for all wild mammals from certain cruel acts including crushing and asphyxiation, which can have relevance for methods employed during site clearance works.

Schedule 9 of the Wildlife and Countryside Act (as amended) refers to invasive species such as signal crayfish, grey squirrel and Japanese knotweed and makes it an offence to release them or, in the case of plants, to cause them to grow in the wild.

Planning Policy

The UK Biodiversity Action Plan (UKBAP) describes the UK's biological resources and identifies 1150 species and 65 habitats of conservation concern at a national level. The UKBAP is used as a guide for decision makers such as local authorities to fulfil their obligations under sections 40 and 41 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity in carrying out their duties.

The National Planning Policy Framework (NPPF) states *the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains where possible*. Furthermore, the NPPF states *when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity... and opportunities to incorporate biodiversity in and around developments should be encouraged*.

Effectively this means that the total biodiversity value of a site rather than purely in relation to protected species should be considered prior to determining a planning application and councils are recommended to refuse planning permission where inadequate information is provided.



Arboriculture Landscape Architecture Ecology

Tel: [REDACTED]

[REDACTED]

[REDACTED]

Email:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Arboricultural Report

**Land at
High Tree Lane
Walton-on-the-Naze
Essex**

Client - JW & FD Eagle



**16 December 2012
Our reference DFC 1389**

Contents

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Appendix 2	Tree survey sheets
Appendix 3	Tree survey plan - DFC 1389 TSP
Appendix 4	Tree constraints & opportunities plan - DFC 1389 TC & OP
Appendix 5	Contacts and references
Appendix 6	Caveats

Summary

The report is a supporting document for the promotion of the land for development for the emerging Tendring District Replacement Local Plan.

All significant trees and hedgerows on and adjacent to the site were surveyed. This report seeks to provide information in accordance with British Standard *BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations*.

None of the onsite individual trees should be considered a constraint due to their poor condition or because of their small size.

The hedgerows on the northern boundary of the site provide useful screening to the adjacent caravan park and could be improved by appropriate management and reinforcement planting.

There is opportunity to increase the currently low tree population on the site with new planting within and around the boundaries of any new development.

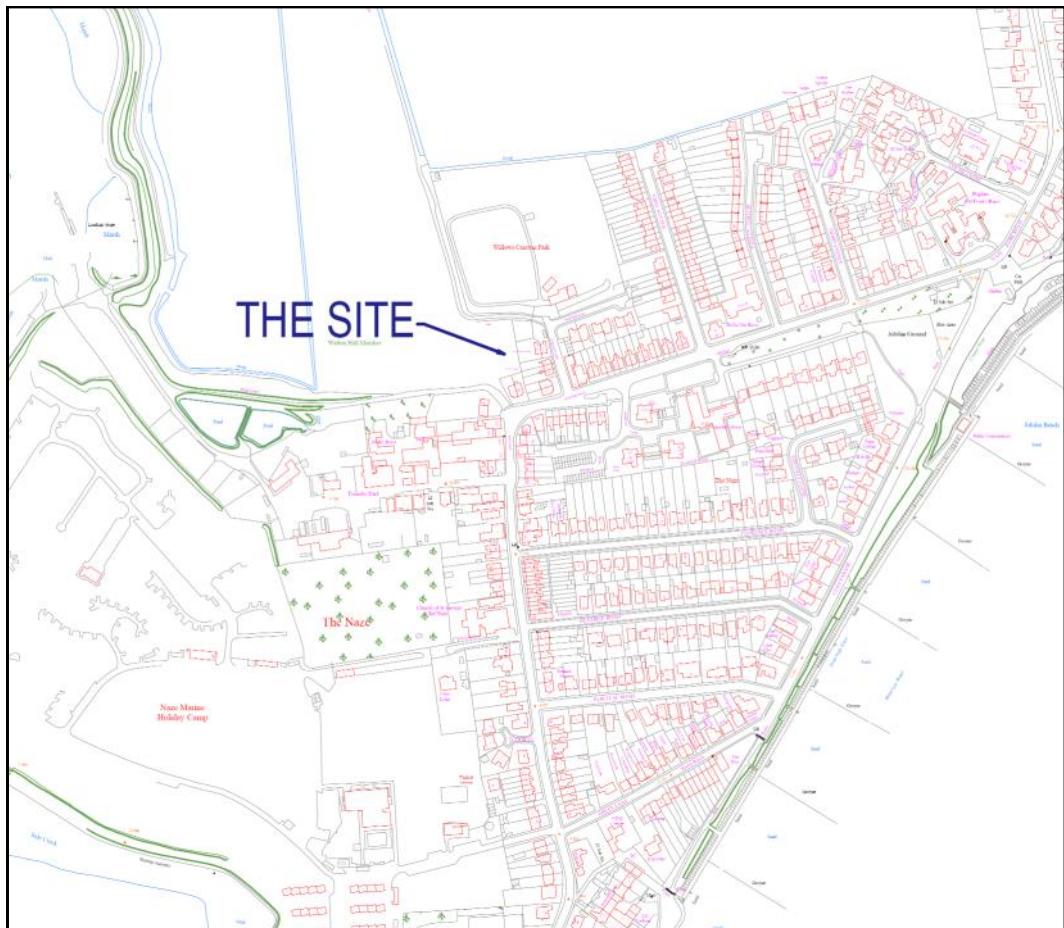
1.0 Introduction

- 1.1 **Brief:** We are instructed by Strutt & Parker on behalf of JW & FD Eagle to carry out a survey of significant trees on land at High Tree Lane, Walton-on-the-Naze, to provide arboricultural information to inform any site layout for new development.
The report is a supporting document for the promotion of the land for development for the emerging Tendring District Replacement Local Plan. The trees have been surveyed in accordance with the principles of British Standard *BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations* (The BS) at the feasibility stage (RIBA work stage A).
- 1.2 To provide a series of plans to assist the design team with the planning process.
- 1.3 To consider the arboricultural constraints and opportunities the site provides.
- 1.4 To work with other disciplines to ensure a holistic approach to the scheme.

¹BS 5837 recommends that in most circumstances all trees over 75mm stem diameter should be included in a pre-planning land and tree survey.

2.0 Appraisal

- 2.1 **Site visit:** Site visits were undertaken on the 23 November 2012. The weather was clear and dry with good visibility.
- 2.2 **Site description:** The site is located towards the northernmost part of Walton-on-the-Naze with residential housing to the south and east, a caravan park to the north, and open farmland to the west. It is located between the coast and an inlet known as Walton Channel. The topography of the site is generally level. The soil is understood to be a medium to heavy silt. Most of the site is rough grassland with dwellings to the east, fronting High Tree Lane which have gardens abutting the grassland. There are two accesses onto the site, one from Naze Park Road and the other from High Tree Lane. This access has a hedge either side of the track which leads onto the site.



3.0 Trees on site

3.1 **The trees:** There are five trees, one group and four hedgerows subject of this report. All have been assessed and categorised in accordance with BS 5837:2012

Full details are found on the survey sheets at Appendix 2 and their locations are shown on the tree plans. The tree plan (DFC 1247 TSP) shows locations and root protection areas, the tree constraints and opportunities plan adds further constraints and new planting opportunities.

Table 1

Tree	Comments
T1 plum	A garden tree in poor form and condition which should not be considered a constraint to development
T2 hawthorn	A tree of reasonably good form however there is decay in the main trunk and has a limited safe useful life expectancy and therefore should not be a constraint to development and should not be retained within any new development
T3 ash	An offsite tree that appears to have been damaged by fire. The root protection area just comes into the site and therefore is a minor constraint
T4 red horse chestnut	An offsite tree in reasonable condition. The root protection area just comes into the site and therefore is a minor constraint
T5 hawthorn	Young tree in reasonable condition. The tree is easily replaceable therefore should not be a constraint to development
G1 plum, elder	A group of plums in poor condition which should not be a constraint to development
H1 hawthorn, elder	A boundary hedge which screens the adjacent caravan park. The hedge has suffered from debris being dumped at its base and is gappy in places.
H2 hawthorn, plum	A sparse, gappy hedge which has suffered from debris being dumped at its base. As H1 provides a screen to the site, this hedge has little visual value although this could be increased by new infill planting
H3 hawthorn, privet, ivy	A managed boundary hedge to an adjacent property
H4 hawthorn	An unmanaged boundary hedge to an adjacent property
S1 lilac	A tall shrub which should not be considered a constraint to development
S2 elder	Within H3 and possibly offsite. Not a constraint

- 3.2 **Constraints and opportunities:** None of the onsite trees or group should be a constraint to any future development. The only trees of any stature are the plum T1 and the hawthorn T2 and the plums in G1. The plums are in poor, declining condition and the hawthorn has decay at a structurally important part of its trunk. This means none of the trees have a long safe, useful life expectancy and should not be retained on a new development.
- 3.2.1 The hedgerows H1 and H2 are of varying quality with H2 in particular being gappy in places and suffering from dumped rubbish at its base. The hedgerows screen the adjacent caravan park and have an access track between them. H1 in particular could be retained and improved with management. If the track access is to be retained and H2 becomes a boundary to any new development, it could usefully be extended and improved to reinforce its boundary nature.
- 3.2.2 The very small fruit trees in the rear gardens of the cottages should not be a constraint although they could be retained in new rear gardens.
- 3.3.3 It is presumed the offsite trees T3 and T4 and the hedgerow H4 will remain and they will have a minor impact as their root protection areas (RPAs¹) come into the site slightly and the shade they create enters the site. Ideally the area close to the trees should not be used for domestic dwellings or rear gardens that could be adversely affected by shade.
- 3.3.4 The currently low tree cover on the site could be increased as part of a new development. In addition to new tree planting on landscaped areas within the site, there may be the opportunity to provide new hedgerow and tree planting to the western boundary of the site where it abuts the open farmland. Locally native species, appropriate to the environment should be used for boundary planting. The hedgerows along the northern boundary could be increased and improved by appropriate management and new planting.

¹*Root protection area (RPA) - A layout design tool indicating the minimum area surrounding the tree that contains sufficient rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. Assessed according to the recommendations set out in clause 4.6 of BS 5837. It is calculated by multiplying the radius squared by 3.142. Clause 4.6.2 of BS 5837 states that the RPA may be changed in shape, taking into account local site factors, species tolerance, condition and root morphology.*



Photo 1

Overall site with hedges H1 and H2 in distance

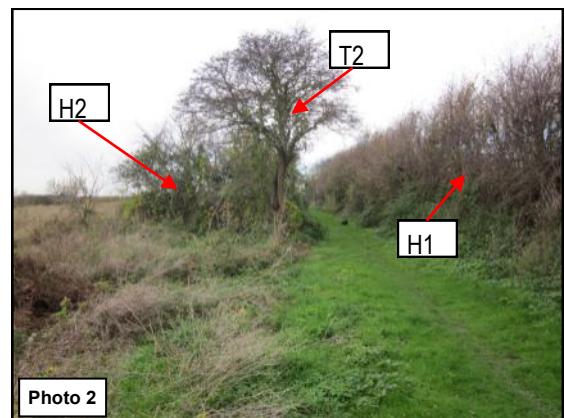


Photo 2

Hawthorn T2 and hedges H1 and H2



Trunk of T2 showing area of decay



Photo 4

Small conifers and shrubs in rear gardens



Photo 5

T3, T4 and H4



Photo 6

Hedge H3 on boundary with adjacent property



Photo 7

Shrubs S1 and S2 by entrance



Photo 8

Site with small fruit trees in rear gardens arrowed

4.0 Legislation

- 4.1 **Tree preservations orders:** According to information received from Tendring District Council, there are no tree preservation orders (TPO) covering trees on or adjacent to the site. The tree protection status is correct at the time of report production but can be subject to change. It is therefore the responsibility of any persons undertaking tree works operations to the trees which are the subject of this report and in accordance with our recommendations, to undertake their own statutory tree protection checks with the local planning authority, to include TPO, conservation area (CA) and planning conditions prior to works commencing.
- 4.2 **Conservation Areas:** The site is not within a conservation area.
- 4.3 **Ecological constraints:** The Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2010 and the Countryside and Rights of Way Act 2000, provide statutory protection to species of flora and fauna including birds, bats and other species that are associated with trees. These could impose significant constraints on the use and timing of access to the site. It is the responsibility of the main contractor and tree surgery contractor to ensure that no protected species are harmed whilst carrying out site clearance or tree surgery works. Unless competent to do so, the advice of an ecologist must be sought.

