

West Mersea Neighbourhood Plan 2017-2033

A report to Colchester Borough Council

**David Kaiserman BA DipTP MRTPI
Independent Examiner**

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Executive summary

I was appointed by Colchester Borough Council on 12 October 2021, with the agreement of the West Mersea Town Council, to carry out the independent examination of the West Mersea Neighbourhood Plan.

The examination was completed solely on the basis of the written representations received, no public hearing appearing to me to have been necessary. I made an unaccompanied visit to the area covered by the Plan on 28 October 2021.

The Plan relates to the Parish of West Mersea, which covers the western half of Mersea Island, with West Mersea itself being the only significant settlement. The town is surrounded by flat agricultural land and the impressive estuaries of the Colne and Blackwater rivers, and is connected to the mainland and Colchester, some nine miles to the north, by a tidal causeway. The area has a rich heritage and significant natural assets, a key issue for the Plan being to ensure that these are conserved while the area accommodates the modest growth provided for in the emerging Colchester Local Plan, and its tourism and maritime businesses are safeguarded.

Subject to a number of recommendations (principally for changes to the detailed wording of some policies), I have concluded that the West Mersea Neighbourhood Plan meets all the necessary legal requirements at this stage of its preparation, and consequently am pleased to recommend that it should proceed to referendum.

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Introduction

1. This report sets out the findings of my examination of the West Mersea Neighbourhood Plan (the WMNP), submitted to Colchester Borough Council (CBC) by the West Mersea Town Council in April 2021. The Neighbourhood Area for these purposes is the same as that of the Town Council's boundaries.
2. Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to help local communities shape the development and growth of their area, and this intention was given added weight in the National Planning Policy Framework (NPPF), first published in 2012. The current edition of the NPPF is dated July 2021, and it continues to be the principal element of national planning policy. Detailed advice is provided by national Planning Practice Guidance on neighbourhood planning, first published in March 2014.
3. The main purpose of the independent examination is to assess whether the Plan satisfies certain "basic conditions" which must be met before it can proceed to a local referendum, and whether it is generally legally compliant. In considering the content of the Plan, recommendations may be made concerning changes to both policies and any supporting text.
4. In the present case, my examination concludes with a recommendation that, subject to certain detailed recommendations, the Plan should proceed to referendum. If this results in a positive outcome, the WMNP would ultimately become a part of the statutory development plan and thus a key consideration in the determination of planning applications relating to land lying within the WMNP area.
5. I am independent of the Town Council and do not have any interest in any land that may be affected by the Plan. I have the necessary qualifications and experience to carry out the examination, having had 30 years' experience as a local authority planner (including as Acting Director of Planning and Environmental Health for the City of Manchester), followed by over 20 years' experience providing training in planning to both elected representatives and officers, for most of that time also working as a Planning Inspector. My appointment has been facilitated by the independent examination service provided by Penny O'Shea Consulting.

Procedural matters

6. I am required to recommend that the West Mersea Neighbourhood Plan either
 - be submitted to a local referendum; or
 - that it should proceed to referendum, but as modified in the light of my recommendations; or
 - that it not be permitted to proceed to referendum, on the grounds that it does not meet the requirements referred to in paragraph 3 above.
7. In carrying out my assessment, I have had regard to the following principal documents:
 - the submitted WMNP
 - the Consultation Statement (March 2021)
 - the Basic Conditions Statement (April 2021)
 - the Habitat Regulations Assessment Screening Report (July 2020)
 - the Strategic Environmental Assessment Screening Report (July 2020)
 - the Strategic Environmental Assessment Screening Determination (October 2020)

- the representations made to the WMNP under Regulation 16
 - selected policies of the adopted Development Plan for the area
 - selected policies of the emerging Colchester Local Plan
 - relevant paragraphs of the NPPF
 - relevant paragraphs of national Planning Practice Guidance.
8. I carried out an unaccompanied visit to the Plan area on 28 October 2021, when I looked at the overall character and appearance of the town, together with its setting in the wider landscape and those areas affected by specific policies or references in the Plan. Where necessary, I refer to my visit in more detail elsewhere in this report.
 9. It is expected that the examination of a draft neighbourhood plan will not include a public hearing, and that the examiner should reach a view by considering written representations¹. In the present case, I considered hearing sessions to be unnecessary. I should add that none of the representations received at the Regulation 16 stage included a request for a hearing.
 10. I have addressed the policies in the order that they appear in the submitted Plan. My recommendations for changes to the policies and any associated or free-standing changes to the text of the Plan are highlighted in ***bold italic print***.

