

Tendring
District Council



Jaywick Sands – SEA Statutory Consultee Responses

May 2022

ENVIRONMENT AGENCY RESPSONSE:

From: Ipswich, Planning <planning.ipswich@environment-agency.gov.uk>
Sent: 25 April 2022 15:53
To: Eleanor Storey <estorey@tendringdc.gov.uk>
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement.

Good afternoon Eleanor,

I have been reviewing the documents and can confirm that we do not disagree with the conclusion reached within the SEA screening statement. The SPD isn't setting policy, but instead considering how existing policy should be applied, so there should be no significant environmental effects that haven't already been assessed.

Kind regards,

Natalie Kermath

From: Eleanor Storey <estorey@tendringdc.gov.uk>
Sent: 22 April 2022 17:34
To: Ipswich, Planning <planning.ipswich@environment-agency.gov.uk>; 'eastplanningpolicy@historicengland.org.uk' <eastplanningpolicy@historicengland.org.uk>; SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement.
Importance: High

You don't often get email from estorey@tendringdc.gov.uk. [Learn why this is important](#)

Good Afternoon,

Please may I have an update as to what stage this is at?
If there are specific case officers assigned I would be very grateful to speak with them.

Many thanks

Best wishes

Eleanor Storey
Development Technician
Strategic Planning & Place

From: Eleanor Storey
Sent: 25 March 2022 15:00
To: 'planning.ipswich@environment-agency.gov.uk' <planning.ipswich@environment-agency.gov.uk>; 'eastplanningpolicy@historicengland.org.uk' <eastplanningpolicy@historicengland.org.uk>; 'consultations@naturalengland.org.uk' <consultations@naturalengland.org.uk>
Cc: Anthony Brindley
Subject: Jaywick Sands Consultation SEA & HRA Screening Statement.

Dear Sir/ Madam

The purpose of this email is to consult statutory consultees on the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening Statement in relation to the proposed Jaywick Sands Design Guide Supplementary Planning Document (SPD). Please find attached the Screening Statement.

Jaywick Sands contains a large number of homes which were not originally designed or built for year round, permanent habitation. The Council wish to encourage the replacement of poor quality homes with better quality, more resilient homes that provide a safer and better quality environment for their residents. The Jaywick Sands Design Guide SPD will provide guidance in relation to replacement dwellings and multi-plot redevelopment proposals within the existing built-up area.

I would be very grateful if you could respond to this screening consultation by **Friday 29th April 2022**.

Many thanks

Eleanor Storey
Development Technician
Strategic Planning & Place

NATURAL ENGLAND RESPONSE

From: Lambert, Tessa
Sent: 28 April 2022 15:39
To: Eleanor Storey
Subject: Jaywick Sands Consultation SEA & HRA Screening Statement

Dear Ms Storey,

I refer to your consultation email dated 25th March 2022 relating to the above and the accompanying statement prepared by ClearLead Consulting Ltd.

I can advise that on the basis of the information provided within the screening statement Natural England would concur with the conclusion that a Strategic Environmental Assessment and Habitat Regulations Assessment would not be required for the Jaywick Sands Design Guide Supplementary Planning Document (SPD). However, this view is reached on the basis that the SPD would not be promoting any addition to the overall number of residential units within the areas of Jaywick Sands that are identified in the adopted Tendring District Local Plan as priority areas for regeneration. Clearly any proposal that would involve the addition of residential units would be subject to project-level Habitats Regulations Assessment and the mitigation identified in the adopted Essex Coast Recreation disturbance Avoidance and Mitigations Strategy would be required to avoid adverse effects on the integrity of those Habitats Sites (Dengie SPA and Ramsar, Colne Estuary SPA and Ramsar and Blackwater Estuary SPA and Ramsar) whose Zones of Influence include Jaywick Sands.

Yours Sincerely

Tessa Lambert

Natural England
Eastbrook
Shaftesbury Road
Cambridge
Cambridgeshire
CB2 8DR

Tessa Lambert
Sustainable Development Lead Advisor
West Anglia Area Team (Essex)
Working pattern: 9:00 – 5:30 Monday, Tuesday, Thursday

www.gov.uk/natural-england

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HISTORIC ENGLAND RESPONSE

Anthony / Eleanor,

Please find below an email from Andrew Marsh at HE concurring that no SEA is required of the Design SPD.

