

**Responses to representations received on the Rochford Environmental Capacity Study (April 2015)**

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<b>Natural England</b>			
1.1	EC Report	Natural England considers that the coverage of the issue of recreational disturbance to wildlife, particularly the wintering bird interest features of the SPA and Ramsar sites, is perhaps a little too simplistic. We would have preferred to see more consideration given to such issues as the factors governing recreational choices, particularly by dog-walkers, and mechanisms by which the potential impacts can be mitigated (eg through the provision of suitable attractive recreational spaces closer to the new development). With this exception, Natural England is satisfied that the Environmental Capacity Study adequately addresses all of the issues relevant to our statutory remit.	<p>Noted. The study provides a high level consideration of constraints and potential capacity of the environment to accommodate further development. The findings will help the Council to identify areas for further study and more detailed consideration. The study is a piece of evidence that will help to inform decision-making.</p> <p>Some further narrative will be included within Section 6 to set out some of the issues that govern recreational choices as well as the mechanisms by which potential impacts can be mitigated.</p>
<b>Historic England</b>			
2.1	People Theme – Para 7.57 and Tables 7.3a-d	In terms of the draft Environmental Capacity Study for Rochford, we welcome the inclusion of the historic environment as a key topic and reference to historic environment character areas and zones. However, the combining of landscape, recreation and cultural heritage into one 'people' theme runs the risk of underplaying the importance of heritage assets when assessing overall sensitivity, significance and capacity. This is perhaps demonstrated by paragraph 7.57 and the limited reference to the historic environment as key issues arising from the baseline information, as well as the assessment in Tables 7.3(a) to (d) (see below).	<p>Noted. As an environmental capacity study it was considered important to ensure that interrelationships were given appropriate consideration. Heritage has links to a number of other topics as it can be affected by housing and employment, as well as the natural environment and climate change and flooding. The protection and enhancement of heritage assets can also have indirect positive effects on communities and health.</p> <p>The study does not seek to underplay the importance of heritage but rather tries to ensure that the interactions and key links between the various topics/constraints are given appropriate consideration.</p>
2.2	Para 7.41	We would like to clarify in paragraph 7.41 that there are six scheduled monuments in Rochford and 17 Grade II* listed buildings.	Noted and agreed.
2.3	Figure 9	Figure 9 appears to show all six monuments as well as Grade II*	Noted, however this is not considered of significance

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		buildings, although it is difficult to distinguish between Grade II* and Grade II buildings due to the colours used.	given the strategic, high level nature of the study.
2.4	Maps	It would be helpful to map the historic environment character areas and zones to see how they correlate with other datasets.	Noted. A link to the Historic Environment Characterisation Project is provided in Para 7.42, Footnote 86, which allows any interested parties to view maps of the areas/zones.
2.5	Para's 7.26 and 7.27	In paragraphs 7.26 and 7.27 there is an overemphasis on poor quality development in the South Essex Coastal Towns area, when there are a number of heritage assets including conservation areas within the town centres.	Noted and disagree. There is only one reference to poor quality development in Para 7.27 and this arose from a piece of evidence, the 2003 LCA.
2.6	Table 7.2	In terms of effects of development, Table 7.2 correctly refers to impacts on heritage assets, although it could refer to NPPF terms such as significance and harm (see paragraphs 126-141 of the NPPF).	Noted and agreed.
2.7	Tables 7.3a-d	Tables 7.3(a) to (d) take a landscape character area approach to the overall theme, with the historic environment forming part of each landscape area. While this approach helps to provide a coherent geographical unit, it does not carry out a proper assessment of the significance of heritage assets and the potential for impacts on that significance (see the above advice notes for further guidance). We have not been able to assess the findings of Tables 7.3(a) to 7.3(d) in any detail, but would caution against any definitive conclusions regarding historic environment impacts without further assessment of significance and setting. While the tables refer to conservation areas and archaeology, there is no reference to listed buildings or scheduled monuments and it is not clear how these features have informed the assessment.	<p>Noted. The study provides a high level consideration of constraints and potential capacity of the environment to accommodate further development. The findings will help the Council to identify areas for further study and more detailed consideration. The study is a piece of evidence that will help to inform decision-making.</p> <p>More detailed consideration of the significance of heritage assets and the potential for impacts on that significance will be carried out at a lower level of plan-making and assessment.</p> <p>References will be provided to the Historic England guidance documents and references to listed buildings and scheduled monuments will be included, where necessary, in Tables 7.3a to d.</p>
2.8	Conclusions	We note the conclusions that the district has limited environmental capacity for additional housing development. In locations where there might be scope for development, we would expect any detailed site	Noted and agreed.