A brief picture of the neighbourhood plan area

11. Mersea Island lies about nine miles south of Colchester, between the Blackwater and Colne estuaries. The south-western corner of the island contains the built-up part of West Mersea Parish; the open land to the north and east being the scattered hamlet of East Mersea, a separate parish. The island is connected to the mainland by a tidal causeway across the Pyefleet Channel which conveys a sense of “separateness” to the first-time visitor: something that is clearly valued by the resident population. It has a long history of settlement and oystering and fishing have been important aspects of life here for many years. Alongside other maritime-based business such as boat-repair and servicing, this remains important to the local economy, alongside tourism.
12. The town itself is clearly demarcated from its largely flat, agricultural setting to the north and east. It has a distinctive character: it is quite densely developed and appears to have grown in an organic way over the years, with little consistency in the size and shape of building plots, the types of dwellings or the materials used to construct them. The road layouts are equally diverse. The land falls gently towards the estuaries, opening up many attractive views of the beaches, marshes and mudflats and these areas have a high degree of statutory environmental protection. The Coast Road, partly within a conservation area and a major focus for visitors, is a pleasingly diverse feature of the town which contains dwellings (including particularly characterful houseboats), boatyards, seafood establishments and small shops. At the northern end of Coast Road, in what is known locally as the Old City, The Lane has a number of traditional buildings, many listed, and with the character of fishermen’s cottages.
13. The town has two food stores; shops, other services and employment uses are scattered around the central part of the built-up area; and a few streets have small strips of retailing, but the focus of the town lies at the southern end of High Street, close to the historic Parish Church. Here are found the library, post office, community/sports centre, a few shops and

¹ Paragraph 9(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

cafes and the terminus of the regular (if not always frequent) bus service to Colchester. The town has a primary school, but no secondary school. There are several caravan parks, both for static and touring pitches, and many traditional beach huts off the Victoria Esplanade. The sand and shingle beaches are designated parts of a lengthy coastal footpath.

14. In 2019, the population of the NP area was estimated to be 7,285. The Parish has experienced a far slower growth rate in recent times than the Borough as a whole, while at the same time the proportion of the population over the age of 60 is almost double that of the Borough average.

The basic conditions

15. I am not required to come to a view about the ‘soundness’ of the Plan (in the way which applies to the examination of local plans); instead, I must principally address whether or not it is appropriate to make it, having regard to certain “basic conditions”, as listed at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The requirements are also set out in paragraph 065² of the relevant Planning Practice Guidance. In brief, all neighbourhood plans must:
 - have regard to national policy and guidance (Condition a);
 - contribute to the achievement of sustainable development (Condition d);
 - be in general conformity with the strategic policies in the development plan for the local area (Condition e);
 - not breach, and otherwise be compatible with, EU obligations, including human rights requirements (Condition f);
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and
 - comply with any other prescribed matters.
16. The Basic Conditions Statement begins by explaining its statutory purpose before setting out the conditions themselves and the examiner’s role in assessing the Plan’s compliance with them. There is then a summary of the purely legal requirements, with an appropriate commentary, followed by a table setting out how the Plan’s objectives and individual policies are intended to relate to the full range of topics covered by national policy in the NPPF, including the key objective of achieving sustainable development. This approach is then repeated in relation to the Plan’s compatibility with the strategic policies of the development plan for the area, split between the Core Strategy and the emerging Local Plan. There follows a brief statement about compliance with EU obligations and a more detailed account of how the Plan’s objectives and policies are seen as impacting on a range of human rights considerations.
17. The Basic Conditions Statement is very comprehensive and clearly laid out, its tabular approach to the various assessments greatly aiding understanding.

Other statutory requirements

18. A number of other statutory requirements apply to the preparation of neighbourhood plans, all of which I consider have been met in this case. These are:
 - that the Town Council is the appropriate qualifying body (Localism Act 2011) able to lead preparation of a neighbourhood plan;
 - that what has been prepared is a Neighbourhood Development Plan, as formally

² Reference ID: 41-065-20140306

defined by the Localism Act; that the plan area does not relate to more than one Neighbourhood Area; and that there are no other neighbourhood plans in place within the area covered by the plan;

- that the plan period must be stated. In the case of the WMNP is 2017 to 2033; however, the Plan does not actually make that clear in its title, **and I recommend that this be corrected**³; and
- that no “excluded development” is involved (this primarily relates to development involving minerals and waste and nationally significant infrastructure projects).

19. I have also borne in mind the particular duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of “preserving or enhancing the character or appearance” of any conservation area.
20. A screening report is required in order to determine whether a neighbourhood plan needs to be accompanied by a Strategic Environmental Assessment (SEA), under the terms of the Environmental Assessment of Plans and Programmes Regulations 2004. It is the qualifying body’s responsibility to undertake any necessary environmental assessments, but it is the local planning authority’s responsibility to engage with the statutory consultees.
21. An SEA Screening Determination statement was published by CBC in October 2020, following the publication of a screening report in July 2020. In the formal determination, they conclude that the WMNP effectively constitutes a minor modification to the Local Plan and that it is unlikely to have any significant environmental impacts, meaning that an SEA is not required. The same applies in relation to the Habitat Regulations. Full details of the considerations which support the assessment are set out in the statement, and I have been given no reasons to question any of the conclusions reached. They are also supported by Natural England, Historic England and the Environment Agency, as statutory consultees in the process.
22. It is a requirement under the Planning Acts that policies in neighbourhood plans must relate to “the development and use of land”, whether within the Plan area as a whole or in some specified part(s) of it. I am satisfied that that requirement is met.

