

ESSEX COUNTY COUNCIL

ESSEX COAST PROTECTION SUBJECT PLAN

WRITTEN STATEMENT AND PROPOSALS MAP

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1.0 INTRODUCTION

- 1.1 It has long been the policy of Essex County Council to pay particular attention to the control of development along the sea coast and estuaries in order to safeguard their natural attractions for recreation and their important environmental value. The County Council's Protection Policy is set out as Policy NR18 in the Essex Structure Plan, and in the proposals for this Subject Plan: see 1.2 below.
- 1.2 The Essex Structure Plan provides the strategic policy framework for future planning in Essex. It does not propose a boundary for the Coastal Protection Policy but proposes that a local plan to be prepared by the County Council will do so. Accordingly the purpose of this Subject Plan is to define the precise limits of the area to which the Coastal Protection Policy will be applied.

PROPOSAL:

The County Council's Coastal Protection Policy states:

"THERE SHALL BE THE MOST STRINGENT RESTRICTIONS ON DEVELOPMENT ON THE RURAL AND UNDEVELOPED COASTLINE OUTSIDE BUILT-UP AREAS AND ANY DEVELOPMENT WHICH IS EXCEPTIONALLY PERMITTED SHALL NOT ADVERSELY AFFECT THE OPEN AND RURAL CHARACTER OR WILDLIFE."

The Coastal Protection Policy shall be applied to that precise area shown on the Proposals Map of this Subject Plan. This area shall be known as The Coastal Protection Belt.

- 1.3 There has been extensive public consultation on this Subject Plan. Details of the consultation arrangements and the amendments to the Subject Plan resulting from public participation are set out in a separate document which is available from the County Planner. In 1982, the Subject Plan was placed on public deposit in accordance with the Section 12(2) of the Town and Country Planning Act 1971. A public Inquiry into objections to the deposited plan was held in November 1983. A number of Modifications to the Subject Plan was proposed by the County Council in response to the Inspector's report on the local plan inquiry. These Modifications were placed on public deposit in 1984. Essex County Council has now incorporated the Modifications into the Subject Plan, which was adopted on 14 December 1984.
- 1.4 The Essex Coast Protection Subject Plan is not about sea defences or flood protection. These are the responsibility of the Ministry of Agriculture, Fisheries and Food, and are beyond the scope of this Subject Plan.

2.0 BACKGROUND – THE INTERIM COASTAL PROTECTION POLICY

- 2.1 In the early 1960's there was increasing public concern over the future of our remaining undeveloped rural coastlines. In May 1965, the National Trust announced its Enterprise Neptune campaign. Its objectives were to focus public attention on the problems of coastal development and to acquire and preserve fine coastline from development. The Government echoed this concern with the publication of two Ministry of Housing and Local Government Circulars, 56/63 "Coastal Preservation and Development" and 7/66 "The Coast". The circulars urged coastal local authorities to carry out studies of their areas with a view to producing planning policies which would protect such areas from all but essential development. In particular, County Councils were requested to publish maps which would be accompanied by a brief statement of their intentions in coastal areas regarding development control.
- 2.2 Essex County Council's response to these requests was the adoption of the Interim Coastal Protection Policy in October 1966. The policy covered the coastline of Essex, together with its estuaries and rivers subject to tidal influence and the immediate hinterland. It extended from the River Stour to the Thames at South Benfleet. The interim policy effectively extended the type of protection afforded by Metropolitan Green Belt policy to the coastal hinterland but with a proviso that proposals for recreational development would not automatically be considered acceptable.

2.3 The Interim Coastal Protection Policy which has remained in force since 1966 has now been superseded by the formal adoption of this Subject Plan. The boundaries of the earlier policy were drawn generously, covering an extensive geographical area up to five miles inland in some places and so it tended to include some land which did not have any special relationship with the coast. This undermined the value of the policy, and a study revealed that the Interim Coastal Protection Policy was not always supported by the Secretary of State on appeal for this very reason.

2.4 It was therefore apparent that the Interim Coastal Protection Policy boundary was in need of revision, and the preparation of the Essex Structure Plan provided the opportunity to do this and to incorporate coastal policy into the statutory development plan system.

3.0 THE ESSEX STRUCTURE PLAN

3.1 The Essex Structure Plan was approved by the County Council for submission in May 1979 and submitted to the Secretary of State for the Environment in July 1979. It was examined in public in March 1980, and approved, with modifications in March 1982.

