

Outline objections to the Preferred Options Local Plan, Colchester Borough Council (published July 2016) Prepared by John Akker MBE, 10 September 2016.

1. “West Mersea is considered to be a sustainable location for some housing growth. There are currently approximately 3,200 dwellings in West Mersea. The preferred sites could deliver an additional 350 houses over the local plan period. This equates to an existing increase in the number of dwellings, a level that reflects the availability of existing facilities and services.” Source: Preferred Options Local Plan 6.217.

The number of 3,200 dwellings in West Mersea is incorrect. The actual number as provided on 30th August 2016 by CBC Council Tax Department is 3,580. The number of dwellings shown on the CBC website as at 7th September 2016 is 3,573. Both statistics provide that there are over 350 more dwellings in West Mersea than stated in the CBC Local Plan.

The current number of dwellings meets that which CBC says is sustainable. There is therefore no margin for a further 350 houses to be built within West Mersea and the number that CBC state is sustainable. Accepting the logic put forward by CBC the provision of a further 350 dwellings would place further pressure upon existing structure and facilities.

On any basis this shows that the statistics used by CBC are in error. However, this is further aggravated in that no allowance has been made beyond this. Mersea Island is one community. There are 116 dwellings in East Mersea (source CBC Website, 2nd September 2016). There are 1,481 static caravan sites licensed (sources CBC). There are house boats moored at West Mersea. There are 275 touring caravan pitches. All use the facilities in West Mersea.

It is maintained therefore that it is not reasonable for CBC to use 3,200 dwellings for planning purposes. It cannot be right to compare West Mersea with sites which do not have a temporary population. By any measure the facilities and infrastructure on Mersea is placed under considerable strain for many months of the year. Can CBC provide any evidence that it has taken account of this? How can the Mersea figure equate the same dwelling unit as used in such places at Marks Tey? It will be put to proof in due course that this was addressed in the preparation of the Local Plan.

The Local Plan is deficit in my view regarding another serious matter. The Local Plan provides for expansion of caravan sites. It does not link this with the statement that a further 350 dwellings are sustainable. Some of the caravan sites are very substantial in character. Does it not think that there is a connection there? There is no recognition within the Local Plan that caravan sites are being occupied for many more months than previously. Twelve-month licencing of pitches has been granted on the largest site (Coopers Beach) and others. CBC is currently not providing evidence that it is effectively regulating the twelve-month use of licencing preventing caravans being the sole home for the occupants.

West Mersea is also designated by CBC as a District Centre supporting through its facilities and services the outlying villages.

All the above in my view points to the planning figure cited in the Local Plan of “3200 existing dwellings” as being substantially in error as providing a unit of measurement for purposes of the Local Plan.

**2. “West Mersea is considered to be a sustainable location for some housing growth.”
SS.17a Preferred Options Local Plan.**

There is very little evidential material supplied to support this assertion. The key aspect relating to ‘sustainable’ is put forward as basic services to support a thriving community.

In respect to this there is ample evidence that the following services are suffering major issues in West Mersea. The provision of medical care through the Mersea Island Medical Practice is under substantial pressure. There is a lack of suitable medical premises; patients are often waiting a considerable time for appointments with their doctor; there is a great pressure because of new patients registering. In an interview with Dr Tiwari (Mersea Island Practice, 32 Kingsland Road, West Mersea on 18th August, 2016) he expressed great concern that there was unsustainable pressure. There is evidence that increasing numbers from caravan sites are presenting themselves for treatment. Whilst there is increasing pressure on medical services occurring generally in the UK the evidence is that pressure on Mersea is of a more acute kind and has not been recognised in CBC statement that a further 350 dwellings is sustainable.