National policy

23. National policy is set out primarily in the NPPF, a key theme being the need to achieve sustainable development. The NPPF is supported by Planning Practice Guidance on neighbourhood planning (PPG), an online resource which is continually updated by Government. I have borne particularly in mind the advice in paragraph 041⁴ of the PPG that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.

The existing Development Plan for the area and the emerging Local Plan

24. The current Development Plan for the area covers the period up to 2021 and has several elements. The Core Strategy for the Borough dates from 2008, but this was updated following a “focused review” in July 2014, accompanied by a revised Development Policies document (originally adopted in 2010). A Site Allocations document was adopted in 2010 and not subsequently revised; this identified a site for housing in West Mersea which has

³ I have made that amendment on the title page of this report.

⁴ Reference ID: 41-041-20140306

since been built out, as is the case with employment land.

25. Work began on a comprehensive review of Colchester's development plan in 2014 and the new draft Local Plan was submitted to the Planning Inspectorate in October 2017. It is in two parts: Section 1 is a Strategic Plan for North Essex⁵, which has been prepared jointly with Braintree and Tendring District Councils to form the strategic element of their respective local plans. It was formally adopted by CBC on 1 February 2021, the effect being the partial replacement of a number of policies in the Core Strategy. Section 2, while also containing some strategic policies, primarily consists of the detailed development management policies and site allocations (specific to Colchester), and these are still at examination at the time of writing. The main modifications which the LP Inspectors consider necessary in order to make Section 2 of the Plan sound are subject to public consultation, with a closing date of 18 November 2021.
26. The Core Strategy identified West Mersea as one of three "district settlements" in the Borough outside Colchester itself "that provide essential services and facilities to their rural hinterland" (Policy 3.1). This assessment essentially remains in the emerging Local Plan (Section 2), although Policy SG1 substantially changes the way the settlement hierarchy within the Borough is described, with West Mersea now being one of 17 towns and villages designated "sustainable settlements" which "have the potential to accommodate further proportionate growth" (paragraph 12.7). The detailed proposals and policies to give effect to this are to be set out in this neighbourhood plan (paragraph 12.12). A proposed Minor Modification to the Local Plan would add a reference to Policy SG8 and the relevant "place" policy.
27. Paragraph 2.11 of the WMNP states that it has been prepared with the intention of being in general conformity with the newly adopted Strategic Plan for North Essex, and that it has also had regard to the detailed policies and proposals of Section 2. I will refer to these as necessary at appropriate places in the rest of this report, but given the advanced stage which the Local Plan as a whole has reached, it is clearly necessary for its policies to be accorded significant weight in this examination.
28. In their response to the submitted WMNP, Essex County Council pointed out that there are two additional elements to the development plan in the area, namely the Essex Minerals Local Plan (2014) (MLP) and the Essex and Southend-on-Sea Waste Local Plan (2017) (WLP). ***I recommend that the MLP and the WLP are referenced in paragraph 2.1 and that the explanatory paragraph suggested by Essex County Council be included in Part 2 of the Plan, in order to make that clear.***

The consultation exercise (Regulation 14)

29. Regulation 14 requires the Town Council to publicise details of their proposals "in a way that is likely to bring [them] to the attention of people who live, work or carry on business in the area", and to provide details of how representations about them can be made. Regulation 15 requires the submission to the local planning authority of a statement setting out the details of what was done in this respect, and how the qualifying body responded to any matters which arose as a result of the consultation process.
30. The Consultation Statement was published in March 2021. It is a very thorough account of the detailed steps which the Town Council took to ensure that the residential and business

⁵ The formal title of this document is "The North Essex Authorities Shared Strategic Section 1 Plan"

communities (together with other public bodies and interests) were given the fullest opportunity to engage with the neighbourhood planning process. It includes comprehensive accounts of how each topic and draft policy was received, together with the more formal responses to comments made at the Regulation 14 stage and the Town Council's proposed actions as a result. The informative Mersea Matters online portal (www.merseamatters.uk) has provided an easily accessible link to the key information at each stage of the process. The Council made appropriate arrangements to respond to the exigencies of the Covid pandemic, and they and their volunteer colleagues are to be congratulated for getting the Plan to the submission stage in a timely manner despite the difficulties.

31. There is no need for me to comment on any aspects of this comprehensive exercise: suffice to say that I am satisfied that the statutory requirements have been fully complied with.