3.2 In preparing the Essex Structure Plan, the importance of protecting the rural undeveloped coast and estuaries from unnecessary development whilst recognising their value for nature conservation, wildlife and both informal and formal recreation was re-affirmed. Much detailed research and survey material about the Essex Coast was published in the Essex Coast Technical Report, and made available for public participation on the Structure Plan.

3.3 For many years Essex County Council has been aware of the many diverse pressures on the coastline including mineral working and refuse disposal, and for the development of holiday chalets, caravan sites, and second homes and marinas, as well as from those wishing to retire to resort towns such as Clacton, Frinton, Walton and Southend-on-Sea. Specialised developments, such as power stations and petro-chemical installations, often require sites which are remote and/or adjacent to deep water; these have been permitted by the Secretary of State on occasions in the national interest but to the detriment of the Essex Coast.

3.4 The Essex Structure Plan states that it is essential that coastal protection policy be continued to safeguard the natural attractions of the undeveloped coast from development which has ruined much of the nation's coast and to conserve the character of these internationally important areas. Consequently, the coastal protection policy set out at 1.2 above, has been included in the Essex Structure Plan in order to ensure rigorous control over all forms of development and the use of land that would be likely to damage the coast's open and rural character or wildlife.

4.0 DEFINITION OF POLICY AREA

4.1 The proposed boundary of the new coast protection policy has been drawn from first principles rather than by amending the boundary of the old Interim Coastal Protection Belt, and many factors have been taken into account.

4.2 The rural coast is a unique, finite and irreplaceable resource in its own right and it must be stressed that this is justification for its protection, regardless of its other qualities. In Essex, the coast is also important for other reasons. It is important for nature conservation and for the quality of the landscape and policies in the Structure Plan safeguard these natural resources as well. The areas where these policies are appropriate are shown in the Countryside and Conservation Plan: see 5.2 below. The County Council's landscape and nature conservation policies are set out in the Appendix to this Subject Plan. In the delineation of the boundary proposed in this Subject Plan these other considerations have been second to the main objective of protecting the rural coast from development.

4.3 The policy is concerned with the rural coastline. Urban coast, larger towns, existing petro-chemical installations, and other significant areas of land committed for development on existing plans have been excluded from the Coastal Protection Belt. Similarly, some land affected by forms of development more akin to urban areas, such as caravan sites, has been excluded from the Coastal Protection Belt.

- 4.4 Conversely, small villages, where it is not envisaged that much change will occur, have been included within the Coastal Protection Belt. Developed land, which remains predominantly open in spite of established or permitted uses, such as mineral extraction or landfill operations, has also been included in the Coastal Protection Belt. Neither existing use rights nor the permitted development rights conferred by the Town and Country Planning General Development Orders 1977 to 1981 will be affected by the inclusion of the land in the Coastal Protection Belt. Indeed, many of these areas have already been within the Interim Coastal Protection Policy area since 1966. However, proposals for new development within the Coastal Protection Belt over and above permitted development limits (or where a Direction under Article 4 of the General Development Order 1977 may be in force such as within the parishes of Mayland, Mundon, Steeple and St. Lawrence in Maldon District) will be considered in the context of the Coastal Protection Policy
- 4.5 Pitsea Landfill Site receives all types of refuse. The operation of the Coastal Protection Policy will seek to ensure that the open character of the area is not adversely and permanently affected by future proposals. The Local Planning Authority accepts that whilst further development might be necessary to improve working conditions, or to protect the environment, or to facilitate the restoration of the landscape, or to deal with site licensing conditions, any proposals to increase either the height or the superficial area of the tip, or the erection of large permanent structures on the site would be contrary to Policy NR18. Any departure from this policy would have to be fully justified by any benefits gained in the coastal area and in relation to the objective of Policy NR18.
- 4.6 The study area was defined as the Coast and river estuaries subject to tidal influence from Manningtree on the River Stour to the River Thames, including the open rural areas within the Thames Estuary west of Canvey which had been excluded from the Interim Coastal Protection Belt.
- 4.7 At an early stage in the preparation of the Essex Coast Protection Subject Plan it was decided that the boundary of the Coastal Protection Belt should follow readily identifiable and reasonably permanent features on the ground to avoid confusion and to aid the policy's implementation. The main exception to this principle is where the boundary follows the development limits of settlements as shown on published Town Maps (the Approved Review County Development Plan) or Local Plans. Otherwise the boundary follows roads, water courses, embankments, registered public footpaths and occasionally field boundaries when necessary.
- 4.8 Views of the coast were held to be important in the delineation of the Coastal Protection boundary as a tangible demonstration of an area's relationship to the coast. Although the rural coastline is not visible from every single point on the proposed boundary, coastal views are available from within most of the proposed coastal protection belt. In some places views of the water itself are obscured by sea defence walls which are inevitably higher than the coastal and estuarine plains they protect. Generally, there are unobscured views across river valleys covering the full width of the Coastal Protection Belt, from one part of the boundary to another even where the water itself cannot be seen, emphasising the coastal character of the whole area.
- 4.9 Views of the coast and river estuaries may be gained from vantage points well inland from the Coastal Protection Belt in some locations, but it is not proposed to extend the protection of the Coastal Protection Belt to all these places since they do not in themselves form part of the rural coast and the Coastal Protection Policy would not be appropriate.
- 4.10 A significant part of the survey work necessary for identifying the rural coast was initially concerned with an examination of the landscape around the Essex Coast. This was carried out between 1972 and 1975, and details of the study are included in the Essex Coast Technical Report. The exercise used a technique which assigned scores to ½ km square cells on the basis of the landscape features within the cell and the viewpoints it offered.
- 4.11 A re-appraisal of the quality of the Essex landscape was undertaken during 1976–78 forming the basis of the Special Landscape Areas proposed in the Essex Structure Plan and the Countryside Conservation Plan. This study differed from the earlier, more limited, coastal appraisal. It involved a comparison between a deliberately subjective landscape appraisal and objectively drawn maps showing the areas where amplitude of relief, vegetation cover and water form important landscape elements. Computer programmes gave different weightings to these landscape elements to test for irregularities in the subjective assessment,