In respect to roads and related matters the following is the position. Dawes Lane is exceedingly narrow and has a number of issues regarding its surface. It will only take two cars width at best. It is believed it will not be able to cope with movements associated with development at Dawes Lane and Brierley Paddocks. Any reengineered road system it is contended will be extremely costly. East Road, that links the two outline developments to the centre of Mersea, has had some serious road accidents. It is contended that the road itself will have great difficulty in dealing with the volume of traffic if the two developments takes place. East Mersea Road that Dawes Lane meets, is itself a very narrow and not a well engineered road and has suffered a serious bus accident recently.

On other matters that come into consideration on sustainability the following is put forward. The primary school on the Island is limited by its geographical location and site. In an interview with the Head on 25th August 2016 she indicated that there was no room to extend the recreation areas for pupils if the school numbers were to be increased. She stated that this was vital and that it was not merely an increase in classroom space as important and difficult as this would be. There is, in prospect, that there be the need for a whole new school being built if the increase in pupil numbers took place. As at August 2016 there had been no consultation with her as to what impact the further dwellings would have on her school. There is also the potential of school children from the caravan sites because of the expansion due to twelve-month licensing.

In none of the areas above is any evidential material put forward to support the view that sustainability for a further 350 homes is possible. On the CBC’s own view there would be an increase of 11% in the population. It is manifestly not so. CBC is put to proof as to what measures it has taken to justify these assertions. If that is so, will they quote their sources and the dates when the information was obtained.

There is a further major omission to the Local Plan that goes to the heart of why Mersea cannot reasonably be confirmed for sustainable development as outlined. This concerns the entry itself to West Mersea and its coastal position. It is placed before CBC that it has ignored that entry is by a tidal road – the Strood. It floods at Spring tides. Entry to and from the island is therefore halted. Buses do not come on to the island and they are terminated. Special measures are taken regarding fire protection. A fire tender comes on to the island at these times often from Brightingsea or Tiptree. Medical assistance can only be given at these times by air ambulance. No other area covered by the Local Plan has such a consideration. There is no evidence put forward in the Local Plan that the Strood itself could take the pressure of the volume of traffic that would surely come. The CBC asserts that there would be provision for the necessary improvements to infrastructure, is this the case with regard to all the roads including the Strood? CBC is put to proof that it has allowed for the substantial upgrading of all the roads associated with the two developments.

Attention is drawn to flood assessment data provided by the Environment Agency. Flood Zone 3 applies to a very large area around the Strood. This rating shows that there is 1:100 probability of flooding. This also applies to caravan sites such as Coopers Beach where CBC is indicating that development should be permitted outside the seafront area. It is also contended that the risk of flooding is not sufficiently recognised by the EA and a substantial area of this site is in fact at risk. The sea wall has not been sufficiently maintained by the owners and it has crumbled in the area around the site.

It is a very important factor on the risk of flooding that in respect to the Strood it is not just the immediate area but Mersea Road for an area along to Langenhoe (source EA map of flooding areas 2016). The area goes substantially beyond the Strood area. There has already been in recent times a major incident. Late in 2014 flooding took place around Mersea and was only abated because of a chance occurrence that the peak high level rush in the North Sea occurred because it coincided with low tide. It is noteworthy that this danger of flooding in this whole area has been recognised because the electricity power unit that is on Mersea Road, and 900 yards from the Strood, has had its flood protection increased.

When this road floods it closes the main road into West Mersea. The road into Colchester also closes when surface water south of Langenhoe goes across Mersea Road for a significant area. It cannot be right that CBC is consideration increasing yet further population increase linked by a tidal causeway and a road that has substantial risk of flooding for some distance to the main town. There is major risk to the community without transport. If serious flooding takes place it will have an impact lasting a considerable time. The point about expenditure is repeated specifically in relation to this. Has allowance been made for the improvement of Mersea Road from the area around the Strood up to Langenhoe?

3 “Within each site shown on the West Mersea Policies Map development will be supported which provides: Adequate wastewater treatment and sewage infrastructure enhancements in the catchment area; Appropriate SuDS for managing surface water runoff within the overall design and layout of the site; Does not conflict with other policies in the development plan.”