General observations about the Plan

32. The Plan document (which includes generous use of maps and photographs) begins with a summary of the status and purpose of neighbourhood plans, explaining how they should be prepared and what they may contain. There is then a summary of the main stages undertaken in the preparation of the Plan (which I note was done with the informal involvement of the neighbouring East Mersea Parish Council), and an interesting account is given of the unique historical and physical characteristics of the area, with the need to respect these being a major thread running throughout the Plan itself.
33. In addition to the ongoing consultation processes, four separate surveys were carried out during 2018, each sent to the 3,400 or so addresses within the NP area. It is clear from this introductory material that the NP's Planning Group did not always find it easy to reconcile the views being expressed locally, especially concerns about the capacity of the town to accommodate growth, with their requirement to ensure general conformity with the Local Plan's Borough-wide policies for meeting housing needs over the Plan period.
34. Part 2 of the Plan is a detailed account of the planning policy framework and the Plan's relationship to it. Some of the references to the complex local policy context have been overtaken by events and ***I recommend that the opportunity be taken to update them where appropriate. It should also be noted that the current version of the NPPF is that published in July 2021 (paragraph 2.2 of the Plan refers to the 2019 version).*** On page 10, two maps from the emerging Local Plan are reproduced, showing the locations of LP Policies SS12a, SS12b and SS12c: these are helpful in reinforcing the link between the NP and the LP, ***but I recommend that a full key to them be provided to aid interpretation.***
35. Part 3 begins with the Vision for the town that has guided the Plan's approach: "To maintain and enrich West Mersea as a vibrant and cohesive community ensuring new development will be both sustainable and improve life for ourselves without prejudicing lives for future generations. Support the local economy, provide high quality accommodation for all in our community while respecting the individual character of the town and protecting our natural environment". This is followed by 19 specific objectives, gathered under nine topic headings. Part 4 sets out the planning strategy, making it clear that this derives primarily from the context set by the emerging Local Plan, in particular Policy SG1.
36. The remaining parts of the Plan (5-14) deal with each topic in turn: housing; open spaces, sport and recreation; traffic and transport; business; infrastructure and services; the

natural environment; tourism; heritage; and development design, with a concluding chapter on monitoring and delivery. Each topic is preceded by a reminder of the stated objectives relative to it, and the policies themselves are clearly differentiated from the supporting text by being placed in a coloured box. The document concludes with a helpful glossary and four appendices.

Representations received (Regulation 16)

37. None of the statutory consultees who responded (Natural England, Highways England, Historic England) had any relevant observations to make. I will comment on some of the recommendations made by CBC, Essex County Council, North Essex NHS Clinical Commissioning Group, the Essex Bridleways Association and local residents under the appropriate policy headings. Developers Gladman consider that the way housing matters are dealt with in the Plan fails to satisfy the basic conditions; I will respond to their arguments in the housing section, where I also deal with some detailed comments by Mersea Homes.

The policies

38. Unless otherwise stated, I have concluded that (so long as my specific recommendations are accepted) each of the Plan's policies satisfies the basic conditions. I have therefore not made that point under each policy heading.

Policy WM1: Planning strategy

39. Paragraphs 4.1 to 4.5 reiterate the role of West Mersea as a "sustainable settlement" in terms of the strategic planning of the area, while recognising the substantial constraints to growth arising from its sensitive coastal location and its particular heritage. Map 2 clearly defines the settlement boundary: this is the same as that shown in the Local Plan. The Policy makes it clear that new development to reflect the role and status of the town will be accommodated, but that the focus will be on land within the defined settlement boundary.
40. It would be normal practice for the land outside defined settlement boundaries to be treated as countryside for the purposes of development management, and this is something I consider Policy WM1 should clearly state. It sets down the circumstances where proposals for developing land in such locations may be acceptable: these cover uses and activities which would normally be considered appropriate in principle within a rural area, and in its own terms that would accord with national policy.
41. However, two tests are applied which seem to me to go well beyond what is provided for both in national policy and in the Local Plan: (i) that "it can be satisfactorily demonstrated that there is an identified local need" for the proposal; and (ii) that "it cannot be satisfactorily located within the settlement boundary". The justification for introducing these two hurdles is not included in the contextual material (paragraphs 4.4 and 4.5). The NPPF does not refer to settlement boundaries as such, nor does it suggest that development which would normally be considered acceptable in a rural area must first satisfy these two tests before being considered favourably; paragraph 80 simply says that the development of isolated homes in the countryside should be avoided unless one or more of five circumstances apply, but these are considerably less restrictive in their implications than Policy WM1.