and any areas conflicting with the field study were re-evaluated. This survey has been taken into consideration in preparing the Essex Coast Protection Subject Plan but, nevertheless, areas which are not of especially high landscape value have been included where they are open and coastal in character.

- 4.12 Essex County Council, through its close association with the Nature Conservancy Council and the Essex Naturalists' Trust, is aware of the special qualities of the coast for wintering and roosting waders and wildfowl particularly on its extensive saltings, marshes and mud flats, and research is continuing into the effects of people and boats on these delicate areas. The Sites of Special Scientific Interest and Nature Conservancy Zones defined by the Nature Conservancy Council cover most of the undeveloped, rural coastline in Essex. These have been included within the Coastal Protection Belt wherever they are well-related to the coast.
- 4.13 Whilst the area shown on the proposals map is a reflection of the value of the Essex coast both as landscape and for wildlife, both nationally and internationally, it must be remembered that this Subject Plan is considering the rural coast as a special resource in its own right, justifying the Coastal Protection Policy. It follows that stretches of the open coastline which are not necessarily of particular importance for landscape or nature conservation in themselves are appropriate for inclusion in the Coastal Protection Belt simply because they are part of the rural, undeveloped coast.
- 4.14 The proposed Coastal Protection Belt overlaps with rural areas policy in North and Mid-Essex. It also overlaps with Green Belt policy in South Essex. The County Council's rural area policy and Green Belt policy are set out in the Appendix to this Subject Plan. The additional restraint imposed by the Coastal Protection Policy is essential. Activities which are normally acceptable in the Green Belt, including recreation, could well be inappropriate where it overlaps with the Coastal Protection Belt because the objectives of the two policies are not identical. Similarly, development which may be appropriate in rural areas, could damage the special character of the open coast.

5.0 **RELATIONSHIP OF THE ESSEX COAST PROTECTION SUBJECT PLAN TO OTHER LOCAL PLANS AND SUPPLEMENTARY PLANNING GUIDANCE**

- 5.1 The Essex Coast Protection Subject Plan is most closely related to the Coastal Water Recreation in Essex Guidance which examines opportunities and issues for the future of marinas, moorings and water recreation on the Essex coast. This document will be published in due course as Supplementary Planning Guidance.
- 5.2 In 1981 Essex County Council published the consultation draft of the Countryside Conservation Plan, showing the areas in which the Structure Plan policies on nature conservation, landscape and agricultural land should be applied.
- 5.3 The County Council's current local plan programme also includes a Minerals Subject Plan which may put forward proposals for the coastal and estuarine areas covered by this Plan. The operation of the Coastal Protection Policy recognises the County Council's minerals policies as set out in the approved Structure Plan Written Statement. Supplementary planning guidance on Archaeology may affect both the Minerals Subject Plan and this Plan.
- 5.4 The list of local plans currently being prepared by the District and Borough Councils in Essex is set out in the Development Plan Scheme. This is reviewed from time to time. At present those most likely to make proposals affecting the Coastal Protection Belt are:

1. Castle Point District Local Plan
2. Chelmsford Rural Areas Local Plan
3. Colchester Borough Local Plan
4. The Hythe Action Area Plan (Colchester)
5. Maldon District Local Plan
6. Rochford District Local Plan
7. Southend-on-Sea District Local Plan
8. Tendring Rural Areas District Local Plan
9. Brightlingsea Local Plan (Review)

10. Walton/Kirby Cross/Frinton Local Plan
11. Harwich, Dovercourt and Parkeston Local Plan
12. Lawford, Manningtree and Mistley Local Plan
13. East Thurrock Local District Plan
14. Thurrock Green Belt Subject Plan.

5.5 A number of local plans prepared by District Councils has received certificates of general conformity with the Essex Structure Plan, whilst many draft local plans have been accepted by the Council as not being likely to prejudice the provisions of the Structure Plan. The following plans make proposals within the Coastal Protection Belt, and have been taken into consideration in the preparation of this Subject Plan:

- (i) Maylandsea District Plan (Maldon District Council)
- (ii) Cold Norton District Plan (Maldon District Council)
- (iii) Tollesbury District Plan (Maldon District Council)
- (iv) Althorne District Plan (Maldon District Council)
- (v) Southminster District Plan (Maldon District Council)
- (vi) Blackwater Estuary Conservation and Recreation Subject Plan (Maldon District Council)
- (vii) Brightlingsea Local Plan (Tendring District Council)
- (viii) Tendring Rural Areas District Local Plan (Part One) (Tendring District Council)
- (ix) Colchester Borough Local Plan (Colchester Borough Council)
- (x) Burnham District Plan (Maldon District Council)
- (xi) Lawford, Manningtree and Mistley Local Plan (Tendring District Council)

5.6 The County Council will, providing sufficient justification is demonstrated, consider any local plan for a certificate of general conformity with the Essex Structure Plan in the future which may propose changes within the area considered in this Subject Plan. The area defined in this Subject Plan as the area in which the Coastal Protection Policy applies is intended to endure largely unaltered for a long period of time. Detailed adjustment resulting from certification and adoption of other local plans will be minor and localised.

5.7 The Marshes Area Plan prepared by Basildon District Council is concerned with conserving and managing the area comprising Vange, Pitsea and Bowers Marshes. Within that area the Wat Tyler Country Park will form the core of the marshes area. The Country Park includes a nature reserve, and makes use of the fleet, saltings and grasslands. In addition the District Council plans include the establishment of a museum complex, open-air museum, picnic sites and nature trails.

5.8 The Essex Coast Protection Subject Plan recognises the above plan in so far as its objectives are complementary in terms of nature conservation and that certain limited types of recreational development may exceptionally be permitted in the Wat Tyler Country Park. Any new development would be strictly limited in order both to protect and retain the existing character of the marshlands, and avoid attracting large concentrations of people, which would result from more organised pursuits.

6.0 MONITORING AND IMPLEMENTATION

6.1 The implementation of the Coastal Protection Policy through the development control system will mainly be carried out by the District Councils and Borough Councils who determine the majority of planning applications. Essex County Council will also play its part in the implementation of the Coastal Protection Policy; firstly, through the determination of the County Matter applications, and secondly, in its responses to consultations by the District Councils and Borough Councils on other applications under Schedule 16 of the Local Government Planning and Land Act 1980.

- 6.2 The County Council also intends to assist the implementation of its Coastal Protection Policy by undertaking a project to establish the likely impact of development and activity on the coast and its wildlife. This study will draw together the findings of a number of independent and disparate research projects, already completed or nearing completion. As a result the effects of recreational boating and moorings development on the structure and ecology of the coast will also be more closely monitored and it is hoped this information will increase understanding of the danger of the various pressures that are being exerted on the rural coast in Essex.
- 6.3 Monitoring the Coast Protection Subject Plan will be the responsibility of the Essex County Council. The efficacy of the Coastal Protection Policy in use and the incidence of its use will be monitored within the County Council's Development Progress System, which already records planning decisions and residential land availability and which will also be used for monitoring the Essex Structure Plan. This will allow the Coast Protection Subject Plan to be monitored and revised if necessary, within the context of the County strategy.
- 6.4 The County Council has given consideration to the resources likely to be available for carrying out the proposals in the Coast Protection Subject Plan. It has come to the conclusion that its implementation will not impose any additional capital or staff costs on the District or Borough Councils, nor on the County Council itself.