

Little Oakley Parish Council

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Minutes of the Extraordinary Meeting of the Parish Council held on Tuesday 6th February 2024 in the Millennium Room, St Michael's Church, Ramsey starting at 7:00pm.

Emma Haward

Clerk and Responsible Finance Officer

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Present: Cllrs Attrill (Chairman), C Aubrey, J Aubrey, Coates, Harbour, Lane, Pearce and Sanderson.

Also in attendance: District Cllr Bush, Emma (Clerk/RFO)

Members of the Public: There was two members of the public present.

23/119 Public Announcements

There were no public announcements.

23/120 Apologies for Absence

Apologies were received from Cllrs Griggs and accepted by all.

23/121 Declarations of Interests

There were no Disclosable Pecuniary Interests or Personal Interests.

23/122 Public Speaking

A representative from the British Divers Marine Life Rescue spoke in relation to the aforementioned application. Common and Grey seals currently reside in the backwaters, and there have been a large number of grey seal pups from the offshore banks coming ashore. Numbers of seals in the backwaters have increased dramatically in recent years and the Hutchisons data is out of date. Nuisance offences were bought in last year if a person was to harm or kill seals. It is unknown whether these cases are pursued.

A viewing watch has been proposed on the intertide zone as part of the application however, this is not believed to be sufficient for the number of seals located in the backwaters.

The representative wrote to Hutchisons proposing a rescue centre to mitigate the issues for which would result in significant costs.

It was requested by a member of the public that LOPC put out a press statement closer to the planning committee date.

23/123 Planning application 21/02144/FUL - Land to The South East of Foulton Hall Harwich Road

Little Oakley Essex CO12 5JA - *Proposed removal of vegetation, localised removal of topsoil, construction of a seawall, associated borrow dyke system and wave breaks and managed realignment of coastal flood defences by breaching of the existing seawall to create estuarine and coastal habitat comprised of approximately 76ha of intertidal mudflat, approximately 19ha of intertidal mudflat/saltmarsh transition, approximately 10ha of saltmarsh, approximately 5ha of sand and shingle and approximately 7ha of fresh/brackish water borrow dykes, together with associated engineering (including diversion of footpath), drainage and earthworks.*

The Parish Council discussed the updated planning application and it was proposed by Cllr Attrill and seconded by Cllr Harbour and RESOLVED to agree the following response thereto:-

The main focus of Little Oakley Parish Council's (LOPC) comment at this stage relates to the loss of the footpath along the top of the sea wall, access from Little Oakley to Irlams Beach and the proposal for an activity shelter in addition to the viewing platforms. These issues relate to local amenities and the impact on the local community which we serve. We are aware of and support the many individual objections and those from concerned organisations (eg British Divers Marine Life Rescue) which relate to consequential loss of habitat, silting up of the Walton Backwaters and the impact on the local seal population.

Loss of the footpath along the top of the sea wall

LOPC do not accept that the diverted PROW should be sited at the base of the sea wall, on the landward side, thus denying walkers expansive views of the landscape and the sea which can be enjoyed from the existing route.

The RSPB reserve at Wallasea to which we have previously referred as a comparable site and where the footpaths are on top of the sea wall, **IS** a compensation site and is considered within the Defra and Natural England report "[Review of the Effectiveness of Natura 2000 Sites Compensation Measures in England](#)" 2016 *. We can find no evidence, within that report or elsewhere, which identifies that walkers on top of the sea wall will disturb the birds using the surrounding habitat. On the contrary, the successful development of sites such as Wallasea or Trimley in Felixstowe indicates that the presence of walkers on top of the sea wall does not disrupt the successful development of the compensation site. The RSPB's approach is unnecessarily cautious.

Loss of access from Little Oakley to Irlams Beach

Whilst the retention of access to Irlams Beach is a welcome development, we are concerned that as the access will be along a permissive path, and the statutory protection previously afforded to the route as a PROW will be lost. There is a risk that the path will not be maintained to provide continuing access and could be closed at any time. LOPC propose that appropriate conditions be attached to any planning consent, if passed, identifying responsibility for the upkeep of the permissive paths and ensuring that they remain open.

We are very concerned that it is proposed that the impact of public access will be monitored. The Review previously referred to states: "Inter-seasonal variation in waterbird numbers means that it is extremely difficult to disentangle issues arising from habitat loss and replacement from natural variation". Any variation from the anticipated use of the new habitat may therefore not be caused by public access, but could conveniently be blamed on it. Furthermore, against what metric is the "potential disturbance" to be measured? Are more birds expected to use the new site? A decline in numbers has already been noted in the existing site so is it reasonable to assume numbers will continue to decline? Or not? It appears that the monitoring will be entirely subjective and that those undertaking the monitoring are likely to err on the side of caution and we fear will act against the interests of the local community.

Additional infrastructure

During the consultation process LOPC have consistently indicated that they do not want additional infrastructure to be added to the site. The comparative wilderness of this area is what makes it particularly appealing.

It is therefore disappointing to note that in addition to the viewing platforms, which would be unnecessary if the PROW is sited on top of the sea wall, an activity shelter is now proposed which will introduce infrastructure where none existed before. Who will maintain it? There is a concern that it will degrade quickly, be liable to vandalism and become an eyesore.

Additional observations

LOPC would also like it put on record that, as evidenced in the findings of the above Defra and Natural England report, the Little Oakley managed realignment site will probably only meet its design objectives in the short- to medium-term. Academic studies have shown that mudflat within realignment sites are not sustainable and normally develops in to saltmarsh.

Little Oakley Parish Council therefore maintain their OBJECTION to this application.

** <https://www.humburnature.co.uk/admin/resources/13694wc1076finalreport-1.pdf>*

Date, Time and Venue of Next Meeting

Full Council Meeting, Wednesday 14th February 2024, Millennium Room, St Michaels Church, Ramsey at 7.00pm.

Meeting concluded at 20:09 pm.