42. Local Plan Policy OV2 deals with development in the countryside. Since the LP is not yet adopted, I accept that it is reasonable for the WMNP to include a policy which explains the approach to be taken to development proposals on land beyond the settlement boundary; but given the stage that the LP has reached, it would be unhelpful if the terms of such a policy deviated substantially from those in the Local Plan itself, which at present is the case here.
43. My recommendation below is for Policy WM1 effectively to defer to LP Policy OV2. This is the subject of a proposed main modification which, if accepted would result in OV2 reading as follows:

“Proposals for sustainable rural business, leisure and tourism schemes, development essential to the effective operation of agriculture, horticulture, forestry, equestrian use, infrastructure, renewable energy generation, and minerals or waste operations in the adopted Essex Minerals and Waste Local Plans may require a countryside location.

Policy DM6 (Economic development in rural areas and the countryside) provides further guidance. In general, proposals for sustainable rural businesses will be supported if they are of an appropriate scale, meet a local employment need, minimise negative environmental impacts, and harmonise with the local character and surrounding countryside where they are being proposed.

Residential development proposals in the countryside, outside defined settlement boundaries, will need to demonstrate that the scheme respects the character and appearance of landscapes and the built environment and preserves or enhances the historic environment and biodiversity. Small scale rural exception sites needed to meet local affordable local housing needs will be considered favourably on appropriate sites provided a local need is demonstrated by the Parish Council⁶ on behalf of their residents, based on evidence gained from an approved local housing needs survey. Where there is an identified need for certain types of housing, schemes must demonstrate how these needs have been met.” (There is an additional paragraph referring to Habitats Regulations Assessments in certain circumstances).

44. In addition to the conflict with Local Plan policy, in its last paragraph Policy WM1 states that development of existing brownfield sites (it is not clear whether this is intended to relate to all land within the NP area, or just to that lying beyond the settlement boundary) may only be acceptable “in exceptional circumstances” and “where it can be demonstrated that the public benefit will outweigh the loss of the existing use”. The meaning of the last phrase is unclear; more significantly, however, this approach to brownfield land fails to reflect the much more positive stance taken by part 11 of the NPPF.
45. ***In order to address these issues, I recommend that the first two paragraphs of Policy WM1 be retained, but that the remainder of the Policy be deleted and replaced with the following: “The land lying beyond the settlement boundary will be treated as countryside for the purposes of planning policy. Proposals for development within this area will be assessed against the criteria set out in Local Plan Policy OV2 and any other relevant policies in this Neighbourhood Plan”. In addition, I recommend that a summary of Policy OV2 be included in the supporting material for WMNP Policy WM1, so that its relevance is made clear.*** Given the very advanced stage of the Local Plan examination, I consider it unlikely that the thrust of Policy OV2 will change, and thus that it would be safe to deal

⁶ I take the term “Parish Council” to include “Town Council”.

with the matter in this way. I note here that my recommended wording would deal with a request by Gladman that the stance in relation to rural exception sites be introduced in Policy WM1 (by referring to the relevance as appropriate of other policies in the Plan).

Policy WM2: Housing development

Policy WM3: Land at Dawes Lane

46. Emerging Local Plan Policy SS12a (in respect of which no modifications have been proposed) makes provision for the development of two sites for housing within the settlement boundary of West Mersea, each with a capacity of 100 dwellings. WMNP paragraph 5.5 explains that the first of these (at Brierley Paddocks) now has planning permission, and work started on site in February this year. For this reason, the NP contains no policies relating to it. Paragraph 5.8 records that in June 2020 CBC resolved to grant outline planning permission for the development of the second site, at Dawes Lane in the north-east corner of the built-up area of the town, subject to a S.106 obligation. A web search reveals that outline permission has in fact now been granted for the development of this flat and regular site, which was in agricultural use at the time of my visit.
47. Policy WM3 properly sets out a number of detailed requirements that should govern its eventual development. Mersea Homes (the applicants) support the Policy but have a comment to make about the approach to landscaping on the site's southern boundary: this is not a matter for me to adjudicate on, but I have no doubt that CBC and the Town Council will have regard to the point when detailed discussions take place (I note that landscaping is a reserved matter in the outline permission).
48. CBC and Gladman both make a similar point about Policy WM2: that it gives the impression that it is the vehicle for the allocation of the 100 dwellings during the Plan period, whereas that matter has been settled by the Local Plan (even to the extent of identifying the location of the land to be developed). I agree that there is duplication here, something that the NPPF discourages at paragraph 16(f). ***I recommend that the first paragraph of Policy WM2 be deleted and the following substituted: "Policy WM3 sets out the detailed requirements for the development of the land at Dawes Lane, which is allocated for housing in the Local Plan, and for which outline planning permission has been granted. This, together with other land that is being developed, satisfies the Local Plan requirement for 200 new homes in the period up to 2033".*** The second paragraph of the Policy, which deals with "windfalls", should remain unchanged.
49. Gladman have some more fundamental concerns. They criticize the Plan for what they say is its lack of flexibility, resulting from its failure to allow for the outcome of the Planning for the Future White Paper or to consider the implications of the removal of two of the three Garden Communities originally included in the Local Plan (which they conclude creates considerable uncertainty over the development requirements for West Mersea and the wider area). Gladman see the approach to development outside the settlement boundary (Policy WM1) as further evidence of insufficient flexibility and consider that the Plan should support "sustainable development proposals adjacent to the settlement boundary that are proportionate to West Mersea's role ...". I note that they are promoting such a site at Colchester Road, planning permission for which was refused by CBC on comprehensive grounds (including conflict with both the adopted and emerging development plan policies) in March 2020. They ask for this land to be allocated for residential development in the WMNP.