Regards,
Vicky

From: Marsh, Andrew
Sent: 17 May 2022 14:53
To: Vicky Pearson
Cc: Marsh, Andrew
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement

Hi Vicky

Thanks for the email. Apologies for not replying sooner. Yes, having reviewed the policies you sent, I can confirm that we concur with your conclusion that an SEA is not required.

Best wishes,

Andrew

Andrew Marsh BSc MA MRTPI
Historic Environment Planning Adviser
Development Advice | East of England
Historic England

Historic England
Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU
www.historicengland.org.uk

From: Vicky Pearson
Sent: 17 May 2022 13:09
To: Marsh, Andrew
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement
Importance: High

Hello Andrew,

Our contacts at Tendring District Council asked me to find out when you anticipate you will be able to respond to my email below about whether an SEA is required of this SPD. Are you able to let us know please?

Many thanks,
Vicky

From: Vicky Pearson
Sent: 11 May 2022 12:32
To: Andrew Marsh
Cc: Eleanor Storey Anthony Brindley Louise Dunkerley
Subject: FW: Jaywick Sands Consultation SEA & HRA Screening Statement

Dear Andrew,

I'm writing to you on behalf of Tendring District Council in response to your attached comments on the SEA screening of the Jaywick Sands Design Guide SPD.

A copy of the Design Guide SPD is attached. It may be worth noting that the purpose of the SPD is to provide design guidance to ensure that properties within Jaywick Sands are improved to make them more resilient to flooding and to improve living space.

Your comments raise a concern about the setting of heritage assets in the vicinity of Jaywick Sands. Any proposals for replacement dwellings within the Jaywick Sands area would need to be in accordance with the following adopted Tendring Local Plan Section 2 (January 2022) policies:

- Policy PPL 7 ARCHAEOLOGY, which states: *“Proposals for new development affecting a heritage asset of archaeological importance or its setting will only be permitted where it will protect or where appropriate enhance the significance of the asset.”*
- Policy PPL 8 CONSERVATION AREAS, which states: *“New development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area”*
- Policy PPL 9 LISTED BUILDINGS, which states: *“Proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric.”*

Please could you let us know if this information satisfies your comments about the setting of heritage assets outside of Jaywick Sands or whether you would like further information to be added to the SEA Screening Statement, such as the location of heritage assets in the vicinity?

Regards,

Vicky Pearson | Principal Consultant


ClearLead Consulting Limited, UK
www.clearleadconsulting.com



From: Eleanor Storey
Sent: Thursday, April 28, 2022 3:51 PM
To: 'HAT Jaywick Sands'
Cc: Anthony Brindley
Subject: FW: Jaywick Sands Consultation SEA & HRA Screening Statement

Dear All,

Response from Andrew Marsh at HE indicates further consideration to potential harm from development to assets that are outside of the SPD area.

They support the conclusion that no further HRA work is required.

Eleanor Storey

From: Marsh, Andrew
Sent: 28 April 2022 11:47
To: Eleanor Storey Anthony
Cc: Marsh, Andrew
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement

Dear Anthony and Eleanor

Re: Strategic Environmental Assessment (SAE) Screening Statement of the Jaywick Sands Design Guide Supplementary Planning Document (SPD)

Thank you for your notification of the Strategic Environmental Assessment (SEA) Screening Statement of the Jaywick Sands Design Guide Supplementary Planning Document (SPD). As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process, and therefore welcome the opportunity to comment on this document. Please find attached our comments which I hope you find helpful. I would be grateful if you would confirm receipt of this email.

Best wishes,

Andrew Marsh BSc MA MRTPI
Historic Environment Planning Adviser
Development Advice | East of England
Historic England

Historic England
Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU
www.historicengland.org.uk

From: EastPlanningPolicy <eastplanningpolicy@HistoricEngland.org.uk>
Sent: 25 April 2022 14:31
To: Eleanor Storey
Cc: Marsh, Andrew ; Harper, Sally
Subject: RE: Jaywick Sands Consultation SEA & HRA Screening Statement. PL00770342

Dear Eleanor,

Thank you for your email regarding the above consultation.