The following ecological report has been produced for this site:

DFC 1389 Ecological Appraisal

- 4.4 **Occupiers Liability 1957 and 1984:** The Occupiers Liability Act places a duty of care to ensure that no reasonably foreseeable harm takes place due to tree defects. Therefore this report includes recommendations within the tree tables for work required for safety reasons. ‘Common sense risk management of trees (National Tree Safety Group 2012)’ states that *‘the owner of the land on which a tree stands, together with any party who has control over the tree’s management, owes a duty of care at common law to all people who might be injured by the tree. The duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property.’*
- 4.5 **Common Law:** This enables pruning back of the crown and roots of trees on adjacent land where they overhang neighbouring property, providing the work is reasonable and does not cause harm. This right does not override TPO and CA legislation.
- 4.6 **Felling licences:** A felling licence is required from the Forestry Commission to fell more than 5 cubic metres in a calendar quarter (providing not more than 2 cubic metres are sold). This equates to approximately 3 medium/large trees. Dangerous trees, pruning, small trees (less than 8cm girth at 1.3m), trees in gardens, churchyards and public open space are all exempt from the requirement. Work identified to facilitate planning permission is also exempt. An application typically takes three months to process.
- 4.7 **Hedgerow Regulations 1997:** These regulations protect ‘important hedges’ from removal. Important hedges are defined in the regulations. The regulations apply to land used for agriculture (as well as other uses), if it: (a) has a continuous length of, or exceeding 20m; or (b) it has a continuous length of less than 20m and, at each end, meets another hedgerow. The regulations do not apply to hedgerows within the curtilage of, or marking the boundary of a dwelling house. The hedgerows on site are species poor and in my opinion do not qualify as important in the context of the Regulations.

5.0 Conclusions

- 5.1 The site has a very low tree population and all onsite trees are in poor condition or are very small and therefore none of the trees should be considered a constraint to any new development.
- 5.2 Boundary hedgerows and adjacent, offsite trees provide some useful screening to the site. The hedgerows are species poor and are mainly hawthorn and are well suited to the local landscape although they would benefit from management and reinforcement planting.
- 5.3 The current low tree population could be usefully increased by new tree and hedgerow planting as part of a new development. Locally native species, appropriate to the local environment, should be used for hedgerow and boundary tree planting with non-native, ornamental species restricted to internal landscaping if required.
- 5.4 Development would provide impetus to bring the hedgerows into active management and remove trees in poor condition and enhance the landscape value.

Appendix one – key to tree survey sheets

Key to terms

T = Tree **G** = Group **H** = Hedge **S** = Shrub mass

Age Class:

NP = Newly planted.

Y = Young - an establishing tree that could be easily transplanted.

SM = Semi-mature - an established tree still to reach its ultimate height and spread and with considerable growth potential.

EM = Early mature - a tree reaching its ultimate height and whose growth is slowing however it will still increase considerably in stem diameter and crown spread.

M = Mature - a tree with limited potential for further significant increase in size although likely to have a considerable safe useful life expectancy.

OM = Over mature - a senescent or moribund tree with a limited useful life expectancy.

V = Veteran - a tree older than typical for the species and of great ecological, cultural or aesthetic value.

Dia: Diameter of stem in millimetres at 1.5m above ground level for single-stemmed trees or in accordance with Annex C of BS 5837 for multi-stemmed trees or trees with low forks or irregular stems.

Stems: Numbers of stems or **M/S** = multi-stemmed.

Ht: Height in metres.

Ult ht: Ultimate height likely to be achieved for this tree in this location.

Cr ht 1: Height of first significant branch above ground level and direction of growth.

Cr ht 2: Height of canopy above ground level.

NSEW: Crown spread at the four cardinal points. \varnothing = average crown radius.

cont/.

cont/.

BS cat: Category in accordance with Table 1 and section 4.5 of BS 5837.

U - Unsuitable for retention. Existing condition is such that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years. Note, category U trees can have existing or potential conservation value which it might be desirable to preserve.

A - High quality and value (non-fiscal) with at least 40 years remaining life expectancy.

B - Moderate quality and value with at least 20 years remaining life expectancy.

C - Low quality and value with at least 10 years remaining life expectancy, or young trees with a stem diameter below 150 mm.

A, B and C category trees are additionally graded into: 1) Mainly arboricultural values; 2) Mainly landscape values; 3) Mainly cultural values including conservation.

Cond: Physiological condition. G = good; F = fair; P = poor; D = dead.

Life exp: Estimated remaining contribution in years.

RPR: Root protection radius in metres based on stem diameter.

RPA: Root protection area. A layout design tool indicating the minimum area surrounding the tree that contains sufficient rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. Assessed according to the recommendations set out in clause 4.6 of BS 5837. It is calculated by multiplying the radius squared by 3.142. Clause 4.6.2 of BS 5837 states that the RPA may be changed in shape, taking into account local site factors, species tolerance, condition and root morphology.

CEZ: Construction exclusion zone. An area based on the RPA in m² identified by an arboriculturist, to be protected during development, including site clearance, demolition and construction work, by the use of barriers and/or ground protection fit for purpose to ensure the successful long-term retention of a tree.

Appendix two – tree survey sheets

Tree	Common Name	Botanical Name	Age (mm)	Dia (mm)	Stems	Ht	Ult Ht	Cr Ht	N	S	E	W	BS Cat	Life Exp	RPR	RPA	Comments	Recommendations
T 1	Plum	<i>Prunus domestica</i>	EM	150	2	6	6	2	2	2	C2	10+	2.5	20	Garden tree in poor form	No work required at time of survey.		
T 2	Hawthorn	<i>Crataegus monogyna</i>	EM	250	1	5	5.5	1.5	2	2	C2	20+	3	28	Scrubby form. Damaged lower trunk	No work required at time of survey.		
T 3	Ash	<i>Fraxinus excelsior</i>	EM	300	1	9	11	2	3	3	C2	10+	3.6	41	Offsite. Poor form and condition. Fire damaged.	No work required at time of survey.		
T 4	Red horse chestnut	<i>Aesculus x carnea</i>	EM	300	1	6	9	2	3	3	B2	20+	3.6	41	Offsite. Reasonable form and condition.	No work required at time of survey.		
T 5	Hawthorn	<i>Crataegus monogyna</i>	EM	200	2	4	5	1.5	2	2	C2	20+	3.4	36	Reasonable form and condition.	No work required at time of survey.		
G 1	Plum Elder	<i>Prunus domestica</i> <i>Sambucus nigra</i>	EM	-	1	4	4	1	1.5	1.5	C2	10+			Poor form and condition.	No work required at time of survey.		
H 1	Hawthorn Elder	<i>Crataegus monogyna</i> <i>Sambucus nigra</i>	EM	-	-	3.5	4	0	1.5	1.5	B2	20+			Boundary to caravan park. Ivy covered.	No work required at time of survey.		
H 2	Hawthorn Plum	<i>Crataegus monogyna</i> <i>Prunus domestica</i>	EM	-	-	3.5	4	0	1.5	1.5	C2	20+			Gappy hedge with rubbish dumped at base.	No work required at time of survey.		
H 3	Hawthorn Privet Ivy	<i>Crataegus monogyna</i> <i>Ligustrum ovalifolium</i>	EM	-	-	2-4	5	0	.5	.5	B2	20+			Boundary feature.	No work required at time of survey.		
H 4	Hawthorn	<i>Crataegus monogyna</i>	EM	-	-	4	5	0	1.5	1.5	B2	20+			Boundary feature.	No work required at time of survey.		
S 1	Lilac	<i>Syringa vulgaris</i>	SM	100	4	3	3	1.5	-	-	-	C2	10+			Poor form and condition.	No work required at time of survey.	
S 2	Elder	<i>Sambucus nigra</i>	SM	100	3	3	3	1.5	-	-	-	C2	10+			Within privet hedge.	No work required at time of survey.	

Appendix three – tree survey plan

DFC 1389 TSP

See attached plan

Appendix four – tree constraints & opportunities plan

DFC 1389 TC & OP

See attached plan

Appendix five – contacts and references

Contacts table			
Name	Company	Position	Tel. No.
Christian Kortlang	Strutt & Parker LLP	Development Surveyor	020 7318 5057
Clive Dawson	Tendring District Council	Tree and landscape officer	01255 686155
Graham Underhill	D F Clark Bionomique Ltd	Arboricultural consultant	01621 740876 07930 760089

Reference documents:

- BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations
- BS 3998:2010 Tree work – Recommendations
- 'Tree Roots in the Built Environment' (*DCLG - Jack Roberts, Nick Jackson & Mark Smith*)
- Principles of Tree Hazard Assessment and Management (*DTLR - David Lonsdale*)
- Tree Preservation Orders - A Guide to the Law and Good Practice - DETR
- National Joint utilities Group (NJUG). Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. Volume 4, Issue 2. London: NJUG, 2007
- Topographical plan 15133108

Survey methodology: The trees were surveyed from ground level without detailed investigations. All trees with a trunk diameter of 75mm or above² were surveyed. All dimensions were estimated unless otherwise indicated. Obvious hedges and shrub masses were identified where appropriate. Information collected is in accordance with recommendations in subsection 4.4.2.5 of BS 5837 and includes species, height, diameter, branch spread, crown clearance, age class, physiological condition, structural condition and remaining contribution. Each tree was then allocated one of four categories (U, A, B or C) to reflect its suitability as a material constraint on development.

¹BS 5837 recommends that in most circumstances all trees over 75mm stem diameter should be included in a pre-planning land and tree survey.

Appendix six – specific report caveats

Specific report caveats:

- The survey was based on a drawing provided by the client.
- No internal diagnostic equipment was used other than a sounding mallet and probe.
- The survey is concerned solely with arboricultural issues.
- Any work with trees will discharge the due diligence requirements of all relevant wildlife and countryside legislation.
- Trees are dynamic living organisms whose health and condition can change rapidly. Any changes to the tree or conditions close to the tree may change the stability and condition of the tree and a further examination would be required and may affect the validity of this report.
- This report is valid for 12 months.

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Andrews Farm, Burnham Road, Althorne, Essex, CM3 6DS
Tel: 01621 740876, Fax: 01621 742242,
E mail: graham.underhill@dfclark.co.uk
www.dfclark.co.uk

Arboricultural Report

for

**Land at
High Tree Lane
Walton-on-the-Naze
Essex**

for

JW & FD Eagle

16 December 2012

Graham Underhill DipArb (RFS); FArborA; CEnv

Checked by

**Sharon Hosegood MICFor FArborA BSc Hons Tech Cert Arbor A
Managing Director**



Key

Please refer to full arboricultural report for details

T10 - A

Category A - high quality and value

T10 - B

Category B - moderate quality and value

T10 - C

Category C - low quality and value

T10 - U

Category U - unsuitable for retention

RPA - root protection area as defined by
Table 2 BS 5837:2012

Shading arc
Current height - solid line
Ultimate height - dashed line

Notes

1. Contractors must check all dimensions on site
 2. Any discrepancies must be reported to the Arboricultural Consultant before proceeding
 3. The original of this drawing was produced in colour - a monochrome copy should not be relied upon
 4. It is the responsibility of the contractor to ensure necessary consents for tree works are in place
 5. This drawing is copyright © DF Clark Ltd

Revision	Description	Drawn	Authorised
	D F Clark Bionomique Ltd		Andrews Farm Burnham Road Althorne Chelmsford Essex CM3 6DS Tel 01621 740876 Fax 01621 742242 www.dfclark.co.uk
Client	JW & FD Eagle		Date 10.12.12
Site address	Walton		Scale 1:200 @ A3
Drawing title	Tree Survey Plan		Drawing number DFC 1389 TSP
Orientation			Revision -
			Authorised SH
			Drawing status FOR ISSUE

Mary Foster

From: David Fletcher [REDACTED]
Sent: 07 January 2013 14:58
To: Planning.policy
Subject: Draft Local Plan- Land to the west of High Tree Lane, Walton on the Naze email 4 of 4
Attachments: Appendix D- constraints.pdf; Appendix D- opportunites.pdf; Appendix D- Scheme.pdf; Appendix D- Site analysis.pdf; ATT00001.txt

Dear Sir/Madam,

Dear Sir/Madam,

Please find attached appendices to accompany the submission of information to promote land to the west of High Tree Lane, Walton-on- the- Naze on behalf of Mr D Eagle and Mr J Eagle.