50. There is no general requirement for development plan policies to be “flexible”. Indeed, the 2019 reference in paragraph 11a) of the NPPF to plans having to be “sufficiently flexible to adapt to rapid change” does not appear in the current (2021) version. Moreover, paragraph 16d) requires plans to contain policies that are “clearly written and unambiguous...”, something which would be compromised if they are expected to incorporate the degree of flexibility which Gladman consider necessary.
51. Nothing in Gladman’s representations on this matter provides evidence that the basic conditions are not met.

Policy WM4: Affordable housing in housing developments

Policy WM5: Affordable housing on exception sites

52. Policy WM4 reflects the requirement in LP Policy DM8 for 30% of new dwellings in developments of more than 10 dwellings to be affordable. CBC point out that an earlier requirement that around 10% of these should comprise starter homes has been dropped and that the WMNP should be amended accordingly. This being the case, ***I recommend that, in order to reflect the fact that Government policy in relation to first-time buyers is not settled, the second sentence of the first paragraph of Policy WM4 be deleted and replaced with: “Around 10% of the affordable housing provision shall be reserved for first-time buyers, in line with current national policy on the matter”. In addition, I recommend that paragraph 5.16 of the supporting text (which refers to starter-homes) be deleted.***
53. In order to reflect the proposed modification to LP Policy DM8, ***I recommend that the first sentence of Policy WM4 be amended by replacing the phrase “housing developments of more than 10 dwellings” with “housing developments of 10 or more dwellings (major developments) in urban areas, and above five units in designated rural areas”. As a minor point, I also recommend that the last paragraph of Policy WM4 begin as follows: “Development will be required to integrate affordable housing...”,***
54. Policy WM5 deals with rural exception sites outside but adjoining the settlement boundary, setting out in some detail what steps would need to be taken to justify development in locations where it would not normally be supported. In this context, Gladman question the reference to the “exceptional circumstances” which need to be demonstrated before any market homes are permitted. In my view, the two tests which are set out in the penultimate paragraph of the Policy summarise the circumstances adequately, and ***I recommend that the phrase “In exceptional circumstances” be deleted from the Policy.*** I note that the term is not used in LP Policy OV2.
55. As a separate point, CBC have suggested that the phrase “entry level homes for purchase” [on rural exception sites] be deleted from paragraph 5.17, ***and I recommend that this be done.***

Policy WM6: Housing mix

Policy WM7: Loss of bungalows and chalet dwellings

Policy WM8: Measures for new housing development

56. Between them, these policies deal with the types of housing which the Plan seeks to encourage (as opposed simply to the quantum). WM6 requires “an emphasis” on smaller dwellings and bungalows in schemes of 10 dwellings or more; WM7 requires proposals for the enlargement of single-storey or 1½ storey dwellings to two storeys or more to avoid having a harmful impact on the character of the area and local amenity; and WM8 requires

all new dwellings to meet Nationally Described Space Standards (as well as other more detailed local guidelines).