SS17a Preferred Options Local Plan

It is contended that the Local Plan does not recognise the existing issues around these and is considerably underestimating the cost of any infrastructure improvements that would be needed. The costs involved would be disproportional and it would be wrong for any shortfall

to come from the public purse since the schemes are not appropriate and alternative sites could be found elsewhere that would involve substantially less public cost.

On wastewater treatment the local facility at Cross Lane, West Mersea, is not adequate for current purpose. It often overflows and causes local pollution. The site has to be visited very frequently to deal with issues. One local resident reported 76 lorry movements in one night to the site. It is not reasonable, therefore, to contend that this facility can deal with in the CBC own terms a 11% increase in the population.

The site at Cross Lane is also near or in Flood Zone 3 category (Environment Agency). There is 1:100 chance of serious flooding. If this took place this facility would be rendered inoperable or would be compromised to such an extent that it would be unable to deal with a significant volume of material.

Water and sewage on the island is a major issue. In respect to sustainability of employment, a local oyster company that itself employs a significant number of people reported to a meeting of residents on 1st September 2016 that an excesses of sewage spill would put at risk the future of his company. West Mersea Oysters, a company operating on Mersea Island chiefly from West Mersea, is seriously concerned. There is a substantial local industry in the raising and selling of oysters. The Colchester Native is sold in Europe and Asia. Attention is drawn to Essex Native Oyster Restoration Initiative (ENORI). It is a joint venture by many bodies including the University of Cambridge, the Environment Agency and Natural England. It is a major scheme for the preservation of the local oyster. There is real fear locally that the native oyster will be put at risk.

There are in excess of 100 local people that rely on the production of local oysters for their livelihood. The restaurants on the island sell them and many different workers are involved in their production. The local producers, and whatever Anglian Water now says, have been told by them, that the local sewage treatment centre is full to capacity. CBC is therefore asked to explain the statements contained in their Local Plan that West Mersea is able with their proposed developments to be able to sustain them within "existing facilities and services." No material has been put forward in their Local Plan to justify this. It represents a series of assertions with sources or material lacking to substantiate them.

The island has had very little money spent upon it for many years. It has essentially a 19th century structure that is struggling to deal with modern demands. The argument that infrastructure monies flowing from the developments will put this right makes little impact on the writer. Such money, if much at all, will be very minimal given the current restrictions on public expenditure, utility companies and developers wanting to maintain their profit levels.

The example of the oyster producer shows that West Mersea is ill suited to the scale of the developments proposed. This also relates to water supply. The water pressure on the island is very low and it is contended that investment in water provision has been small. Many complain about this and it is the position that compared with many other locations it is very inadequate. It is very reasonable to state that this will only be exacerbated by a further increase of at 11% in the population. CBC is asked therefore to specify that the required water supply issues would be met by a suitable upgrading by Anglian Water. Failing which would CBC also make clear in this that the developers would cover the cost or that the monies would come from infrastructure improvements?

4. “Designated Economic Development Areas. There are 3 put forward, West Mersey - Waldegraves Farm SS17a West Mersea - Boat Yards, Coast Road, SS17c West Mersea - Rushmere Close”. SG14: Local Economic Areas

Whilst economic growth is a key component of a thriving community it is not accepted that this should be linked to the two developments proposed. The persons living in these cannot reasonably be contended as likely to work locally. The character of the development linked to the two developers that have been identified will it is felt invariably mean that the occupants will travel to Colchester and beyond. The linkage between the siting of dwellings and employment centres has not been addressed sufficiently in the Local Plan. There is an issue for Colchester as whole with the siting of rail stations and road layout.

It is a very appropriate matter for CBC to be asked why is it necessary for well over 1000 persons to be located so far from places of work or study. This is particularly so since there are multiple sites near the centre of Colchester that would be better suited and which could be linked to far more local economic activity. It is noteworthy that previous planning reports dealing with Mersea for the period to 1991 concluded that additional land should be found in Colchester where it can be found more economically and where housing demand is likely to be the greatest. It was also stated at the same time that it was necessary to continue growth-restraint policies in the Rural Area, and this should be achieved by the incorporation of the current Rural Settlement Plan into the Borough Plan.