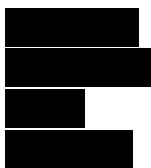
Email 4 of 4.

Kind Regards,

David

David Fletcher

Associate Planner
Strutt & Parker LLP



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4



5



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7



9



Scale : N.T.S @ A2	
Date : Jan 13	
Status : Preliminary	
Go Planning Unit 4, Bolding Hatch Business Centre Bishops Stortford Road Roxwell Chelmsford Essex CM1 4LF	
T: 01245 230712 E: Planning@goholdings.co.uk	
Client : David Eagles	
Project : High Tree Lane Walton-on-the-Naze	
Drawing : Site Analysis	
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Z:\Projects\2012-264-High Tree Lane, Walton on the naze\OS15263108-MM-topo	



Ref: NLP002301

Date Added: 1/7/2013 11:13:52 AM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Green Infrastructure

Handled by Agent: Y

Consultee: Mr K Kandiah

Consultee Job Title:

Consultee Organisation:

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Tim Snow

Agent Job Title:

Agent Organisation: Tim Snow Architects Ltd

Agent Address: [REDACTED]

Agent Email: [REDACTED]k

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Policy Map 3 includes land near Butchers Lane and Chamberlain Avenue, Walton as a Safeguarded Local Green Space. (PEO 10). This land is a former allotment site, now in private ownership, that has been unused since the late 1990's. A planning application on the site demonstrated that the site was no longer required for, or indeed suitable for, allotments. The area of the site is too small for realistic use as general open space and its proximity to existing properties means that it has limited use for formal play. The Council's Leisure Services Department have indicated that it is of no value to them and the site, being surrounded by property has limited public visual amenity value. The site has been considered as suitable for sustainable development within the Council's housing assessments and there is no evidence, that I can find, within the council's documents to justify its inclusion as safeguarded local space. I cannot find any proposals, within the documents, to enhance its amenity value or how the space benefits the area. The proposed allocation as a Safeguarded Site could mean that the site continues to deteriorate which would create on-going issues about access, maintenance and also security to the neighbouring properties.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 12:09:09 PM

Attachment: N

Added by Council: N

Reply: N

Notes:



RECEIVED
03 JAN 2013

Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

MR A. RAVENHILL

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

C/O Agent

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Robinson & Hall LLP

If an organisation, please provide a contact name: Peter Le Grys

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **"Positively Prepared"** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **"Justified"** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **"Effective"** – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- **"Consistent with national policy"** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed 

Date: 31/12/2012

All representations must be received by ~~the Council no later than 16:00 on Monday 7th January 2013.~~
Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Objection to Proposed Submission Draft

Tendring District Local Plan

By Mr A Ravenhill

Land south of Chapel Lane, Kirby Cross

Representation Reference No. 36/41203

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Objection to Housing Policies

Mr A. Ravenhill – Land south of Chapel Lane, Kirby Cross

Policy SD2 of the ‘Proposed Submission Draft’ recognises that Kirby Cross forms part of the principal urban settlement encompassing Frinton-on-Sea and Walton-on-the-Naze.

Paragraph 1.7 of the ‘Proposed Submission Draft’ recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council’s various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on ‘brownfield’ sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district.

The site is a rectangular plot of agricultural land located to the south of No.20 Chapel Lane and abuts the railway line to the south. The railway line therefore provides a formal barrier to any further development of Chapel Lane. Having regard to the extent of development on the opposite side of the road. It is illogical to not include the objectors site within the settlement limits. The site is flat and laid to grass with no agricultural activities taking place. Some trees across the site frontage are the subject of a Tree Preservation Order, however, it has been shown to the Council elsewhere that an access can be achieved to serve the development of the site for two dwellings without causing any prejudice to the health and vitality of the trees. There are no other constraints affecting the site. The settlement boundary is therefore considered to be arbitrary and irrational in this location.

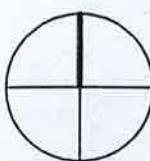
As a consequence, it is considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.

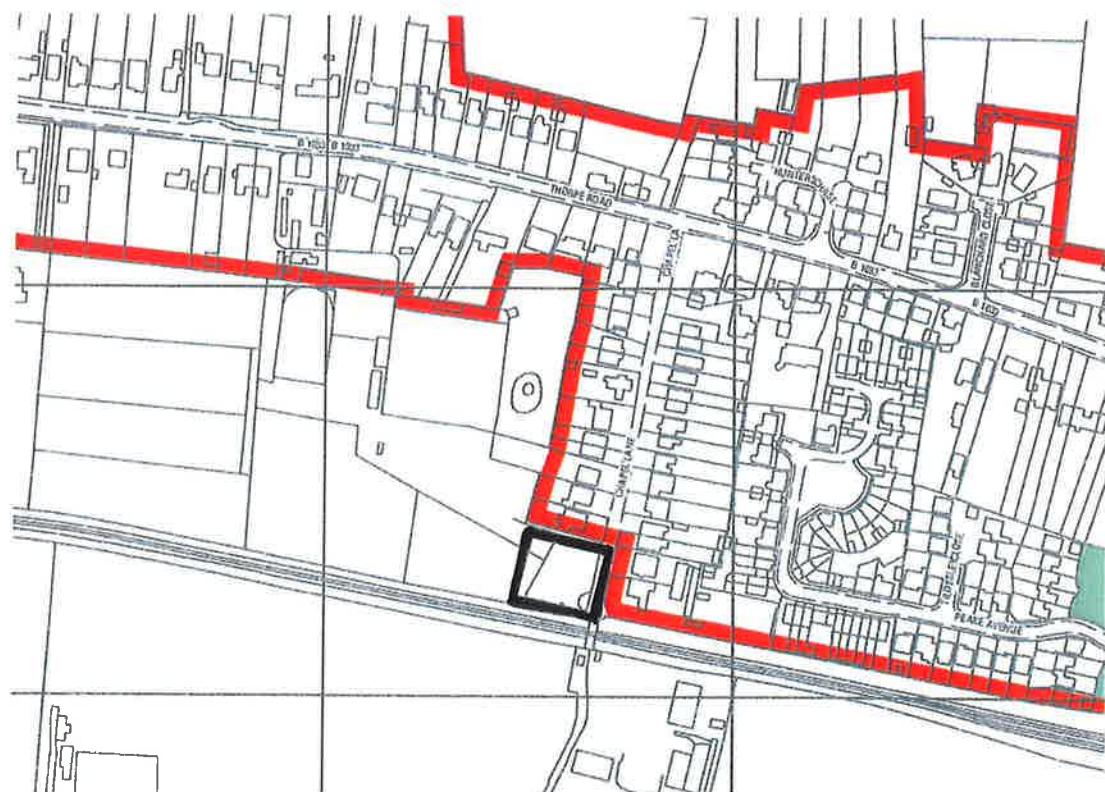


Location plan 1:1250



Scale
1:1250







RECEIVED

03 JAN 2013

Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

MR D. FAIRLY

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

C/O Agent

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: ..Robinson& Hall LLP.....

If an organisation, please provide a contact name: ..Peter Le Grys.....

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **"Positively Prepared"** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
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- **"Consistent with national policy"** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

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What section of the plan are you commenting on?	Comment(s)
	See attached statement

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

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Please sign and date this form: Signed: 

Date: 31/12/2012

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Support to Proposed Submission Draft

Tendring District Local Plan

By Mr D. Fairly

Land between 176-178 Thorpe Road, Kirby Cross

Representation Reference No. 18/42001

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Support to Housing Policies

Mr D. Fairly – Land between 176 – 178 Thorpe Road, Kirby Cross

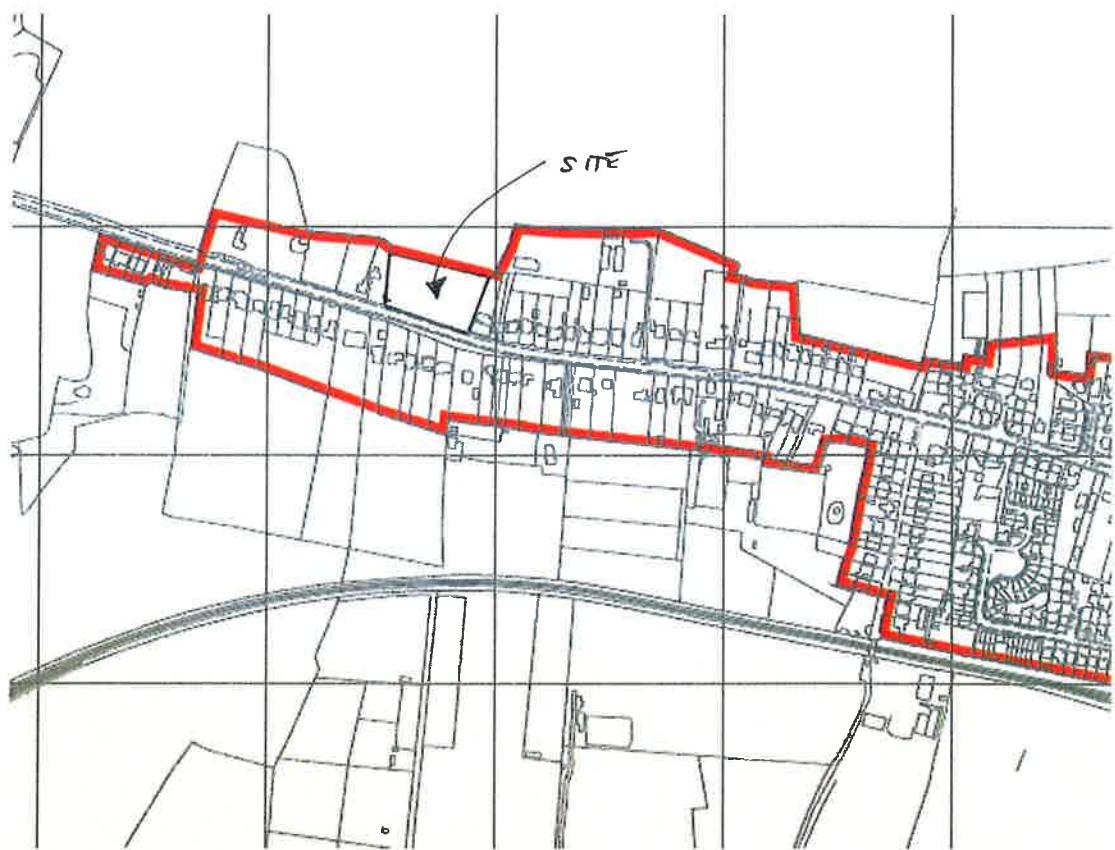
Policy SD2 of the ‘Proposed Submission Draft’ recognises that Kirby Cross forms part of the principal urban settlement encompassing Frinton-on-Sea and Walton-on-the-Naze.

Paragraph 1.7 of the ‘Proposed Submission Draft’ recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council’s various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on ‘brownfield’ sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district.