57. Gladman support the objective of providing a range of housing types within the NP area but want the reference in Policy WM6 to smaller-sized dwellings to be removed in order to allow for the most appropriate layout of housing types and sizes to respond to local needs and the characteristics of individual sites. CBC incorrectly quote the Policy as stating, “that the housing mix should be the majority of one and two-bed homes”, while adding that there is an unmet need for all dwelling sizes of affordable housing. In considering both these representations, it seems to me that Policy WM6 is worded in a way which avoids any unreasonable prescription, and the evidence base for it is reasonably summarised in paragraph 5.19 and the accompanying bar-charts.
58. Policy WM7 says that bungalows and chalets are one of the area’s distinctive characteristics, and that it is seen as essential, for both social and environmental reasons, that the erosion of this resource is halted. There is no issue here so far as the basic conditions are concerned; however, recent changes to the permitted development regime are likely to make this more difficult to implement. It is not for me to comment on how the use of the “prior approval” provisions or Article 4 directions might be used to address the issue locally, and the Policy itself properly relates only to the circumstances where a planning application is required. However, ***I recommend that the supporting text include a brief reference to the extent to which the Plan’s housing objectives are impacted by the current permitted development rules.***
59. Policy WM8 has two separate elements. The first requires all new dwellings to show “adherence to” the latest Nationally Described Space Standards, an approach which I consider unacceptably prescriptive. These standards are not mandatory but are an optional “add-on” for local planning authorities to consider introducing through their local plans. Gladman point out that the relevant Ministerial Statement of March 2015 explicitly states that neighbourhood plans should not be used to apply the national technical standards.
60. After requesting some comment from CBC on this issue, I have noted that LP Policy DM12 on housing standards (not subject to a main modification) states that : *“In considering proposals for new residential development, the Local Planning Authority will have regard to [my emphasis] the following: ... (v) - Internal space standards demonstrated to be in accordance with the National Described Space Standards (DCLG, 2015) or any future replacement of this”*. CBC’s response to my question did not draw my attention to the phrase “will have regard to”, but it is there in the Policy.
61. The upshot of this is that the WMNP is clearly right to reflect the broad intent of LP Policy DM12 but seeks to go a lot further than is appropriate. ***I recommend that the first sentence of Policy WM8 be deleted and a brief explanation of the status of the NDSS/LP Policy DM12 be included in paragraph 5.22.***
62. The second part of the Policy requires dwellings to make adequate provision for the covered storage of wheelie bins and cycles, and to comply with current adopted parking standards (which are not referenced or defined). It will not always be practicable or necessary to provide external covered storage in this way and nor will every household need to make dedicated space for cycles. ***I recommend that Policy WM8 be reworded as follows: “Where necessary and practicable, new dwellings will be required to provide adequate provision for the covered storage of wheelie bins and cycles and should meet***

the current adopted parking standards⁷ as set out in paragraph.....”, with the contextual material referred to setting out what the parking standards or guidelines actually are and where they are to be found.

Policy WM9: Houseboats

63. This Policy reflects the distinctive presence of houseboats on the shoreline along Coast Road, which forms the western boundary of the built-up area of the town. These dwellings lie within the WM Conservation Area and both the Essex Estuaries Special Area of Conservation and the Blackwater Estuary Special Protection Area. Any development on the seaward side of Coast Road clearly requires careful consideration to be given to these sensitive habitats and heritage assets.
64. Paragraph 5.25 of the WMNP contains a definition of what is meant by the term “houseboat” (I have noted a detailed suggestion from a member of the public about the maximum length of these vessels but consider that it is beyond my brief to make any comment). The Policy itself makes it clear that new moorings for permanent houseboats will not be permitted in coastal areas, while the bulk of it sets down the criteria which will be taken into account in relation to proposals to replace existing houseboats and associated development: these include the need for information sufficient to establish requirements under the Habitats Regulations⁸.

Policy WM10: Open space, sport and recreation sites

Policy WM11: The Glebe sports grounds

65. The first of these policies offers general support for the provision, enhancement and/or expansion of recreation facilities within the NP area. Proposals which would result in the loss of such facilities would generally not be supported unless certain conditions are met, these taking into account CBC’s current standards. Guidance is given on the criteria to be used where clubhouses, pavilions, car parking facilities etc are involved. Specific aims are established under Policy WM11 in relation to the existing Glebe sports ground at the north-east edge of the built-up area.
66. The Essex Bridleways Association ask for Policy WM10 to include protection for the public rights of way network, but I do not consider this to be necessary in a development plan document.

Policy WM12: Development access

67. This Policy sets down a wide range of requirements designed to ensure that a good standard of access will be available to safe and sustainable modes of transport in appropriate circumstances. The Policy seeks high priority to be given to the needs of pedestrians and cyclists and requires mitigation measures when hedgerows are lost to sight-line improvements etc. There is also general guidance on how traffic from new development can be safely accommodated including, where appropriate, the need for a transport statement or assessment, in line with the relevant policies of the highway authority (Essex County Council).
68. Appendix 2 to the Plan usefully lists, with the aid of a map, a number of improvements to the existing highway network which the Town Council advocate. These are limited to traffic

⁷ or “guidance”, if that is the more appropriate term.

⁸ CBC suggest a minor re-wording of paragraph 5.26, which is appropriate.

management measures and are properly not included in the Plan as land-use policies.

69. The Essex Bridleways Association point out that Objective 7, which is part of the preamble to this Policy, caters only for walking and cycling: they ask for equestrian access to be part of the mix, and this seems entirely reasonable in principle. That having been said, it would not be appropriate for me to recommend a change to the Plan's stated objectives in the way being sought, even though the impact of so doing would be limited. Instead, ***I recommend that an additional element be included in the Policy itself, namely: "viii – ensure that the needs of equestrian recreation are taken into account where necessary and practicable"***. The issue reappears under Policies WM18 and WM25.