It is pressed that CBC takes note of sale by the MOD of Middlewick Ranges (announced 6th September 2016). This provides a location far closer to Colchester. It is hoped that CBC does not rely on the statement made by its spokesperson that “the MOD has the opportunity to submit the Middlewick site through the Local Plan consultation which ends on the 16th September.” (Gazette, 7th September 2016). Whilst there will need to careful consideration of the consequences associated with housing being placed there it does offer further possibilities for large scale development. It is pressed that CBC considers this as a matter of urgency and does not exclude it since it has arisen within one week of end of the consultation period.

Recreation activities and employment in West Mersea are in conflict with the Local Plan. Developments as proposed, will hinder and reduce opportunities for employment in West Mersea. The tourism industry is very important for the local community. Visitors see it as an area of outstanding national beauty. The increased density of the population with crowded roads, shops, and restaurants will it is felt have a lasting impact. The Local Plan is conflicted in this regard. West Mersea’s unique character and appeal will be greatly lessened and it is felt that jobs and the tourism industry will be harmed.

5. “Health Impact Assessments (HIA) will be required for all residential development in excess of 100 units and non-residential development in excess of 2500 square metres and for other developments where the proposal is likely to have a significant impact on health and wellbeing.” DM1: Health and Wellbeing

The current proposals will add a minimum of a 1000 persons to the population of West Mersea. It is felt that there will be in reality a far greater number. Comment has already been given above about the present health care provision in West Mersea. This apart, the proposed 350 houses (new units) will be sited in an island situation with access by a single tidal road to Colchester. The increase in population needs has therefore to be critically examined within this and justified.

Bradwell Nuclear facility is less than one mile from West Mersea. There is likely to be the siting of nuclear waste on this location with the authorities coming to a conclusion that it will be the preferred site. This will result in some significant risk to those in nearby situations. It has been reported that Maldon DC has refused planning permission for housing on the basis of proximity to Bradwell nuclear plant. CBC is therefore requested to address this aspect in any subsequent report.

At the time of writing HM Government is considering a proposal to develop Bradwell as part of a scheme with the Chinese Government to provide a new nuclear facility. If a decision is taken to go ahead, then there can be no reasonable view taken with the HVA in mind that the developments proposed with the Local Plan should continue.

6. “Town and villages are encouraged to plan for the specific needs of their communities by developing Neighbourhood Plans.” SG7: Neighbourhood Plans.

It is regarded that the absence of a Neighbourhood Plan has placed the community at West Mersea at great disadvantage. The encouragement of such a plan by CBC has not been apparent and the West Mersea Town Council have not acted to undertake one. There is a marked contrast with many other areas in the greater Colchester area that have acted in this way. This comment also is in regard to the wider planning policy developments when so many areas in the UK have commissioned such plans. It is very noteworthy that over 1000 people attended a meeting at West Mersea on 1st September 2016 to show interest and concern about the Local Plan. Many others could not get admittance and were turned away. It is contended that such anxiety would not have been present had CBC sought to encourage such a Neighbourhood Plan and that the residents the opportunity to vote upon it. It was stated at the meeting by Cllr. Jowers that he had opposed the development of West Mersea and had voted on every possible occasion against it.

CBC is put on notice and now to produce further particulars of the steps it has taken to seek a Neighbourhood Plan for West Mersea; the position taken by members of its Planning Committee with regard to this, and other plans regarding West Mersea.

7. “Policy Mersea Housing and Employment”. SG14

It has been noted that the proposals contained in the Local Plan for the two developments are not the same as previous plans. The development at Brierley Paddocks was not on the previous plan. No explanation or evidence was produced in the Local Plan to allow an examination of the reasons for such change. It is put forward that the shortage of provision in this regard is unreasonable and that such a large amount of land does create just cause for concern. CBC is asked to explain how it has stated that access can be made from East Road when it will involve a road that is privately owned.