The site is a rectangular plot of agricultural land located to the north of Thorpe Road between two residential properties No. 176-178 Thorpe Road. The site is flat and laid to grass with no agricultural activities taking place. Some trees and native hedgerow have been planted around the perimeter of the site but otherwise it is fairly open when viewed from the highway. The site can accommodate semi-detached dwellings or detached dwelling houses. The design, siting and appearance of proposed dwellings will be in keeping to existing dwellings along Thorpe Road. Access points can easily be formed off the site onto Thorpe Road with good vehicular visibility splays to the east and west without impacting on highway safety. Residential development for this site will maintain the continuity of residential frontages along Thorpe Road.

It has been noted that there is a window opening on the flank wall of No. 178 Thorpe Road and it is likely that any development on this site could have an impact i.e. result in the loss of view, light or privacy. These issues can be addressed at planning stage with the formal submission of an application.

The site can accommodate semi-detached or detached dwellings, meeting the Council’s 6% distribution of housing growth for Kirby Cross. There are no issues that would affect the development of the site. As a consequence, it is considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.





Do not make from this drawing. All dimensions to be checked at site prior to commencement of work. Check that this drawing is in the latest revision. If in doubt ASK. This Drawing to copy right, refer my reference to ASK. THIS PLAN HAS BEEN PREPARED FROM INFORMATION PROVIDED BY THE GLENTON AND PINE MINE OWNERSHIP GROUP AND ASK CANNOT BE HELD LIABLE FOR INACCURACY OF THIS DRAWING. Owner is responsible for depicting the exact boundaries and site conditions to ASK (Glencon) Ltd. and ASK (Glencon) Ltd cannot be held responsible for any subsequent land ownership disputes.

Part II of Part 3 of the Bill. If the project is intended to enclose building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or enclosing near a neighbouring building, it is the ultimate duty to nominate under the works note within the first act if no independent engineer qualified Party Wall Surveyor to undertake the required actions prior



Drafting Site Location Plan

Land between 176 - 178
Thorpe Road,

Kirby Cross, Essex

DE TIME STAMP 7:20

Project
Local Plan Representation

Ulfert



Architectural
Building

Yellow Pages
Services
(Canada) Ltd

Golden Lane
The po-to-sheen

卷之三

www.abebooks.com

Mary Foster

From: Planning [REDACTED]

Sent: 21 November 2012 10:43

To: Planning.policy

Subject: comments on the Council's draft new local plan

Attachments: Objection to local plan-in relation to land adjacent 10 The Sheltons.pdf; Objection to local plan-in relation to site adjacent to Halesbury, Ramsey.pdf

Dear Sirs,

Please see attached two documents containing comments on the Council's draft local plan. If you have any problems opening the two attachment please let me know.

Kind Regards

Danielle Miller
Planning Consultant

[REDACTED]
[REDACTED]
[REDACTED]

OBJECTION TO THE TENDRING DISTRICT LOCAL PLAN: PROPOSED SUBMISSION DRAFT NOVEMBER 2012 –
PUBLIC CONSULTATION

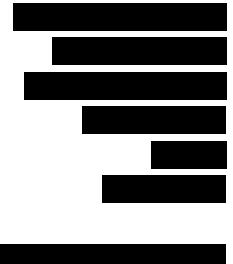
November 2012

OBJECTION TO LOCAL PLAN ALLOCATION

IN RELATION TO LAND ADJACENT TO 10 THE SHELTON, THROPE ROAD, KIRBY CROSS

Our Reference: 11-6255

Raymond Stemp Associates
Planning and Development Consultants



OBJECTION

Introduction

This statement has been prepared to support the objection to Policies PEO1 and PEO2 and Chapter 8 in relation to the Settlement Development Boundary (Policy SD2) and the Housing Allocation Land within Kirby Cross (Policy SD2).

The site under consideration is located in the north east portion of The Shelton's, a residential cul-de-sac located off the northern side of Thorpe Road, Kirby Cross. Figure 1 contains a location plan of the site (outlined in red) and the surrounding area.

Figure 1: Location Plan [Not to Scale]



The above plan indicates the broad location of the site and its relationship to the development within the settlement. The site is in close proximity to a mainline railway station, in a village which has a wide range of facilities and substantial residential

development. It is clear from this that the site, although located outside of the settlement but immediately adjoining the settlement, benefits from the same accessibility to local shops, services, facilities and public transport, as the residential properties within the settlement limits.

The site is accessed directly off The Shelton's. This is a relatively new development comprising of a combination of detached, semi detached and terraced dwellings of various designs and incorporating various materials. A public footpath runs along the side of no.10 The Shelton's towards land at the rear of the application site.

The site itself comprises an area of 0.48 hectares and contains 2 outbuildings and a small manege in the southern portion of the site. The remainder of the land is grass. Figure 2 contains photographs of the application site and the outbuildings.

Figure 2: Images of the site under consideration



It is worth noting that this particular site was part of the Strategic Green Gap in the former plans, but is shown to have no specific site allocations in the draft plan, please see Figure 3. Given the sites sustainable location the land owner has sought planning permission for two alternative schemes, including a scheme for some 15 dwellings [reference 12/00243/OUT] which was refused and a scheme for a single dwelling which is under consideration. One of the main reasons for refusal was due to the sites location in the Kirby Cross Local Green Gap the Council considered that the development would be detrimental to the open character of the countryside and village setting of the Kirby Cross Local Green Gap due to the significant built up appearance of

the proposal. With the Green Gap no longer posing an issue, it is recommended that the council reassess this sites potential in relation to it being put forward as housing allocation.

Figure 3: Draft Kirby Cross Proposals map



Housing Supply

The Council have suggested that it will be able to achieve an increase to the dwelling stock of approximately 4,000 dwellings between 1st April 2011 and 31st March 2021. Policy PEO1 outlines the numerous measures taken to secure this increase over the next 10 years. The Council include provisions for housing already complete before March 2012; planning permissions granted; and the site allocations for new development. Taken into consideration the measures in place the Council estimate a total housing stock change between 1st April 2011 and 31st March 2021 of 4,013. This shows no flexibility in the Local Plan for the delivery of the housing stock required by the Council.

Policy PEO2 outlines the Council's housing trajectory which state the Council's anticipated dwelling stock increase for the proceeding years. Whilst discussing these figures it is important to consider the Council's past Annual Monitoring Reports, from which it is evident that the Council has failed to meet their housing targets for the last

four years, having only secured an average of 300 new dwellings a year during that period.

Given the current economic situation, which has been suggested by the Bank Of England to continue for at least another 3 years, it is unlikely that the Council will be able to substantially improve their current achievements. The figures for the 2011/2012 and 2012/2013 appear to have taken this situation into account by ensuring their housing targets remain feasible, however in the years that follow they have estimated an increase to 645 new homes during 2015/2016. Given that in the last ten years the Council have failed to achieve a housing target of more than 560 homes in one year it seems unrealistic that they would be able to achieve such high figures over the next 3 years especially given the inflexibility in the measures taken to achieving these new homes.

By allowing for a 20% increase over the housing stock targets, additional sites could be allocated that would make the targets more achievable and allow both the Council and possible developers more flexibility in delivering the housing stock required and meeting the housing trajectories.

Objection

It is thought that the plans policies PEO1 and PEO2 fails to meet the government's 'test of soundness' in accordance to them being 'Effective' in that the plan should be deliverable over its plan period. The Councils continued performance over the last ten years has failed to provide evidence that the high housing trajectories suggested can be met, given the Councils failure to meet current trajectories for the past four years and having never achieved the figures suggested over the next three years.

Site Allocations

In regards to the objection raised it is suggested that the site allocations for Ramsey are reviewed for the inclusion of the above site.

Policy SD2 states that Frinton, Walton and Kirby Cross are 'Urban Settlements' which are the focus for the majority of the districts economic growth. The plan states that between 1st April 2011 and 31st March these settlements will accommodate a 6%

increase in housing stock, though the development on sites with outstanding planning permission and the allocation of sites within and where necessary on the *periphery* of the built up area.

Kirby Cross forms the western part of the urban area and is predominantly residential with a number of smaller shops and services. The plan suggests that these areas will face difficult challenges in the coming years. There is a high demand for new housing in the area which results from its population as a place to retire and the impact this demand will have on future generations of local people and their ability to afford their own homes unless some new housing, of the right type is provide. Given that the plan has highlighted the above as a concern, it is surprising that they have failed to identify any housing allocation sites within Kirby Cross. Whilst it is understood that the Council intend to preserve and enhance the character of the area, the site in consideration is adjacent to a relatively new housing development with existing access and could comfortably accommodate a modest sized mixed housing development.

The site in question is could comfortably site 15 dwellings, some of which would be affordable, and the land owner is interested in delivered housing on the site in the near future. This would help the Council with achieving their housing targets, within a sustainable location on the periphery of the built up area, located adjacent to numerous existing dwellings.

Objection

The Council set out Tendring's description of Sustainable Development in the plan where it is suggested that they will

- meet the housing needs of future generations who will aspire to live, work and support the economy in our district whilst managing the pressures of people moving to our area to enjoy the quality of life offered by our attractive coast and countryside;

This statement has argued, given the Councils past performance and current projections and the lack of flexibility in the measures to secure the housing trajectories, that the council will be unable to meet the housing needs for future generations and have overlooked valuable, sustainable sites ripe for development.

Conclusions

The objections raised refer to the Policies PEO1 and PEO2 and Chapter 8 in relation to the Settlement Development Boundary (Policy SD2) and the Housing Allocation land within Harwich and Dovercourt (Policy SD2).

It has been demonstrated that the figures suggested in both the housing supply and trajectories are unlikely to be met due to the Council lack of flexibility in the plan and the expectations for delivery over the next three years, given both the economic situation and the Council's past performance. This suggests that the plan fails to meet government's test of soundness in relation to 'Effective' where the plan cannot realistically be delivered over the plan period.

The plan fails to meet the government's test of soundness in relation to being 'consistent with national policy', when highly sustainable, ripe for development, sites, in existing built up areas are being situated outside the settlement boundary, not included in the housing allocation making planning permission hard to achieve.

Recommendations

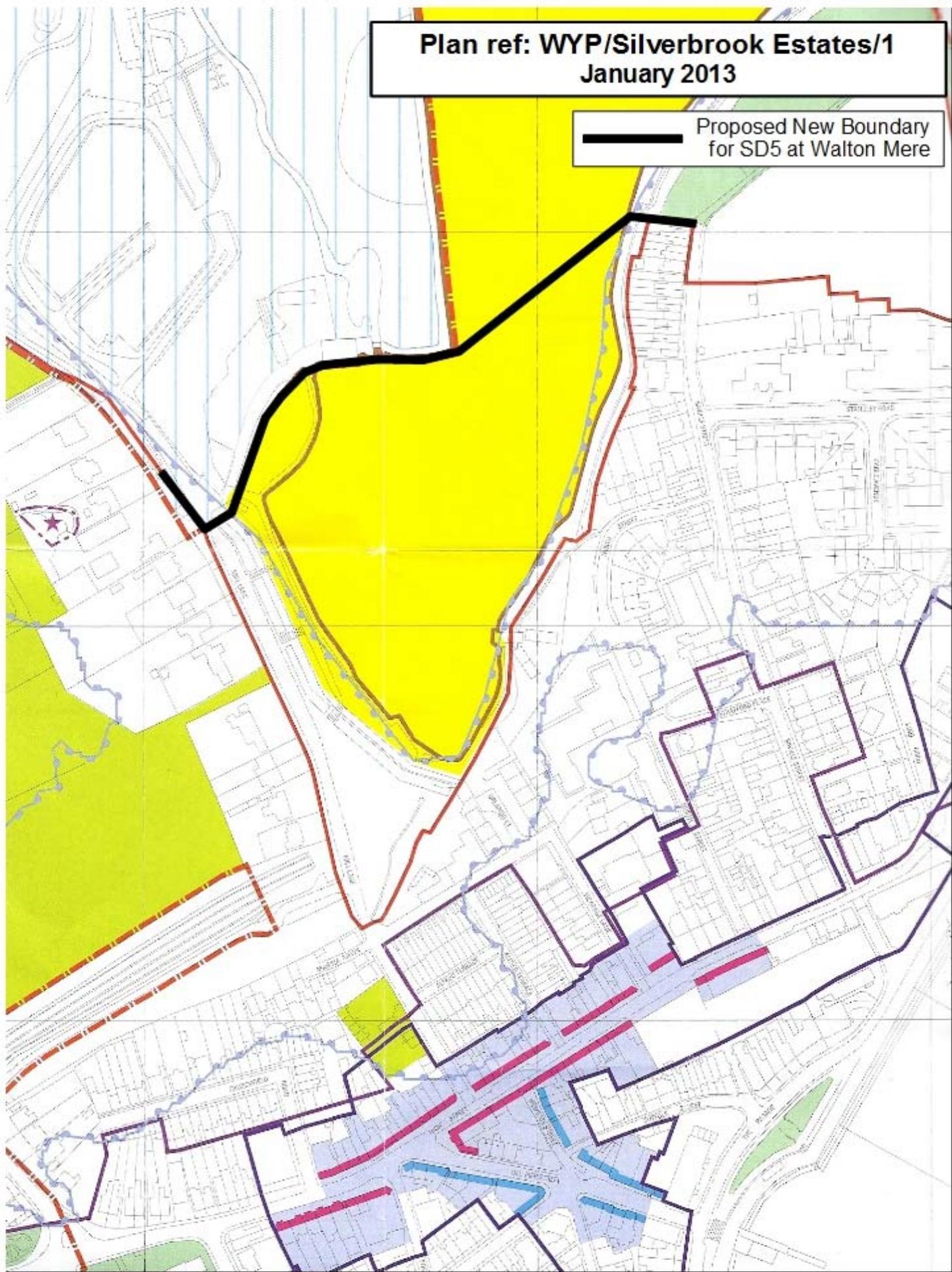
It is with respect to the above that the proposals below, figure 6, are put forward. The settlement boundary is altered to include the site adjacent to 10 The Shelton and for the site to be allocated for housing allocation under policy SD2.

