

## **MATTER 9 - Policy - SS12a – SS12b - SS12C submission by STOP 350**

### **Introduction**

This Hearing Statement has been prepared by Stop350 and should be read in conjunction with the representations made to the Publication Draft Plan 2017.

Stop350 is a community based group that arose because of concerns about the CLP. Stop350 is authorised by individuals to act on their behalf. These representations come from over 1,100 people formed by a combination of residents of Mersea Island and close surrounding area.

We support sustainable development and recognise the need to plan for appropriate growth. We are engaging in the examination process in a constructive manner and appreciate that our role is to assist the Inspectors in deciding whether the CLP is Sound and, where necessary, to identify how the CLP could be made to be Sound.

In light of the regrettable significant passage of time between the consultation on the Publication Draft Plan and the Examination – some 4 years – we have updated the evidence which we rely upon in assisting the Inspectors in examining the CLP. This is set out where relevant in our statement.

### **The inspectors ask the following questions:**

- ***Are the Sustainable Settlements policies and site allocations justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?***
- ***Do the housing land site allocations within Sustainable Settlements show how they will contribute to the achievement of the housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?***

### **POLICY SS12a**

This allocates 100 dwellings on Dawes Lane site and 100 dwellings on Brierley Paddocks site.

These two allocated sites within the CLP have now had outline or full planning consent. We therefore have to acknowledge the CLP in its allocation of these two sites for 200 dwellings at West Mersea, but in the other Matters noted point out the short comings of the infrastructure to support these extra dwellings. Also the conflict in the environmental matters that these developments have caused.

The Inspectors have identified that local context is an important consideration in responding to the questions raised and local context is highly relevant to the issue of Sustainable Settlements/site allocations. It should also be noted that this policy SS12a states the negative impact of development on Dawes Lane site which will need to be mitigated by screening. It is nevertheless in clear breach of Policies ENV1 & 2 and the CPB. There is thus a clear and deep tension and conflict within CLP Section 2.

We further recognise that the development management/planning application process has progressed ahead of the CLP, however this does not mean that an assessment of policies concerned with Mersea should not be considered in the examination. It is often the case that planning permissions lapse, planning applications are re-submitted, amendments are proposed, proposals modified. It is important that CLP has a set of policies against which any such amendments/resubmissions are assessed against.

## POLICY SS12b

This policy is generally supported in the protection that it offers the conservation area around Coast Road. As long as it does recognise the area has *“unique and irreplaceable character, which should be **strongly** (our emphasis) protected and enhanced”*.

The Houseboat section is supported in restricting the existing houseboats already in place. However there is no definition of *“Historic vacant sites”* for new moorings. There should we suggest be an agreed map of the area concerned with all existing houseboats marked, so that vacant sites will then be identifiable to a specific point in time.

## POLICY SS12c

New development or intensification proposed under policy SS12c which breaches the CPB, because the caravan sites are in the CPB, would not be found acceptable.

Recently a further 57 new Static Caravans received planning permission at Waldegraves Holiday Park at the loss of 117 touring vans. This now brings the total of static vans and chalets to 1962 units on the Island with a reduction in touring van sites by 117, nearly 23% of the total number of 513 touring van sites on the Island. This will therefore leave only 396 genuine touring pitches available.

The large number of Static vans on the Island most most 11 months but some with a 12 months licences to be open. This causes much extra stress on local services and the road systems year around and in the summer months this becomes very critical with day tourism as well.

One of the conditions put forward by the planners in their committee recommendation in giving consent revolved around Habitat sites. Namely:

*16.21 The proposal is therefore considered likely to have a significant effect on the interests features of the aforementioned Habitat sites through increased recreation pressure when considered in combination with other plans and projects, without appropriate mitigation. Taking this into account and the circumstances of the case, it is also considered that the Essex Coast RAMS is relevant in this instance and an Appropriate Assessment (AA) is also required. An AA has been undertaken (supported by the submitted Ecological Report) and forms part of the Council's planning record, available to view on the Council's Website.*

*16.22 The AA assessment concluded that through a combination of existing onsite mitigation measures across the wider Waldegraves Holiday Park Site and a financial contribution to the Essex Coast Rams as off-site mitigation, the scheme would be acceptable in terms of associated recreational pressure. The suggested contribution has been derived from the standard RAMS tariff but adjusted to take into account the specifics of the proposed use, as outlined in the submitted ecological report.*

It is quite clear from the above that there will be disturbance from this application with added winter use of the site instead of just summer months of occupation that normal touring vans sites supply.

The National Planning Policy Framework states the following:

*Para. 118. When determining planning applications, local planning authorities should aim to conserve and **enhance biodiversity** (our emphasis) by applying the following principles:*

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special*

*interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest*

*Para. 119. The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.*

Again it would appear that as long as a developer pays a levy under the RAMS policy it will mitigate the extra of number of people being able to access these protected sites.

Proposed developments poses the risk of increased predation by domestic cats. Many caravan owners bring their cats with them when their visits/holidays are of long duration and an increase in the numbers of these agile, efficient, non-natural predators will have a significant and highly adverse impact on the populations of small mammals, reptiles and nesting birds. Of particular concern is the impact this would have on ground-nesting birds such as Skylark and Meadow Pipit. The increase in the number of dogs is also a great concern.

In November 2019 there were a total of 7,714 registered patience at the local Island practice of which **70 were living on Caravan sites.**

This indicates that Caravan sites and holiday homes do result in more pressure on local services. The Covid 19 situation has highlighted the issues in policing the planning and licences for the caravan sites.

The Caravan sites each have one meter for water and electricity as a commercial concern therefore the six sites show as 6 individual businesses however they do represent some 1962 individual unit dwellings all using the services of West and East Mersea. Also as these sites are businesses they do not contribute to the local parish/Town council tax monies. The same problem of second homes registered as Business for lettings also fall under this category and worse still is if they are under a Rateable Value of £15,000 they pay no council tax at all!

From the census data in 2011 we know that there were some 3551 dwellings but some 3300 households which tends to indicate some 251 second or empty dwellings.

The entire undeveloped area of Mersea Island – without exception - falls within the scope of the CPB policy. The update as recently as 2017 demonstrates the importance of this policy area.

CLP Section 2 recognises the importance of the CPB.

Paragraph 13.15 makes clear that the asset is “extremely rich” and “irreplaceable”.

Paragraph 13.16 notes that the area includes “internationally important habitats” whilst

Paragraph 13.19 sets out that the area has a “unique and irreplaceable character, which should be ***strongly*** (our emphasis) protected and enhanced”.

Any expansion in this context we broadly support the provisions of Policy ENV1 & 2. This is a highly restrictive policy which reflects the importance of the CPB. As drafted, any development in the CPB must achieve each and all of the policy criterion. We support this approach.

Any expansion would be in clear breach of Policy ENV1 and ENV2. These are highly restrictive policies which reflects the importance of the CPB. There is thus a clear and deep tension and conflict within CLP Section 2.

## Conclusion:

It is important to restrict any increase in the number of static vans as well as no loss in the number of touring vans sites.

The increase in Tourism upon the Island's SSSI will undoubtedly eventually cause a negative impact.

This impact will not contribute to the three dimensions of sustainable development.

Whilst we are supportive of Quality Tourism as it is important to the Island economy, however the effects on the uniqueness of Island's natural habitats cannot be underestimated.