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		specific studies of capacity and cumulative impact to include the historic environment as a key topic.	
<b>Essex County Council Historic Environment Team</b>			
3.1	Table 7.3b	Table 7.3b lists the HECZs in the summary (p81) but does not then mention any impacts for the Historic Environment. All the other tables do.	Noted and agreed. The table will be amended to take account of this representation.
3.2	Section 8	Chapter 8 Synthesis only makes a very brief reference to Historic Assets for the South Essex Coastal Towns. Despite Historic environment assets being assessed for all the landscape areas, this is not reflected in the synthesis, which seems strange particularly as two of the areas have been assessed as having high sensitivity for the historic environment. The synthesis needs to reflect this.	Noted and agreed. Section 8 will be updated to reflect this representation.
<b>RSPB</b>			
4.1	Pg 45-47	The RSPB welcomes the detailed policy context on pages 45 to 47. We note that the Natural Environment and Rural Communities (NERC) Act 2006 has been referenced in paragraph 6.27 (page 53), but we recommend that this also be mentioned in the Policy Context chapter too. This would further identify and capture the range of species and habitats afforded protection by it.	Noted and agreed. The NERC Act 2006 will be included within the policy context.
4.2	Para 6.14	We note the comments in 6.14 (page 48) regarding the lack of information on the current conservation status of individual European sites. Where these overlap with Sites of Special Scientific Interest (SSSIs) there will be Condition Assessments information that could be drawn upon. The RSPB would expect Natural England to hold the relevant information.	Noted. The condition status of SSSIs within the District are provided in Table 6.4.
4.3	Para 6.14	In addition, it would be useful to tabulate or clearly reference the vulnerabilities of European sites. The vulnerabilities and threats are captured within Natura 2000 Standard Data Forms, assessments of Favourable Conservation Status and the recent Site Improvement Plans produced by Natural England. This would provide clarity on the type of information required to understand future impacts on such sites and the measures required to ensure adverse effects on site integrity are avoided.	Noted and agreed. Appropriate references will be provided to the now published NE Site Improvement Plans. A brief list of sensitivities or vulnerabilities will also be provided.
4.4	Table	Recreational pressure and predation have been identified as two key	Noted, a reference will be made to recreational

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	6.3	threats for breeding little terns (table 6.3 on page 49). Whilst we appreciate that this table relates to a high level report, we feel that it is important that these factors are clearly identified here in the last column. Management at Wallasea has included habitat creation to benefit breeding little terns, whilst historically Foulness supported a colony of 360 pairs <sup>2</sup> . The Council therefore must take steps to ensure the species is protected fully. Little tern is one of the rarest breeding seabirds in the UK and requires coordinated management action to maintain it.	pressure and predation in Table 6.3.
4.5	Para 6.18	The information provided in paragraph 6.18 (page 50) regarding the hen harrier relates to their UK breeding population. The Special Protection Areas (SPAs) within Rochford are designated for their wintering population only. This should be amended for accuracy.	Noted and agreed. Para 6.18 will be updated to reflect this representation.
4.6	Para 6.21	The RSPB is pleased to see this subject recognised in paragraph 6.21. There is further opportunity here to recognise the Environment Agency's Shoreline Management Plan and to map areas for potential management realignment or regulated tidal exchange. Coastal squeeze is a concern for saltmarsh and other coastal habitats that support breeding and wintering waders, wildfowl and raptors that are protected species and/or features of sites of European and national importance. Ensuring that local policy is suitably strong to manage the coast effectively in the future is essential.	Noted.
4.7	Para 6.27	The state of the UK's birds 2014 identifies a range of species of conservation concern including those identified in the Essex and Rochford Biodiversity Action Plans (BAPs) in paragraph 6.27 on page 53. However, there are a few bird species of conservation concern that the RSPB consider should be added to the list. These are: corn bunting, lapwing, turtle dove and yellow wagtail. These species are the focus for the RSPB's work with landowners and should be target species for benefits from agri-environment schemes. For example, we have already lost 96% of the UK breeding turtle doves and there is a real risk that it could be lost as a breeding species within the next ten years. Understanding the distribution of these species of conservation concern will provide the council with information to help decision-making on additional housing requirements referred to in paragraph 1.2 (page 6)	Noted. This report will be updated to reflect this representation.

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		and measures that could be implemented to make a real difference for these species. The RSPB in conjunction with the Essex Birdwatching Society conducted a county-wide survey for corn buntings in 2007/4, which is being repeated this year (2015).	
4.8	Para 6.29	The Wallasea Wild Coast project sits within the Greater Thames Futurescape and will cover over 600 hectares when completed. Overall, this landscape-scale conservation initiative covers an area from the inner Thames to Margate in the south and beyond Clacton in north Essex. This project aims to deliver large scale habitat creation and species conservation, whilst providing an attractive and inspirational area for people to visit. The RSPB recommends that this be included in paragraph 6.29 on page 54 given the contribution it will make to local ecological targets and social benefits.	Noted and agreed. Para 6.29 will be updated to reflect this representation.
4.9	EC Report	<p>The RSPB is keen to emphasise the multi-functional benefits of GI to biodiversity, amenity, recreation and health and wellbeing and the need to consider GI in urban design and demonstrate how GI and green and open spaces could link to the wider GI network and interlink with access, the landscape and biodiversity. An example of good practice can be found in the Exeter Residential Design Guide from which the RSPB recommends the following objectives:</p> <ul style="list-style-type: none"> <li>■ to promote the conservation and wise use of land and protect and enhance the landscape character of the district</li> <li>■ to conserve and enhance the biodiversity of the district</li> <li>■ to maintain a high quality environment in terms of air, soil and water quality.</li> </ul>	Noted. The importance of and potential positive effects of green infrastructure are mentioned throughout the report.
<b>Basildon Borough Council</b>			
5.1	EC Report	<p>The approach taken to assessing the capacity of the environment to accommodate growth by looking at the different constraints appears reasonable. However, we are of the view that three main issues can be identified, which need to be addressed to improve the robustness of the report:</p> <ul style="list-style-type: none"> <li>■ The scale of the evidence reviewed in some instances;</li> </ul>	Noted.