Figure 6: Recommendations for site and settlement boundary



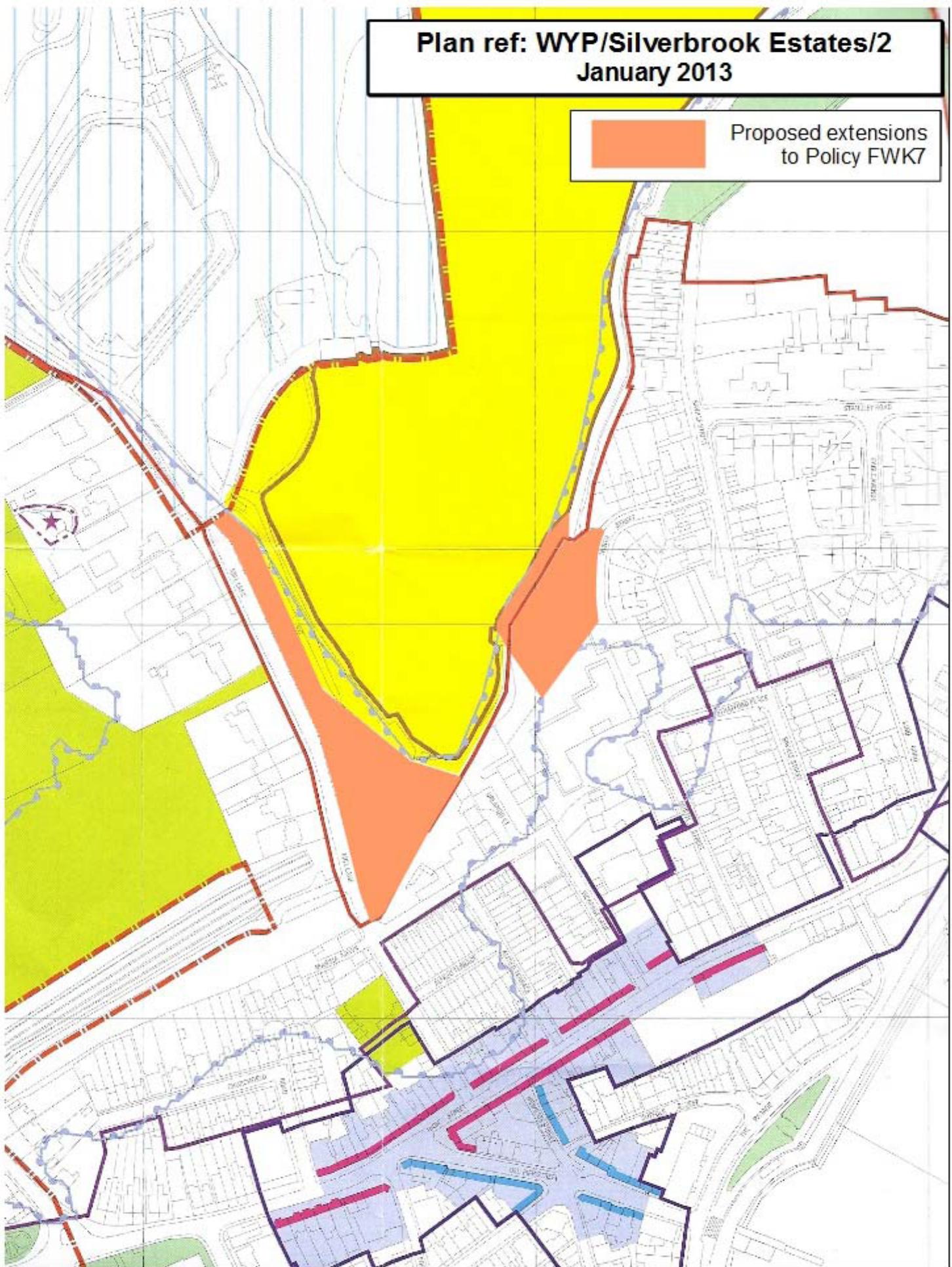
Plan ref: WYP/Silverbrook Estates/1
January 2013

— Proposed New Boundary
for SD5 at Walton Mere



Plan ref: WYP/Silverbrook Estates/2
January 2013

Proposed extensions
to Policy FWK7



Ref: NLP002236

Date Added: 1/6/2013 12:24:20 PM

Chapter: 1. Introduction **Section:** Positive Vision for the Future

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Paragraph 1.12 and the Council's Vision Statement: A Positive Vision for the Tendring District Pages 24-26 of the Plan set out the Council's view of the main challenges that will need to be addressed across the District. We welcome the Council's identification of these challenges and concur with the assessment. In particular, we welcome the emphasis that is given to addressing the economy; tackling the decline of traditional maritime and tourism industries; dealing with areas of deprivation; and remedying a future shortage of housing. All of these factors militate against a positive social, economic and environmental future for Walton, but all are capable of being remedied through strong leadership and focus. Creating a flexible framework that encourages innovation and creativity on key sites helps to establish a favourable context for investment. We also welcome: a) the Council's commitment to maximising regeneration and employment opportunities by seeking to address some of the barriers to economic growth; b) the Council's identification of development opportunities in key locations aimed at boosting vitality and viability; and c) the acknowledgement in the Plan that there needs to be a balance between protecting the environment and providing much needed jobs and housing. We, therefore, support the Council's vision for Tendring District set out in paragraph 1.12. We particularly welcome the positive approach that is taken towards planning for the future of Walton-on-the-Naze, with provision being made in the Plan for new housing, holiday accommodation, shops and leisure attractions on key sites. High quality, mixed use development particularly within walking distance of the town centre will do much to increase footfall and therefore enhance the vitality of the town. The Council's recognition of the need for change, evidenced in the Regeneration Framework for Walton-on-the-Naze (2010) and in more detailed topic-based studies, is followed through in the Plan with policies and proposals that seek to remedy deficiencies. Whilst we later comment on and, in some cases, object to certain detailed provisions of the Plan we consider that the Plan, in general, has been positively prepared and will establish the foundations for a successful future for the district.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 10:09:04 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Summarised

by

GA

7

Jan

2013

Ref: NLP002237

Date Added: 1/6/2013 12:30:52 PM

Chapter: 2. Delivering Sustainable Development **Section:** Presumption in Favour of Sustainable Development

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Policy SD1: Presumption in Favour of Sustainable Development We welcome the positive approach to development that is demonstrated in the Council's decision to incorporate in the Plan the Planning Inspectorate's recommended policy relating to the presumption in favour of sustainable development. This is in line with the provisions of the National Planning Policy Statement and recognises the need to balance the three strands of sustainability (economic, social and environmental). The stated intention to work proactively with applicants for planning permission, jointly to find solutions, demonstrates the Council's willingness to create a positive future for the District.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:25:08 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002238

Date Added: 1/6/2013 12:35:55 PM

Chapter: 2. Delivering Sustainable Development **Section:** Urban Settlements

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Policy SD2: Urban Settlements We welcome the designation of Frinton, Walton and Kirby Cross as an 'Urban Settlement' and as such one of the District's focal points for economic growth through the identification of new employment sites, investment in town centres, tourist attractions and key infrastructure. Urban settlements such as these, with a variety of facilities, services and good transportation accessibility, provide the opportunity to create a critical mass of activity that will act as a catalyst for wider economic growth across the District.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:54:15 AM

Attachment: N

Added by Council: N

Reply: N

Notes: Summarised by GA 8 Jan 2013

Ref: NLP002239

Date Added: 1/6/2013 12:45:50 PM

Chapter: 2. Delivering Sustainable Development **Section:** Managing Growth

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Policy SD5: Managing Growth Policy SD5 states that to encourage sustainable patterns of growth and carefully control urban sprawl, each settlement within the District will be defined by a 'Settlement Development Boundary'. It further states that, in relation to 'Urban Settlements' such as Frinton, Walton and Kirby Cross, the Settlement Development Boundaries are defined beyond the extent of the existing built development in specific locations to allow planned settlement expansion where necessary to deliver the required levels of growth. We support the provisions of the policy as it is a sensible recognition of the fact that almost all settlements need to expand in order to accommodate development that is needed and/or generated by the community itself. Making provision for such expansion in a planned manner, and through the medium of the Local Plan allowing public consultation to take place, is a sensible way to proceed. We do, however, object to the Settlement Development Boundary that is proposed for Walton-on-the-Naze and shown on Policies Map Inset 3b (Walton Town Centre). Policies Map Inset 3b shows that the Settlement Development Boundary around Walton-on-the-Naze excludes Walton Mere. We consider that this is inconsistent with the provisions of Policy FWK7 (which proposes mixed use development including a 'town quay' and acknowledges the need for enabling development at Walton Mere) and with Policy SD5 itself (which states that Settlement Development Boundaries should be drawn up in such a way that they allow for the planned expansion of given settlements in line with the policies of the Plan. As drawn, the Settlement Development Boundary for Walton-on-the-Naze does not do so. We consider that the Settlement Development Boundary for Walton-on-the-Naze should be amended to include the southern part of Walton Mere. Our justification for this is as follows: a) Walton Mere is the subject of Policy FWK7 which allocates the site for mixed use development including a 'town quay' and acknowledges that some form of enabling development may be required to deliver this. Extending the Settlement Development Boundary to include the southern part of the Mere would ensure consistency between Policies SD5 and FWK7. b) The Regeneration Framework for Walton-on-the-Naze (2010), which forms part of the Council's evidence base for the Local Plan, describes the potential of Walton Mere to contribute to the social, economic and environmental regeneration of the town and identifies the southern part of the site as having the potential for residential development (See pages 58; fig 2.3 on p65; fig 2.4 on p67; fig 2.7 on p73; p80; fig 2.9 on p81; fig 2.11 on p84; fig.2.12 on p87; p90; fig 2.14 on p91; and pages 92-93). c) The Council's Draft Strategic Housing Land Availability Assessment (2010), which also forms part of the Council's evidence base for the Local Plan, describes the potential of Walton Mere to contribute to the Council's housing land requirements in the period 2016-2021 and indicates that it might have the potential to accommodate some 200 dwellings (See pages 55 and 56 of the SHLAA 2010). d) Walton Mere is the subject of a current planning application, submitted by Silverbrook Estates Ltd in August 2011.