CBC is asked to justify such scant attention to detail and justification for this change. Also to reveal the contact with the proposed developer, City and Country; details of the discussions and exchanges with dates for period up to the publication of the Options Local Plan. CBC is also to provide details of the sums that would be paid by the developer for infrastructure improvements.

8. "Natural Environment."

SG5 Environment Assets Policies

"The Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline."

It is contended that whilst special consideration has been given to Dedham that Mersea Island is also worthy of such prominent attention. It is of special importance, has an abundance of wildlife and countryside, and is so highly regarded internationally. It therefore follows that any significant alteration to its future has to be carefully measured. Why then no mention of this within the section on Natural Environment? Why is this aspect not weighed in the section itself on "Mersea and Employment"? The reference to the importance of the local Mersea environment warrants more than a short passage in the section on the Coast Road.

It is, therefore, contended that CBC has not taken due attention to the importance and significance of Mersea locally, nationally and internationally. The view is taken that if the CBC proposal obtains consent that in due course it will lead to more development and that will be the final 'coffin' for Mersea as we now know it. The Local Plan, as drafted, will be that spur.

9. Other aspects – Consultation by CBC

There is general concern that CBC has not judged the consultative process correctly. Although it is accepted that it has discretion about the process in regard to time allowed for responses, it is not regarded as right that such a short time was allowed for responses to the Local Plan, nor was due allowance made that it was the Summer period. The fact that it was extended by one week is noteworthy in that it underpins the unreasonableness of the period.

CBC only met a handful of local residents. The meeting held in West Mersea in late July was not advertised locally. West Mersea Town Council were not told of it until three days before it happened. In the event virtually no one attended. CBC had no representative present at the meeting held in West Mersea on 1st September 2016. According to the Mayor (as stated at the meeting on 1st September) an invitation was made but refused. It is put forward that CBC did not take reasonable steps to consult and to hear at first hand the views of residents.

The fact is that many local people were informed of the Local Plan as result of action taken by residents. The production of a leaflet that combined information not produced in one printed source from local government did encourage local awareness, in marked contrast to the reliance of CBC focused web sited information. The leaflet is attached. The large response to the consultative process is contended as a consequence of the actions by local residents not CBC.

In terms of reliance on web sited data, it is felt that many older residents were disadvantaged because of CBC's concentration of dealing with objections through the Web. The population in Mersea is of a generation which does not widely use it. Even when it is of great importance it is felt that there is a considerable reluctance in this regard.

Therefore, it is contended that it is unreasonable to have such a great concentration on electronic data to obtain information and to provide response to the Local Plan. The provision of a CBC representative to attend the local library to assist with the registering of

comments was welcome but in essence was a 'sticking plaster' measure taken at the end of the process. Many, it is felt, would still have been left unfranchised as a result. A significant number of those spoken to had found it impossible to access the CBC website representation form including a Borough Councillor. The latter made no secret of this in a statement made to me.

10. Summary

The Local Plan is conflicted. It does not in my view demonstrate a sustainable future for West Mersea; is wholly disproportionate in terms of the volume of dwellings proposed; is redundant in that West Mersea has already the number of dwellings that CBC seeks; lacks comprehension about the numbers already on the Island principally through not acting on its own statistics and those on the Caravan sites and visitors; wholly underestimates the current pressure of services and roads and the scale of the updating that will be required; that funds available from infrastructure funds will not go anywhere near what is required for these developments to take place; is conflicted on natural environment and safety provisions in that no regard has been taken on the natural beauty of the Island nor the nuclear facility of Bradwell; will not improve the employability of local people; in respect to the Oyster farming has the potential of destroying a major and internationally famous local industry; and will harm the tourism and cut employment as a result.

A respectful request is made that CBC comprehensively revisits and revises the Local Plan as it is unacceptable and, as drafted, is to the considerable detriment of West Mersea and the island as a whole.