This case has been allocated to our Historic Environment Planning Advisor, Andrew Marsh. I understand the deadline for response is the 29 April 2022.

I have copied Andrew in to this email so that he is aware of your request to be contacted by telephone.

Kind regards

Sally Harper
Business Officer

East of England Regional Team
Historic England | Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU

From: Eleanor Storey

Sent: 25 March 2022 15:00

To: 'planning.ipswich@environment-agency.gov.uk' <planning.ipswich@environment-agency.gov.uk>;
'eastplanningpolicy@historicengland.org.uk' <eastplanningpolicy@historicengland.org.uk>;
'consultations@naturalengland.org.uk' <consultations@naturalengland.org.uk>

Cc: Anthony Brindley

Subject: Jaywick Sands Consultation SEA & HRA Screening Statement.

Dear Sir/ Madam

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Jaywick Sands contains a large number of homes which were not originally designed or built for year round, permanent habitation. The Council wish to encourage the replacement of poor quality homes with better quality, more resilient homes that provide a safer and better quality environment for their residents. The Jaywick Sands Design Guide SPD will provide guidance in relation to replacement dwellings and multi-plot redevelopment proposals within the existing built-up area.

I would be very grateful if you could respond to this screening consultation by **Friday 29th April 2022**.

Many thanks

Eleanor Storey
Development Technician
Strategic Planning & Place



Historic England

Anthony Brindley
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO16 1SE

Date: 28th April 2022

Direct Dial: 01223 582734

Dear Anthony,

Re: Strategic Environmental Assessment (SEA) Screening Statement of the Jaywick Sands Design Guide Supplementary Planning Document (SPD)

Thank you for your notification of the Strategic Environmental Assessment (SEA) Screening Statement of the Jaywick Sands Design Guide Supplementary Planning Document (SPD). As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process, and therefore welcome the opportunity to comment on this document.

Conclusion of Screening Assessment - harm via development within the settings of designated heritage assets outside the SPD area, has not been considered.

Table 1 (Criteria from Schedule 1 of the SEA Directive to the Proposed SPD) states that there are no designated heritage assets in the area covered by the SPD. Whilst this is true, the screening assessment should not just be confined to assets within the Plan boundary. Indeed, the NPPF makes it clear that the significance of a heritage asset may be harmed by development within the setting of the asset, so a consideration of setting is important in this respect.

As previously advised the SPD area falls within the wider setting of a number of designated heritage assets; the Clacton Seafront Conservation Area, the St Osyth's Conservation Area, the Martello Towers SM, the Lion Point Decoy SM, and the grade II listed buildings at Cockett Wick Farm. Whilst it is unlikely that development in accordance with the Design Guide would result in 'significant effects' to these assets, nonetheless without seeing further evidence to demonstrate that the Council



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understands the contribution made by the setting of these assets to their significance, then it is difficult for us to fully assess whether we concur with your conclusion that an SEA is not required. With regards Habitats Regulation Assessment (HRA), we support the conclusion that a separate HRA of the Design Guide SPD is not required.

On this basis it would be helpful if the Council could provide us with this further information to help us assess whether an SEA is needed. This needn't be onerous, and we recommend that you review the following documents to assist you in this task:

The Historic Environment in Local Plan - Good Practice Advice in Planning 1
<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/>

HE Good Practice Advice in Planning 3 – the setting of heritage assets :(Dec 2017)
<https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets.pdf/>

The Historic Environment and Site Allocations and Local Plans - Advice Note 3
<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>

HE Advice Note 8 - Sustainability Appraisal and Strategic Environmental Assessment : <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/> (01 Dec 2016)

Concluding thoughts

Should you wish to provide us further information to help us assess whether an SEA is actually needed or wish to discuss any of the above comments in more detail, please do not hesitate to contact me.

Finally, we should like to stress that this opinion is based on the information provided by you within your e-mail dated 25th March 2022. To avoid any doubt, this does not reflect our obligation to provide further advice on the SEA process and, potentially, object to specific proposals which may subsequently arise as a result of the Jaywick Sands Design Guide SPD where we consider that these would have an adverse effect upon the Historic Environment. The views of other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA update is made.

Yours sincerely,

Andrew Marsh BSc MA MRTPI
Historic Environment Planning Adviser



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