Currently the application includes a food store, residential development and ancillary mixed use development. In the light of the Council's recent decision to grant planning permission for a food store on the Martello site, this planning application will be the subject of further discussions with the Council but, as a substantial amount of technical work was undertaken in relation to this application including an Environmental Statement (covering such matters as flood risk, nature conservation, visual impact, etc.), we are confident that any technical issues in relation to development of the Mere can be overcome in the context of revised development proposals. The Regeneration Framework for Walton-on-the-Naze was adopted by the Council following extensive consultation and we broadly endorse the strategy for Walton Mere that is set out in that document; it is clear from the technical work that has been undertaken in respect of our current planning application that viability will be an important consideration and therefore the nature, form, content and timing of any development will need to be carefully addressed. Nevertheless the fact that Walton Mere lies in a critical position relative to Walton town centre and other important facilities within the town, existing and proposed, means that the Council should take advantage of the unique opportunity that is presented. Proximity to the Columbine Centre (the focus of the Council's indoor leisure and recreation activities), the Backwaters (open water leading to the estuary and other marine activities), the proposed retail development on the Martello site (for which planning permission has been granted), the Council's main car park accessed from Mill Lane and various links to public open spaces and footpaths are all highlighted in the Regeneration Strategy together with the potential to create a circular route linking all of the facilities. With the additional development proposed in the Plan for the Martello site, it may be anticipated that the southern part of the Mere will assume an even more critical role in relation to the town as a whole with significantly increased footfall and levels of activity. Development of the southern part of the Mere for a mix of land uses including leisure and recreation, residential, water-related activities and ancillary retail/café/restaurant uses would enhance the relationship between the site and the town centre. At present the Mere and its environs present a rather ambivalent response to the town which underplays their significance in terms of regeneration potential and ability to link various important activities. On the one hand, the Mere connects the town with the Backwaters, is visually important and has ecological benefits but its former uses (a mill pond and a shallow boating lake) have long since ceased and little or no maintenance or remedial work has been undertaken in many years. Without such work, it may be expected that the physical appearance of the Mere will continue to deteriorate. Although there are acknowledged issues relating to flood risk, ecology and visual impact, we are confident that these can be sensitively dealt with and that a high quality, well-designed, attractive and accessible development at the southern end of the Mere will have the catalytic effect which is much needed to support, or even kick-start, regeneration within the town. Our analysis suggests that there is no other location within the town so well-placed to create the same impact: it is highly accessible, close to the town centre and to local employment opportunities. We therefore consider that the Settlement Development Boundary for Walton should be amended to include the southern part of Walton Mere as shown on Plan Ref WYP/Silverbrook Estates/1. With very minor adjustment to exclude a small parcel of land and water not in our ownership (adjacent to the former mill building), this plan replicates the boundary of the land proposed for residential development in both the Walton-on-the-Naze Regeneration Framework (2010) and the Draft Strategic Housing Land Availability Assessment (2010). Amending the Settlement Development Boundary in the way proposed would allow the 'planned settlement expansion where necessary to deliver the required levels of growth' as provided for in Policy SD5, and would be consistent with the Council's overall aspirations for the town and mixed use proposals referred to in FWK7.

Want to Speak at Public Examination: Y
Justification:

Approved: Y
Approved Date: 1/7/2013 9:32:15 AM
Attachment: Y
Added by Council: N

Reply: N
Notes: Summarised by GA 8 Jan 2013

Ref: NLP002240

Date Added: 1/6/2013 12:51:53 PM

Chapter: 3. Planning for Prosperity **Section:** Improving the Strategic Transport Network

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Policy PRO1: Improving the Strategic Transport Network We welcome the Council's commitment, expressed in Policy PRO1, to improve the strategic transport network. Improved communications, both to and within the District, will help to create the conditions for investment which are needed in Walton-on-the-Naze in order to raise its profile as a centre of economic activity based on a year-round holiday offer.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:51:46 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002241

Date Added: 1/6/2013 12:56:43 PM

Chapter: 3. Planning for Prosperity **Section:** Priority Areas for Regeneration

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Policy PRO4: Priority Areas for Regeneration We welcome the overall focus of policies in Chapter 3 Planning for Prosperity and, specifically, the identification of Walton-on-the-Naze as a Priority Area for Regeneration in Policy PRO4. We consider that this is consistent with the Council's overall vision for the town, expressed both in the Plan itself and in the Walton-on-the-Naze Regeneration Framework (2010) which forms part of the Council's evidence base for the Plan. The designation of Walton-on-the-Naze as a Priority Area for Regeneration will emphasise the Council's role in helping to create conditions for investment within the town and can be used as a vehicle around which initiatives by other stakeholders, public and private, can be focused. It can also be used to support applications for funding.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:26:16 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002242

Date Added: 1/6/2013 1:02:34 PM

Chapter: 4. Planning for People **Section:** Aspirational Housing

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Policy PEO8: Aspirational Housing We welcome the Council's desire to secure a 'fundamental shift in the economic fortunes of Tendring District' and 'a sustainable economic future for future generations'. Indeed we also support the notion of 'aspirational housing' but we consider that Policy PEO8 is unnecessarily restrictive: our specific objection is to the notion that 'aspirational housing' must be 'detached' houses. Analysis of Appendix 3 and the Policies Map of the Plan show that the allocated sites are many and varied: of different sizes; greenfield/brownfield; close to town centres/on the edges of small rural settlement; etc. A requirement for large detached houses on all of these sites will not be appropriate in all circumstances and constrains innovative and creative design. Indeed on our own site at Walton Mere (FWK7) the policy would restrict the options for designing a high quality, waterside environment. We consider that 'aspirational housing' should embrace a much wider range of house types than the single dwelling type proposed by the Council: it could, for example, take the form of high quality flats, apartments and maisonettes as part of a varied housing mix; specialist housing for the elderly allowing people to 'downsize' in terms of floorspace but upgrade in terms of shared facilities; small, but again high quality, dwellings for high income single people and/or couples. We consider, therefore, that the word 'detached' should be deleted from the first paragraph of the policy.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:27:19 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002243

Date Added: 1/6/2013 1:07:09 PM

Chapter: 4. Planning for People **Section:** Flats, Apartments and Maisonettes

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Policy PEO12: Flats, apartments and maisonettes Policy PEO12 states that proposals for flats, apartments and maisonettes will only be permitted within town centres and within 100m of a railway station. We consider that this is unnecessarily restrictive. Whilst a modest proportion of 1 and 2 bedroom dwellings, for which there is a proven demand in the Council's Strategic Housing Market Assessment, might reasonably be provided in the form of two-storey houses on any given site, a mixed development comprising a number of flats, apartments and maisonettes, contributing to the overall requirement, is an equally justifiable proposition and contributes to the establishment of mixed communities providing accommodation for a range of household types and sizes. A variety of dwelling types and sizes also increases design flexibility. Furthermore, the policy as drafted is likely to lead to an over-concentration of flats, apartments and maisonettes in town centres and/or close to train stations given that there is limited number of such sites across the District as a whole. We consider therefore that this policy should be deleted from the Plan.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:29:30 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002244

Date Added: 1/6/2013 1:12:54 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Regeneration in Walton-on-the-Naze

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: Policy FWK1: Regeneration in Walton-on-the-Naze We welcome the designation of the whole of Walton-on-the-Naze, including Walton Mere, within the Priority Area for Regeneration: we consider that this town-wide approach to regeneration offers the greatest potential for improving the economic prospects of the town and ensuring that there is the widest possible integration between different land uses and activities. We also welcome the inclusion of a site specific policy relating to Walton Mere (FWK7). We consider that this policy approach is consistent with the overall vision of the Plan and with the Regeneration Framework for Walton-on-the-Naze (2010).

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 9:25:39 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002245

Date Added: 1/6/2013 1:27:32 PM

Chapter: 8. Frinton, Walton and Kirby Cross

Section: Walton Mere

Handled by Agent: Y

Consultee: Mrs Helen Pudney

Consultee Job Title: Local Representative

Consultee Organisation: Silverbrook Estates Ltd

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mrs Patricia Willoughby

Agent Job Title: Partner

Agent Organisation: Wei Yang and Partners

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Policy FWK7: Walton Mere We welcome the identification of Walton Mere as a key opportunity within the Plan, thereby acknowledging the need for change and highlighting the potential that is offered by the site to the regeneration of the town as a whole. We also welcome the site specific policy highlighting the potential of the site to deliver mixed use development, and the recognition that, in order to create a 'town quay', some form of enabling development may be required. We welcome the flexibility that is provided by the wording of the policy citing the desirability of mixed use development and the need for a comprehensive development package. There are two matters, however, on which we raise objection: a) the detail of the wording of Policy FWK7; and b) the boundary of FWK7 shown on Policies Map Inset 3b. The context for our objections is that: a) The Regeneration Framework for Walton-on-the-Naze (2010) (which forms part of the Council's evidence base for the Local Plan) describes the potential of Walton Mere to contribute to the social, economic and environmental regeneration of the town and identifies the southern part of the site as having the potential for residential development (See pages 58; fig 2.3 on p65; fig 2.4 on p67; fig 2.7 on p73; p80; fig 2.9 on p81; fig 2.11 on p84; fig.2.12 on p87; p90; fig 2.14 on p91; and pages 92-93). b) The Council's Draft Strategic Housing Land Availability Assessment (2010) (which also forms part of the Council's evidence base for the Local Plan) describes the potential of Walton Mere to contribute to the Council's housing land requirements in the period 2016-2021 and indicates that it might have the potential to accommodate some 200 dwellings (See pages 55 and 56 of the SHLAA 2010). c) Walton Mere is the subject of a current planning application, submitted by Silverbrook Estates Ltd in August 2011. Currently the application includes a food store, residential development and ancillary mixed use development on the southern part of the Mere. In the light of the Council's recent decision to grant planning permission for a food store on the Martello site, this planning application will be the subject of further discussions with the Council but, as a substantial amount of technical work was undertaken in relation to this application including an Environmental Statement (covering such matters as flood risk, nature conservation, visual impact, etc.), we are confident that any technical issues in relation to development of the Mere can be overcome in the context of revised development proposals. d) The Regeneration Framework for Walton-on-the-Naze was adopted by the Council following extensive consultation and we broadly endorse the strategy for Walton Mere that is set out in that document; it is clear from the technical work that has been undertaken in respect of our current planning application that viability will be an important consideration and therefore the nature, form, content and timing of any development will need to be carefully addressed. e) Nevertheless the fact that Walton Mere lies in a critical position relative to Walton town centre and other important facilities within the town, existing and proposed, means that the Council should take advantage of the unique opportunity that is presented. Proximity to the Columbine Centre (the focus of the

Council's indoor leisure and recreation activities), the Backwaters (open water leading to the estuary and other marine activities), the proposed retail development on the Martello site (for which planning permission has been granted), the Council's main car park accessed from Mill Lane and various links to public open spaces and footpaths are all highlighted in the Regeneration Strategy together with the potential to create a circular route linking all of the facilities. With the additional development proposed in the Plan for the Martello site, it may be anticipated that the southern part of the Mere will assume an even more critical role in relation to the town as a whole with significantly increased footfall and levels of activity. f) Development of the southern part of the Mere for a mix of land uses including leisure and recreation, residential, water-related activities and ancillary retail/café/restaurant uses would enhance the relationship between the site and the town centre. At present the Mere and its environs present a rather ambivalent response to the town which underplays their significance in terms of regeneration potential and ability to link various important activities. On the one hand, the Mere connects the town with the Backwaters, is visually important and has ecological benefits but its former uses (a mill pond and a shallow boating lake) have long since ceased and little or no maintenance or remedial work has been undertaken in many years. Without such work, it may be expected that the physical appearance of the Mere will continue to deteriorate. Although there are acknowledged issues relating to flood risk, ecology and visual impact, we are confident that these can be sensitively dealt with and that a high quality, well-designed, attractive and accessible development at the southern end of the Mere will have the catalytic effect which is much needed to support, or even kick-start, regeneration within the town. Our analysis suggests that there is no other location within the town so well-placed to create the same impact: it is highly accessible, close to the town centre and to local employment opportunities.

