

CALL FOR A HEALTH IMPACT ASSESSMENT (HIA) FOR THE LOCAL COMMUNITY SURROUNDING THE LEAS PAVILION DEVELOPMENT SITE, FOLLOWING SUBMISSION AND APPROVAL OF CMP

To FHDC, KCC Highways, Gustavia, FLC, and everyone else involved directly or indirectly with the Leas Pavilion development: -

On behalf of the residents surrounding the Leas Pavilion; given the reality of the problems and anxieties that have already been experienced and the potentially massive difficulties to come, we call again for a Health Impact Assessment (HIA) to determine the short and long term effects of this major development upon the existing local community.

Before construction has even begun, there have already been significant detriments to the community; causing inconvenience, distress and dangers to life and property. There have also been a series of arbitrary and contradictory decisions by planning and highways officers; often without proper expert knowledge or effective consultation. The situation is both chaotic and confused. We have many elderly, disabled and partially sighted people in this community, who are living in constant uncertainty and fear and many are struggling to cope with the situation. Some people are actually having to consider moving. They feel that their concerns have been largely ignored. There is dismay and resentment within the existing community, with genuine fears about the chaos it will cause, and is already causing. There is an overwhelming feeling of uncertainty. Moreover, the construction plan just exacerbates the situation, as it completely unworkable without severely disrupting the local area and seriously blighting the lives of the existing residents.

AVOIDING A HEALTH IMPACT ASSESSMENT

The policy HW2 criteria for “improving the Health and Wellbeing of the Local Population and Reducing Health Inequalities” (so greatly needed on this particular project), has been avoided on a technicality of being 9 units under the required threshold. The HIA was bypassed with the contention that 100 units is required for an assessment whereas this construction only has a proposed 91 units. So how does one ascertain the definition of a unit? Is this measured by dimensions or just flat numbers? If this is the case, then when the flats are huge, this could potentially be the equivalent of say 150 units where the flats were smaller. This development is a huge construction of 91 large flats (aka units). Thus it appears to the residents that it’s been set up like this to deliberately avoid the need for an HIA. And despite the health impacts being pointed out on the portal at planning stage, being sent to the local government ombudsman, being sent on a number of occasions to FHDC planning and parking, KCC Highways and the developer; they have been brushed aside as simply material considerations with indifference and a glaring lack of duty of care.

THE NEED FOR A HEALTH IMPACT ASSESSMENT

With the instigation of such a massive and forced change to people’s lives, and the issues surrounding it; surely it’s essential to hold a proper and effective HIA to mitigate for these changes, and address the health and well-being of the existing community before embarking on such a huge construction project? For many in the community, their physical and mental health are already being compromised. Even if not ‘technically’ required, surely an HIA is the sensible, responsible and moral thing to do?

As a planning condition, the Construction Management Plan (CMP) was imposed on the developer by FHDC to “ensure a suitable means of construction, ensure highway safety and to protect the amenity of neighbouring residents”. **The community does not feel safe with the construction, nor with highway safety; and nor do we feel that our amenities are being protected.**

HEALTH IMPACTS

1. Dangerous roads and pavements surrounding the site: -

The situation regarding the roads and pavements surrounding the Pavilion has already caused chaos, damage and danger to life and the plan moving forward will only exacerbate the situation. We have recently heard from a senior development planner at KCC, who has stated: - *It is fair to say that access to and around this site is less than ideal. The historic road widths and rather random narrow and missing sections of footway are really not helpful to anyone, especially when part of this network is further restricted.*

He acknowledged other problems we are facing; essentially demonstrating that the plan really isn't fit for purpose. **See Appendix 1: Roads and Pavements.**

2. Lack of parking provision, especially for blue-badge holders: -

There was already a problem with parking provision on The Leas before there was even a mention of the Leas Pavilion proposals. I wrote to the council (parking department) in January 2019 about how difficult it was becoming to park on The Leas, even with a permit or a blue badge. This correspondence was ignored.

After the planning proposals were published, people were warning on the portal about parking chaos and lack of provision in the area; especially with the loss of the car parks. There are many disabled people living within the local community with blue badges, who need to park close to their homes. Now not only are the car parks gone and it's becoming very difficult to ever find a space, the intention is now to remove more parking bays from The Leas and create a most difficult situation. People have started to not go out unless absolutely essential, for fear of losing their precious space. This is clearly not a healthy state of affairs. There are health repercussions in not providing enough provision for the vulnerable and disabled. This is why these issues are enshrined in law. And surely this demonstrates even more clearly the need for a HIA?

See Appendix 2: Parking Provision.

3. Loss of light and panorama for people with serious visual impairments: -

The planning case officer's report analysed the potential impact on both No.1 The Leas and Priors Lees and concluded, *“due to the location of this development, and its orientation it is not considered that there would be any mutual overlooking, any creation of a sense of enclosure or loss of sunlight/daylight... There would undoubtedly be a change in outlook, particularly for the residents of No.1 The Leas, but this in itself is not a ground to refuse”.*

In this ‘consideration’ did the planning case officer seek proper expert opinion regarding sense of enclosure or loss of sunlight/daylight? Did she actually look in to problems surrounding sight-impairments and get medical advice before reaching her conclusion?

I have asked this question 4 times now and nobody has replied. There are many within this community with serious sight issues. We have people in our building with macular degeneration and my own wife has serious uveitic glaucoma. We personally came to live on the Leas 6 years ago, specifically for my wife's eye health. The clarity of light and the large panorama + the fresh sea air were the main factors in regard to this.

The loss of light aspect and sunsets will have a major health impact upon my wife, as the panorama of light and view is vital for her particular visual impairment. The same would apply to those suffering from other visual impairments, thus many people's health will be affected.