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		<ul style="list-style-type: none"> <li>The assumptions applied to development; and</li> <li>The approach taken to mitigation within the report.</li> </ul>	
5.2	EC Report Evidence Base	<p>This primarily relates to evidence associated with landscape issues. The evidence base relied upon is extracted from higher level landscape appraisals, and only provides an overview of wider character areas within Rochford District. No detailed consideration has been given to landscape character areas at a more local level, and as such any conclusions can only be very high level as they exclude wide areas of the borough where some discrete development opportunities may exist, and equally direct development towards other areas where some landscape features may require protection. It is also noted that the landscape evidence relied on is somewhat dated, although given its high level nature, this is unlikely to be an issue as change is unlikely to have affected the general landscape characteristics of these wider areas. Work to resolve this issue is likely to take some time, however a more detailed review of the landscape character within Rochford may be an appropriate recommendation of the report, given the issues with the existing evidence being relied upon.</p>	<p>Noted. The study provides a high level consideration of constraints and potential capacity of the environment to accommodate further development. The findings will help the Council to identify areas for further study and more detailed consideration. The study is a piece of evidence that will help to inform decision-making. Further detailed landscape and visual assessments at a local level were outside the scope of this high level study.</p> <p>It should be noted that the report does not state that development should not occur in areas of high constraint. This will be dependent on further detailed studies at a local level. Conversely, an area of low constraint does not mean that development is acceptable within that area.</p>
5.3	EC Report	<p>As a general comment, the report tends to focus on the negative implications of development. There is limited reference to the positive opportunities that can arise from development. For example, there is no legal requirement for landowners to protect and improve Local Wildlife Sites. Nearby development can be used to bring these areas under management, achieving a net gain in biodiversity. Another example is the provision of public open space within development sites. This brings land into public use which would otherwise remain inaccessible.</p>	<p>Noted. The potential opportunities provided by development should be made clearer.</p>
5.4	Para 8.23	<p>As a more specific comment, a conclusion is reached with regard to the ability of Rochford District to accommodate housing growth in the future at paragraph 8.23 without sufficient information to justify such a conclusion. There is no conclusion arising from the assessment on the likely amount of land that may be available for development purposes. Furthermore, there is no information presented on the expected densities of development that could be achieved on development</p>	<p>Noted. This is a strategic level study and as stated in Para 8.23, the findings are subject to review and would need to be confirmed through more detailed and site specific studies as well as further technical work, such as the updated Strategic Housing Land Availability Assessment.</p>

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		sites. Without this type of information it is not possible to reach the conclusion presented.	
5.5	EC Report	It is also assumed that any development that is delivered, will be small scale development on the edge of existing settlements. It is unclear as to how this spatial approach to the distribution of development arose from the study, or whether other spatial approaches have been considered. Consideration should be given to other spatial approaches, because whilst it is recognised that small scale development may have less visual impact on the environment, it is not able to contribute as effectively to the transport related issues raised. Other approaches may present opportunities to deal with the environmental capacity issues in a more proactive way.	<p>Noted. This is a reasonable assumption to make given the historic distribution of development in the District and the proposed spatial distribution of future growth set out in the adopted Core Strategy. The Council will give consideration to all reasonable options for the quantum and spatial distribution of development based on available evidence, including updated Strategic Housing Market Assessments, Strategic Housing Land Availability Assessments and other technical studies, including landscape assessments and transport modelling.</p> <p>The findings will help the Council to identify areas for further study and more detailed consideration.</p>
5.6	EC Report	There are mentions throughout the report of mitigation. However, these are buried within the text and not adequately highlighted either in the summary boxes at the end of each section, or within the conclusions and recommendations. Given that there are existing issues with flood risk and air quality for example, and given that there is pressure for Rochford to accommodate some additional development going forward, more focus should be given to the mitigation that should be delivered to improve, or provide environmental capacity. This information will not only assist with the identification of development capacity, but will also enable Rochford District Council to draft a more robust list of infrastructure (inc. Green Infrastructure) requirements to be delivered alongside any new development.	Noted and agreed. Potential mitigation measures could be made clearer within the report.