Wording of FWK7

We accept that the wording for Policy FWK7 allows mixed use development to be considered for the site but we consider that it needs to be more aspirational in terms of setting an appropriate policy framework for this important site. We therefore suggest that the policy should be amended to read: "Policy FWK7: Walton Mere 'Walton Mere', as defined on the Policies Map Inset, is allocated for mixed-use development where the overriding objective will be to deliver an innovative and high quality mixed use development (including aspirational housing of a type appropriate to this waterside and edge of town centre location, speciality retailing, café/restaurants and water-based leisure and recreation activities around a second waterfront ('town quay') to support the regeneration of Walton-on-the-Naze. The Council will consider comprehensive development packages on their merits having regards to other policies in this Local Plan and, in particular, any flood risk, nature conservation and transport impacts."

Expressed in this way, we consider that the Policy more accurately captures the Council's aspirations for this important site and establishes a flexible framework which allows a mix of land uses to be determined at a later date.

Amendments to Policies Map Inset 3b

As shown on the Policies Map Inset 3b, Policy FWK7 excludes: a) the land adjacent to Mill Lane; and b) a small parcel of land between Walton Mere and North Street.

a) Land adjacent to Mill Lane

The exclusion of the land adjacent to Mill Lane fails to recognise the fact that, if suitable access is to be provided to this site and if strong connections are to be established between the site, the town centre and the Martello site, then the triangle of land between the Mere and Mill Lane needs to be included within the policy allocation. We consider that the land on Mill Lane should be included in Policy FWK7 for the following reasons:

- i. The Regeneration Framework for Walton-on-the-Naze (2010) proposes that this land should be included the area proposed for residential development on the southern part of the Mere (See the pages of the Regeneration Framework cited above and, in particular, Fig. 2.7 Overall Masterplan Framework);
- ii. The Draft Strategic Housing Land Availability Assessment (2010) similarly includes this area within the potential developable area (See Site A302 on page 55);
- iii. it enables strong connections, particularly pe

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 10:08:24 AM

Attachment: Y

Added by Council: N

Reply: N

Notes:

Mary Foster

From: Pat Willoughby [REDACTED]
Sent: 07 January 2013 00:02
To: Planning.policy
Subject: Tendring LP (2012) - Titchmarsh Marina (Representation - 8 no)

Attachments: Tendring LP 2012 - Titchmarsh Marina Para 1.12.doc; Tendring LP 2012 - Titchmarsh Marina Policy SD1.doc; Tendring LP 2012 - Titchmarsh Marina Policy SD2.doc; Tendring LP 2012 - Titchmarsh Marina Policy PRO1.doc; Tendring LP 2012 - Titchmarsh Marina Policy PRO4.doc; Tendring LP 2012 - Titchmarsh Marina Policy PRO7.doc; Tendring LP 2012 - Titchmarsh Marina Policy PRO14.doc; Tendring LP 2012 - Titchmarsh Marina Policy FWK1.doc

Dear Sir/Madam,

We act on behalf of Titchmarsh Marina (Walton-on-the-Naze) Ltd.

8 representations are herewith submitted in relation to the following parts of the Plan:

1. Paragraph 1.12 and the Council's Vision Statement
2. Policy SD1: Presumption in favour of sustainable development
3. Policy SD2: Urban settlements
4. Policy PRO1: Improving the Strategic Transport Network
5. Policy PRO4: Priority Areas for Regeneration
6. Policy PRO7: Tourism
7. Policy PRO14: Employment Sites
8. Policy FWK1: Regeneration in Walton-on-the-Naze

If you have any queries please get in touch.

In the meantime I would be grateful if you would acknowledge receipt of these representations.

Kind regards.

Pat Willoughby

Partner

Wei Yang + Partners

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

Titchmarsh Marina (Walton-on-the-Naze) Ltd.....

If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

..... **Post Code:**

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Wei Yang & Partners.....

If an organisation, please provide a contact name: Mrs Patricia Willoughby.....

E-mail: [REDACTED] **Tel No:** [REDACTED]

Address: [REDACTED]

..... **Post Code:** [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **“Justified”** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- **“Consistent with national policy”** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Paragraph 1.12 and the Council’s Vision Statement: A Positive Vision for the Tendring District	<p>Pages 24-26 of the Plan set out the Council’s view of the main challenges that will need to be addressed across the District. We welcome the Council’s identification of these challenges and concur with the assessment. In particular, we welcome the emphasis that is given to addressing the economy; tackling the decline of traditional maritime and tourism industries; dealing with areas of deprivation; and remedying a future shortage of housing. All of these factors militate against a positive social, economic and environmental future for Walton, but all are capable of being remedied through strong leadership and focus. Creating a flexible framework that encourages innovation and creativity on key sites helps to establish a favourable context for investment.</p> <p>We also welcome:</p> <ol style="list-style-type: none">a) the Council’s commitment to maximising regeneration and employment opportunities by seeking to address some of the barriers to economic growth;b) the Council’s identification of development opportunities in key locations aimed at boosting vitality and viability; andc) the acknowledgement in the Plan that there needs to be a balance between protecting the environment and providing much needed jobs and housing. <p>We, therefore, support the Council’s vision for Tendring District set out in paragraph 1.12. We particularly welcome the positive approach that is taken towards planning for the future of Walton-on-the-Naze, with provision being made in the Plan for new housing, holiday accommodation, shops and leisure attractions on key sites. High quality, mixed use development particularly within walking distance of the town centre will do much to increase footfall and therefore enhance the vitality of the town. Other facilities, such as Titchmarsh</p>

	<p>Marina are located further afield, but nevertheless attract visitors to the town, who spend money in the local area and use the marina as a base for a longer visit.</p> <p>The Council's recognition of the need for change in Walton, evidenced in the Regeneration Framework for Walton-on-the-Naze (2010) and in more detailed topic-based studies, is followed through in the Plan with policies and proposals that seek to remedy deficiencies. Titchmarsh Marina makes a significant contribution to the local economy and has the potential to support the Council in its regeneration aspirations for the town. We look forward to working with the Council on how these benefits can be delivered.</p> <p>Whilst we later comment on and, in some cases, object to certain detailed provisions of the Plan we consider that the Plan, in general, has been positively prepared and will establish the foundations for a successful future for the district.</p>
--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

--

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed: Patricia Willoughby

Date: 6.1.13

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.



Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

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PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

Titchmarsh Marina (Walton-on-the-Naze) Ltd.....

If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

..... **Post Code:**

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Wei Yang & Partners.....

If an organisation, please provide a contact name: Mrs Patricia Willoughby.....

E-mail: [REDACTED] **Tel No:** [REDACTED]

Address: [REDACTED]

..... **Post Code:** [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **“Justified”** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- **“Consistent with national policy”** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policy SD1: Presumption in Favour of Sustainable Development	<p>We welcome the positive approach to development that is demonstrated in the Council's decision to incorporate in the Plan the Planning Inspectorate's recommended policy relating to the presumption in favour of sustainable development. This is in line with the provisions of the National Planning Policy Statement and recognises the need to balance the three strands of sustainability (economic, social and environmental). The stated intention to work proactively with applicants for planning permission, jointly to find solutions, demonstrates the Council's willingness to create a positive future for the District.</p> <p>As one of the District's most important tourism and leisure facilities, Titchmarsh Marina has been the subject of a number of planning applications over the years which have both consolidated and enhanced the marina activities; our intention is to continue this process so that Titchmarsh Marina will make an even greater contribution to the economic fortunes of the town, enhancing physical and psychological linkages and raising its profile as a visitor destination.</p> <p>A clear statement by the Council of its support for sustainable development helps us to make plans for the long-term and to secure investment.</p>

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

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If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

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If you are an agent acting on behalf of someone please provide your details here

Name of agent: Wei Yang & Partners.....

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E-mail: [REDACTED] **Tel No:** [REDACTED]

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Support

Object

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Policy SD2: Urban Settlements	<p>We welcome the designation of Frinton, Walton and Kirby Cross as an ‘Urban Settlement’ and, as such, one of the District’s focal points for economic growth through the identification of new employment sites, investment in town centres, tourist attractions and key infrastructure. Urban settlements such as these, with a variety of facilities, services and good transportation accessibility, provide the opportunity to create a critical mass of activity that will act as a catalyst for wider economic growth across the District.</p> <p>Although Titchmarsh Marina lies outside the defined urban area there is a strong relationship between the town and the marina that we will seek to reinforce during the Plan period.</p>

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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What section of the plan are you commenting on?	Comment(s)
Policy PRO1: Improving the Strategic Transport Network	We welcome the Council's commitment, expressed in Policy PRO1, to improve the strategic transport network. Improved communications, both to and within the District, will help to create the conditions for investment which are needed in Walton-on-the-Naze in order to raise its profile as a centre of economic activity based on a year-round holiday offer.

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Policy PRO4: Priority Areas for Regeneration	We welcome the overall focus of policies in Chapter 3 <i>Planning for Prosperity</i> and, specifically, the identification of Walton-on-the-Naze as a Priority Area for Regeneration in Policy PRO4. We consider that this is consistent with the Council's overall vision for the town, expressed both in the Plan itself and in the Walton-on-the-Naze Regeneration Framework (2010) which forms part of the Council's evidence base for the Plan. The designation of Walton-on-the-Naze as a Priority Area for Regeneration will emphasise the Council's role in helping to create conditions for investment within the town and can be used as a vehicle around which initiatives by other stakeholders, public and private, can be focused. It can also be used to support applications for funding.

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

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What section of the plan are you commenting on?	Comment(s)
Policy PRO7: Tourism	<p>Policy PRO7 states the Council's support for various forms of tourist and leisure facilities specifically identifying marinas, boat harbours, yacht havens and other facilities associated with boating and sailing in bullet point 3. We very much welcome the express support that is given to such facilities.</p> <p>We also welcome the Council's recognition, expressed in its four tourism objectives and priorities (paragraph 3.33 of the Plan) that tourism as an industry is changing.</p> <p>In the Council's Regeneration Framework for Walton-on-the-Naze (2010), Titchmarsh Marina is identified as a key local business whose expansion and diversification of activities could benefit the local economy, and increase the attractiveness of Walton to visitors (See p41 and Fig 1.28 Opportunities). Whilst the Regeneration Strategy also recognises the fact that the marina is not well integrated with the town (in physical terms) it nevertheless suggests that its benefits should be considered in a wider context.</p> <p>This allows individual proposals to be assessed on a case-by-case basis within a supportive framework provided by the Plan.</p>

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

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What section of the plan are you commenting on?	Comment(s)
Policy PRO14: Employment Sites	<p>We understand the Council's desire to support key employment sites, defined for the purposes of Policy PRO14 as those containing B1 (b & c), B2 and B8 land uses.</p> <p>We also note that once the proposed food store and petrol filling station (retail and ancillary use) has been built on the Martello site, they are to be given the same type of protection (See Policy FWK5 last paragraph).</p> <p>Titchmarsh Marina is one of the foremost marinas on the East coast of England, over the years extending its land-based activities to include brokerage, chandlery, engineering, grp repairs, restaurant and sailing school for local people and visitors. It is currently the largest employer in Walton-on-the-Naze and has operated as a local family business for over a generation; it supports many other local businesses and attracts visitors from far afield.</p> <p>The importance of Titchmarsh Marina to Walton-on-the-Naze is recognised in the Council's Regeneration Framework (2010), which forms part of the evidence base of the Plan. In this document, the marina is identified as a key local business whose expansion and diversification of activities could benefit the local economy, and increase the attractiveness of Walton to visitors (See p41 and Fig 1.28 Opportunities). Whilst the Regeneration Strategy also recognises that the marina is not well integrated with the town (in physical terms) it nevertheless suggests that its benefits should be considered in a wider context.</p> <p>We also note the four objectives of Council's Tourism Strategy 2010-2016 repeated in paragraph 3.33 of the Plan i.e. to:</p> <ul style="list-style-type: none">• increase the amount of money visitors spend in Tendring• extend the length of time visitors stay in the District

- attract higher spending visitors
- improve the perception of Tendring as a tourism destination.

