

# Adoption Statement

The Town and Country Planning (Local Planning) (England)  
(Coronavirus)(Amendment) Regulations 2020

Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy  
Supplementary Planning Document (Essex Coast RAMS SPD)

This adoption statement gives notice that Southend-on-Sea Borough Council (SBC) adopted its Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (Essex Coast RAMS SPD), in accordance with the above regulations, on 29 October 2020.

The Essex Coast RAMS SPD focuses on the mitigation that is necessary to protect the wildlife of the Essex coast from the increased visitor pressure associated with new residential development in combination with other plans and projects, and how this mitigation will be funded. The RAMS SPD sets out the guidance to be followed in the determination of planning applications and formalises the arrangements for securing the developer contributions for new qualifying residential development.

The draft Essex Coast RAMS SPD was published for public consultation between 10 January 2020 and 21 February 2020 in accordance with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). A number of modifications have been made to the Essex Coast RAMS SPD in response to the consultation and to ensure that the adopted SPD is up to date. The modifications include:

- A glossary and list of acronyms and a description of what they mean is now included at the beginning of the SPD;
- A clearer description of how overheads and other costs have been identified within the RAMS mitigation package;
- The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than
- 'Wildlife' to make it clearer from the outset as to what type of wildlife the RAMS and the SPD is primarily seeking to protect;

- More recognition of the South East Marine Plan and the East Inshore and East Offshore Marine Plans which, when adopted, will become part of the statutory Development Plan for the relevant Councils
- An amendment to include reference to fishing / bait digging to paragraph 2.2 is proposed;
- Reference to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA' is proposed;
- Previous maps replaced with higher resolution images;
- Additional clarification within Paragraph 3.7 making the SPD more explicit regarding proposals for single dwellings being subject to the RAMS tariff;
- More explanation of requirements of development proposals in regard to statutory HRA
- procedures and on-site mitigation, and that the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations;
- More justification for the inclusion of C2 Residential Institutions and C2A Secure Residential
- Institutions as being liable for tariff payments;
- Inclusion of the National Planning Policy Framework (NPPF) within the 'useful links' section;
- Clarification that non-residential proposals are exempt from the tariff;
- Amendments to the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended to reflect the Outer Thames SPA designation;
- Clarification on the requirements for project-level Habitat Regulations Assessment (HRA) and Appropriate Assessment (AA) of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only;
- Clear explanation that the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites;
- Removal, from the relevant map in the SPD and RAMS Strategy, all areas of Suffolk from the Zone of Influence;
- Clearer explanation of the relationship between the effects of a population increase resulting from net new dwelling increases;
- Clarification that ways of paying the tariff contributions varies between partner Councils;
- Reference to the governance arrangements for the RAMS including the Project Board and Essex Coastal Forum;

- Clarification that the RAMS monitoring framework will be agreed on appointment of the project Delivery Officer; and
- Clarification the RAMs tariff does not apply to student accommodation in Chelmsford.

More details on the modification made to the SPD can be found in the 'You Said, We Did' Feedback

Report available at <https://essexcoast.birdaware.org/article/31618/Our-Strategy--SPD>

In accordance with Regulation 36A (1) (a) and (b)<sup>1</sup> and Regulation 36B<sup>2</sup> of the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020, the Essex Coast RAMS SPD and this Adoption Statement have been made available to view on the Council's website at [www.southend.gov.uk/rams](http://www.southend.gov.uk/rams).

Paper copies will be made available as soon as practicable once the following locations are re-opened. Please note that some of the following locations are currently closed, in line with the latest government advice regarding Coronavirus, and normal opening hours of these locations may be subject to change once they reopen. You are advised to check the web links below to see the latest status regarding opening hours.

Southend Borough Council offices, Monday to Friday between 8.45am and 5.15pm, by appointment

(please contact [debeeskinner@southend.gov.uk](mailto:debeeskinner@southend.gov.uk) or 01702 215408), All Southend-on-Sea libraries (please contact each directly for latest opening restrictions). For latest opening restrictions due to COVID-19 please visit <https://www.southend.gov.uk/coronavirus>

If any person is aggrieved by the Essex Coastal Recreational disturbance Avoidance and Mitigation

Strategy Supplementary Planning Document then they may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that the document is not within the appropriate power and / or a procedural requirement has

---

<sup>1</sup> New regulation 36A(1)(a) modifies regulation 35(1) of the 2012 Regulations so that a document will be taken to be made available by a local planning authority under the 2012 Regulations when it is published on the authority's website. The modification removes the requirement on a local planning authority to make the document available for public inspection at the authority's principal office and at such other places as the authority considers appropriate. New regulation 36A(1)(b) modifies regulation 36 to remove the requirement on a local planning authority to provide hard copies of documents made available under regulation 35.

<sup>2</sup> New regulation 36B makes transitional provision in respect of documents which are made available in accordance with regulation 35(1)(b) of the 2012 Regulations (on the local planning authority's website) during the relevant period [31<sup>st</sup> December 2020] and which continue to be made so available after the end of that period. It provides that, as soon as reasonably practicable after the end of the relevant period, the local planning authority must also make the document available in accordance with regulation 35(1)(a) until the authority ceases to be required to make the document available under the 2012 Regulations.

not been complied with. Any such application must be made promptly, and in any event, no later than Friday 11<sup>th</sup> December 2020. Please note this statement provides notification of adoption only and does not represent a further stage of consultation. For further information please contact the Planning Policy team on 01702 215004 or email [planningpolicy@southend.gov.uk](mailto:planningpolicy@southend.gov.uk)

A copy of this Adoption Statement will be sent to all parties who have asked to be notified of the adoption of the Essex Coast RAMS SPD.