Furthermore, why did the case officer say that there will be no mutual overlooking when the building will be 9 storeys? How can this possibly be true?

I have also pointed out that stress exacerbates glaucoma. This has been documented and put in writing by our Doctor's and surgeons and sent to FHDC and the developer, only to be ignored. **In view of the number of visually impaired people within this community, we call for an HIA to ascertain the problems and what can be done to mitigate or at least compensate.**

Whilst we recognize that there is 'no right to a view' under current legislation, it has become obvious that planners and developers are using this 'flaw in the law' so to speak, to completely disregard the needs of people they are building adjacent to. The lack of consideration has become intolerable and this development is a prime example where the needs of the existing community have been completely ignored. **Hence the need for an HIA.**

My wife and I run an online charity resource called Glaucomarize.org, for people all around the world suffering from glaucoma and other sight impairments. We have compiled an article regarding visual panorama and light aspects for those with sight impairments.

See Appendix 3: The Big Sky

or online at <https://glaucomarize.blogspot.com/2022/01/the-big-sky.html>

4. Dangers of dust and overheating

To avoid all the dust (and the noise) from this construction, people in our building facing west will need to close their windows during the day. Especially as the prevailing wind is South-West. Therefore if the windows are open, the dust will blow straight in the windows, as our building overlooks the proposed development and is only a few yards away. Moreover, as the sun shines powerfully through the windows during the height of the day, this will be absolutely intolerable and could actually result in heat stroke. In the recent heatwave, it was very challenging – particularly for the elderly and disabled members of our community.

To mitigate for this heat, blinds and curtains will need to be closed in the daytime. People will then be deprived of light and air during the day and will be way too hot. **This is a potentially life threatening health impact.** There are also people with lung conditions in this community who could be dangerously impacted by this dust and heat. Our Doctors have written expressing grave concerns regarding these health impacts – particularly breathing and respiratory. And despite being pointed out on a number of occasions, the council and developer have chosen to ignore these serious issues, brushing them off as being mitigated for in the construction plan. These are serious and neglectful oversights. Our concerns are NOT melodrama. They are an honest appraisal of the situation and for **this alone there needs to be an HIA.**

5. Loss of peace and quiet

This will obviously be a very noisy construction, going on all day and everyday (except Sundays) for over 2 years. See above regarding the closure of windows. As well as the sea air and clarity of light, many folks moved here to retire, (in many cases to convalesce) and for the wonderful peace and quiet. And like many folks here, my wife and I are no exception. We currently enjoy peace, tranquillity and the sound of the sea. In our case, we work from home and I personally run a small music studio. So in our case, I will no longer be able to work effectively in the day. There are others who work nights, so they will have trouble sleeping. Moreover, as they intend to build on Saturday

mornings, we will lose the peace and quiet of the weekend. Even when the beach development below us has been rather loud, we were consoled by the fact that on a Friday at 5.30pm, all noise stops, peace is restored and the weekend begins. This is something else that is being taken from us. Something actually very important for folk's well-being. Most of us came here for peace and quiet and peace of mind, many retired. What price peace of mind? Well at least if an HIA were held (even at this late stage), these issues could be addressed, even if they can't be entirely solved. To ignore these problems without further examination and consultation, is to condemn the existing community to chaos and danger, coupled with anxiety and stress.

6. Mental and Physical Health and Well-Being

For my friends and neighbours representing our community, it has been most perplexing as to why our worries have been constantly disregarded and actually just brushed off as "material considerations". There has been a constant and wearisome pattern of being ignored, misleading information and changes without consultation. It really upsets people and affects their minds and well-being. Especially as this is accompanied by a feeling of helplessness, with life-changing decisions being made without proper deliberation, nor indeed effective consultation. The fiasco over the tree that everyone was told by FHDC was saved, only to find out that it was to be destroyed after all and nobody actually in the end had a say. Does anyone making these decisions ever stop to think of the repercussions on people's well-being? After all this is our little community and that tree meant a lot, as we are a conservation area. It was symbolic of at least something that would remain. The community have felt that they were misled. If local decisions being made by officers actually made sense, more people would be accepting and not constantly having to query the decisions.

Dealing with the councils and developers over these matters has taken up massive amounts of time, impacting heavily on people's working and social lives. This in turn is already taking its toll on people's mental and physical well-being. Folks are exhausted after such a long pandemic, but here we are doubly tired and weary; trying to get a workable plan put in place and accountability from the very people (i.e, our local councils) who we should be able to rely on and trust to look after our existing community, as well as looking after the developers' interests.

I personally know many people in this community, and I can absolutely confirm that events are taking their toll on the mental and physical well-being of many. And there are many residents in this area in high-risk groups. It certainly feels like this also for my wife and I. And folks are tired, stressed out and scared that their way of life is about to be taken from them. Fear, stress and anxiety are now recognized as 'killers' and there have been many initiatives put forward regarding this in recent times. Protection of vulnerable groups is enshrined in law in the Equality Act, the Disability act and in the council's own codes of practice. **These are further reasons for an HIA.** We have contacted our local GP surgery, where our Doctors are concerned not only about our health and well-being, but also the whole community. We received a letter which ended:-

"I hope you can appreciate the impact on existing residents of areas where major building works are planned and will do your best to mitigate this." This mitigation can only be properly planned and assessed by conducting an HIA.

Finally, we respect that there is development everywhere, and that people don't always agree or accept the decisions of planning officers or developers. But the health and well-being of the existing community must be treated as a higher priority. So we call again for a proper HIA and a review of the CMP – especially the highways and pedestrian chaos.