We consider that marinas and similar facilities are very well placed to make a positive response to these objectives. Operators are increasingly being called upon to provide a wide range of ancillary and complementary activities that support the principal activity of sailing; such activities include restaurants, cafes, bars, club houses, etc. Much of the demand arises from a desire to increase the attractiveness of marinas to whole families, across the generations, so that different family members and their friends can engage in different aspects of the enthusiastic sailor's world; their attractive locations suit a variety of activities.

All such activities proposals respond very positively to the Council's aspirations for economic growth and job creation across the district. Clearly facilities need to be considered on an individual basis taking into account matters such as transportation, ecology, flood risk, etc. but a policy in the plan, which allows long-term plans to be put in place, provides support for investment decisions.

We consider that the economic benefits of the Titchmarsh Marina to the town are substantial, generating employment directly and also creating income for other local firms. For this reason, we consider that Titchmarsh Marina should be given protected status, similar to that afforded under Policy PRO14, but focused on the tourism and leisure sector. This would necessitate a new policy and notation on the Policies Map. The wording of the policy should be similar to PRO14 albeit specifying different land uses; the Council may wish to consider whether other sites within the District should be similarly protected and identified as such on the Policies Map.

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What section of the plan are you commenting on?	Comment(s)
Policy FWK1: Regeneration in Walton-on-the-Naze	<p>We welcome the designation of the whole of Walton-on-the-Naze within the Priority Area for Regeneration: we consider that this town-wide approach to regeneration offers the greatest potential for improving the economic prospects of the town and ensuring that there is the widest possible integration between different land uses and activities.</p> <p>We consider that this policy approach is consistent with the overall vision of the Plan and with the Regeneration Framework for Walton-on-the-Naze (2010).</p>

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

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Mary Foster

From: Gary Ashby
Sent: 20 December 2012 10:25
To: Keely Grothier
Subject: FW: Potential Residential Development at Old Hall Lane - Walton
Attachments: Local Plan Rep 20-12-12.pdf; Old Hall Lane Site.pdf

Gary Ashby BSc(Hons) PGDip
Planning Officer
Planning Department
Tendring District Council
Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
e-mail: gashby@tendringdc.gov.uk
tel: 01255 686137
web: www.tendringdc.gov.uk

Planning Public Access

From: Ben Willis [REDACTED]
Sent: 20 December 2012 10:24
To: Gary Ashby
Subject: RE: Potential Residential Development at Old Hall Lane - Walton

Gary,

Please find attached a more formal representation following our email exchange below.

Regards

Ben

Ben Willis
Director

WINGFIELD PLANNING CONSULTANCY

[REDACTED]

From: Gary Ashby [mailto:gashby@tendringdc.gov.uk]
Sent: 18 December 2012 10:30
To: Ben Willis
Subject: RE: Potential Residential Development at Old Hall Lane - Walton

Hi Ben,

Thank you for your email and site plan/aerial photo. I will add this as a representation to the draft new local plan if you're happy?

From a policy position – as mentioned yesterday on the telephone, the site would appear too small to be identified as a specific housing allocation in the new plan as it only identifies and allocates sites for 10 or more dwellings. Instead, it could be considered as a change to the Settlement Development Boundary. Obviously that consideration will need to be had once the consultation finishes but I am happy to offer some initial officer observations at this stage. The site would appear to represent a sensible and logical extension to the existing SDB and

development would mirror the opposite frontage. The site appears to be overgrown/messy in nature so development would improve the appearance of this part of the street. However, there may be concerns about the suitability of the existing road to accommodate further growth and I am sure there would be concerns from existing residents in the vicinity about development restricting existing views across the backwaters.

Whilst the new plan attempts to be more flexible and embrace the principle of the NPPF with regards to the presumption in favour of sustainable development, obviously we still need to have some clear parameters about where development would and would not be acceptable in principle which is why the new plan continues to use SDBs to set out where new growth should be directed in the plan period.

If the plan remains unchanged an application would be considered on its merits where the starting point would be that it is outside the SDB. Obviously, any application submitted before end of March 2013 will be considered against the 2007 adopted local plan. The new plan will gain more weight as it progresses through the system.

I hope this helps.

I should be about tomorrow so may see you then.

Regards,

Gary Ashby BSc(Hons) PGDip
 Planning Officer
 Planning Department
 Tendring District Council
 Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
 e-mail: gashby@tendringdc.gov.uk
 tel: 01255 686137
 web: www.tendringdc.gov.uk

Planning Public Access

From: Ben Willis [REDACTED]
Sent: 17 December 2012 14:46
To: Gary Ashby
Subject: Potential Residential Development at Old Hall Lane - Walton

Gary,

Following our telephone conversation today please find attached an O.S. plan illustrating the extent of an area of land I have been asked to investigate for residential development. I have also provided an aerial photograph to illustrate the physical constrained and enclosed nature of the site with regard to its relationship to its surroundings.

At this stage I am seeking to establish whether there would be any potential policy support for its development, most probably when the plan is adopted in March. The current local plan is obviously rather too rigid in respect of site outside the defined settlement limits whereas it would appear that the emerging local plan gives further emphasis on sustainable development rather than simply inside/outside thinking.

I will be attending the local plan presentation on Wednesday so if you are around in the morning perhaps we could have a quick chat and a catch up in general?

Regards

Ben

Ben Willis
 Director

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WINGFIELD PLANNING CONSULTANCY

Mr. Gary Ashby
Tendring District Council
Council Offices
Weeley
Essex
CO16 9AJ

20th December 2012

Dear Mr Ashby

Amendment to Defined Settlement Boundary at Land at Old Hall Lane, Walton-on-the-Naze

As part of the consultation process into the draft new local plan I wish to make the following representation.

My client is in the ownership of a small parcel of land towards the northern end of Old Hall Lane in Walton. I have attached a red lined O.S. Plan for reference purposes. It is acknowledged that as the site is relatively small it cannot be identified as a specific housing allocation. Instead, the site has been put forward as an amendment to the Settlement Development Boundary of Walton-on-the-Naze. The particular reasons for promoting this site are as follows.

As can be seen from the aerial photograph below, Old Hall Lane contains large family sized detached residential dwellings all the way along the eastern side of the road, up to the boundary with Walton Hall Farm. Residential dwellings are also found on the western side of the road. However, for a reason unknown, this ribbon of development stops part the way along Old Hall Road. This has resulted in the formation of a clearly contained area of grassland, separate from the larger surrounding fields. The aerial photograph illustrates this quite clearly.

With regard to the physical implications of the development proposal it is not considered that it would have a significant impact



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upon the amenities of neighbouring residents and represents a logical continuation of development along Old Hall lane. The type and form of dwellings would be in keeping with the surrounding dwellings in respect of providing larger family homes. This would be in accordance with the Council's emerging policy to seek "Aspirational Housing" within the district.

It is acknowledged that the site is designated within the Coastal Protection Belt. However, what must be considered is the actual function that the site serves as part of this designation and whether the development of this site would prejudice the Coastal Protection Belt. Having regard to the relatively small scale of development and the already contained nature of the site, it is considered that the function of the Coastal Protection Belt can be preserved.

Yours sincerely

BEN WILLIS

DIRECTOR

WINGFIELD PLANNING CONSULTANCY



TITLE NUMBER

EX679503

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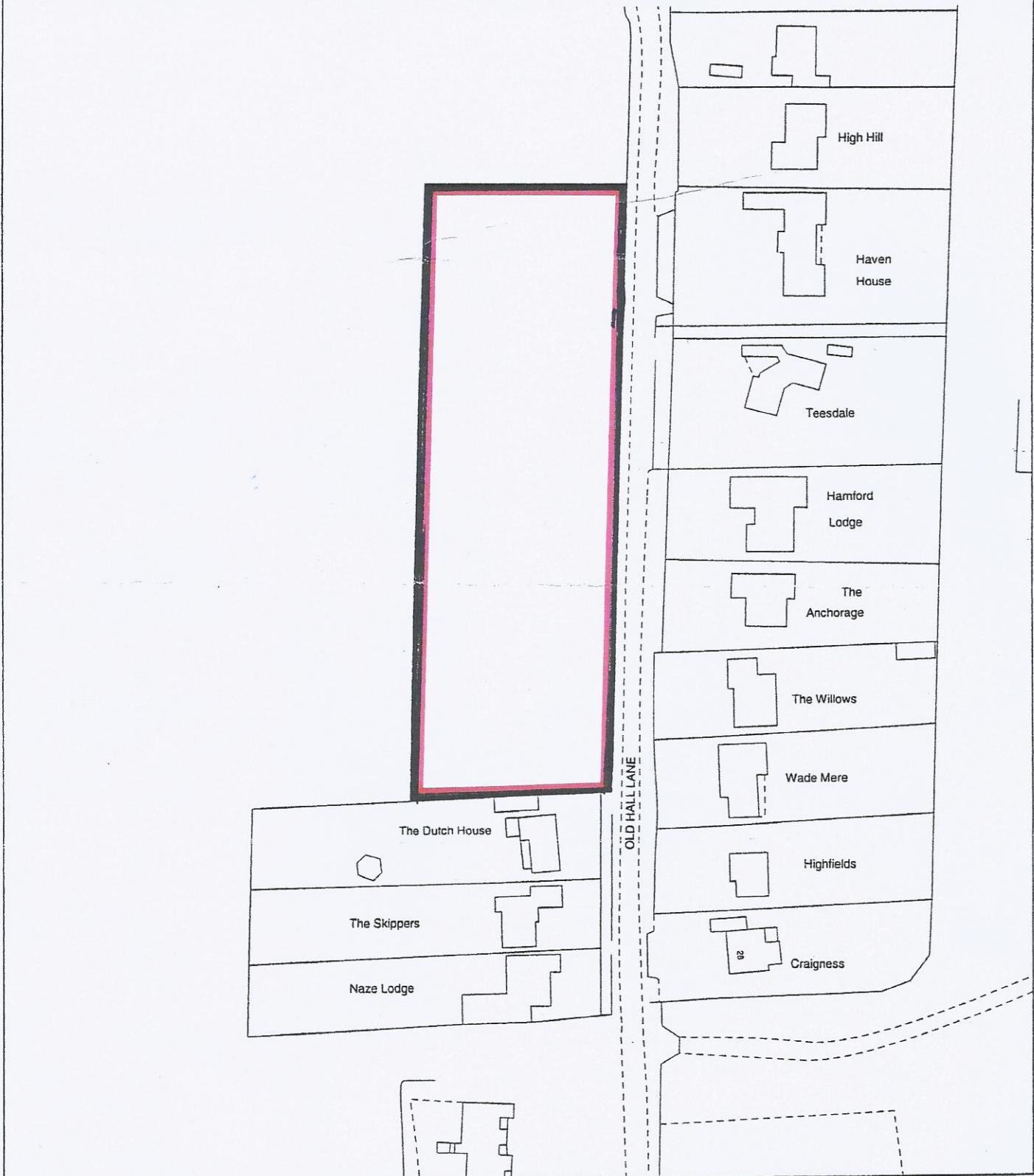
ESSEX : TENDRING

ORDNANCE SURVEY MAP REFERENCE:

TM2623NW

SCALE 1:1250 Enlarged from 1:2500

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1219026004

Mary Foster

From: Gary Ashby
Sent: 18 December 2012 10:31
To: Keely Grothier
Subject: FW: Potential Residential Development at Old Hall Lane - Walton
Attachments: Old Hall Lane Site.pdf; Aerial Photograph.docx

Gary Ashby BSc(Hons) PGDip
Planning Officer
Planning Department
Tendring District Council
Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
e-mail: gashby@tendringdc.gov.uk
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Ben

Ben Willis
Director

WINGFIELD PLANNING CONSULTANCY

[REDACTED]



TITLE NUMBER

EX679503

N

ESSEX : TENDRING

ORDNANCE SURVEY MAP REFERENCE:

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