Policy WM13: Retention of existing employment centres

Policy WM14: Co-operative workspaces

Policy WM15: Marine services

70. Between them, these policies give expression to Objectives 8 and 9, which are to preserve the economic benefits of the harbour and support sustainable development on the island for local residents. Suitable criteria are put in place both for supporting employment and for considering proposals which might result in its loss. Specific guidance is given in respect of the activities around Coast Road, the waterside and the harbour. Policy WM14 is accompanied by Community Aspiration 1, which would support initiatives for joint ventures.

Policy WM16: Town centre

71. The town centre is, as this Policy says, the focal point for retail, office, leisure and entertainment activities and is designated as a District Centre in the emerging Local Plan. Policy WM16 seeks to avoid harm to the vitality and viability of the town centre by supporting changes of use from those in the new Class E (commercial, business and service uses, which includes retail) only in certain circumstances.
72. The difficulty here is that the Policy fails to recognise that, as result of a recent amendment to the legislation, property in any of these uses can change to residential use, up to a maximum of 1500 sq. m. (with certain restrictions) without the need for planning permission⁹. The consequence for the Plan is the same as that I set out under Policy WM7. ***I recommend, as before, that the supporting text include a brief reference to the extent to which the Policy is impacted by the current permitted development rules. In addition, I recommend that the second paragraph of the Policy itself begin: "Where a planning application is necessary, the change of use from Class E ..."***
73. While the Policy includes support for the expansion of town centre uses, this is only "where it can be demonstrated that the use is small scale proportionate to the role and function of such centres [sic] and will serve the basic needs of local communities". I consider this proviso to be both vague and lacking in any clear justification. It is not preceded by any comment in the accompanying text. ***I recommend that the last two paragraphs of the Policy be deleted and replaced with: "Proposals to expand an existing retail, service, community, financial/ businesses or leisure use will be considered favourably, subject to account being taken of other relevant policies in this Plan, including the need to demonstrate that they will not adversely affect residential amenity, particularly in terms***

⁹ Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

of car parking, noise and hours of operation. Proposals should take every opportunity to promote sustainable travel behaviour where feasible”.

Policy WM17: New health facilities

Policy WM18: Health and wellbeing

Policy WM19: Education infrastructure capacity

74. Policy WM17 supports an increase in the capacity of local medical facilities and notes that the outline planning permission granted for the Brierley Paddocks site is reserved for such a use, being (according to paragraph 9.6) the favoured location for a new health service hub. Community aspiration 2 supports the inclusion of a daycare centre within the facility. Following my request for further detail, CBC have explained that a subsequent reserved matters approval includes a condition which (in part) is designed to ensure that a surgery building shown on the submitted plans is retained permanently for a doctor’s surgery/ medical purposes.
75. Policy WM18 is a general requirement for all development to be designed in a way which helps promote healthy lifestyles and avoid adverse public health impacts. CBC point out that this is a duplication of Local Plan Policy DM1 (with the implication that it is therefore superfluous). I have noted that while DM1 is the subject of a main modification, this is only a matter of its detailed wording. This being the case, it seems highly unlikely that it (or something very like it) will not form part of the adopted Local Plan, ***and for this reason I recommend that Policy WM18 be deleted.***
76. Policy WM19 requires proposals that (might?) generate additional school-age children to demonstrate that there is sufficient capacity “at all levels of the education system” to support the development, or that the required capacity will be delivered, where necessary via developer contributions. Mersea Primary School may be nearing capacity (paragraph 9.9) and planned growth in the Borough will also increase demand for secondary school places outside the NP area. Following a query from me, CBC have explained that LP Policy PP1 deals with generic infrastructure and mitigation requirements of all proposals (in addition to site-specific ones): as it is proposed to be modified, this now includes contributions to meet education needs, with guidance as to the appropriate mechanisms for delivery.

Policy WM20: Essex Coast recreational disturbance avoidance and mitigation strategy

Policy WM21: Biodiversity

Policy WM22: Mitigating landscape impact

77. Paragraph 10.1 sets the context for this Policy by explaining that West Mersea is within an area “of the highest significance in terms of the natural environment. All of the coastline is covered by international, European and national wildlife designations”. Policy WM20’s title is a reference to a supplementary planning document adopted by CBC, and its principal consequence in development management terms is the levying of a tariff on residential schemes. The Policy simply reiterates this.
78. Policy WM21 addresses the need to protect other habitats on the island and, where feasible, create new ones. A “mitigation hierarchy” (avoid – minimise – remediate – compensate) should be followed, something which is designed to limit as far as practicable any negative impacts of development on biodiversity¹⁰. CBC suggest the deletion of the

¹⁰ It would be helpful if the source of this formula were to be noted in the supporting text.

opening phrase of the Policy (“Except in exceptional circumstances”), since it would result in a stance which might read as being weaker than that adopted by the NPPF (for example at paragraph 174). ***I recommend that this be done.*** Community aspiration 3 sets out the Town Council’s approach to enforcement.

79. Policy WM22 is a generalized requirement that the various landscape assets within the NP area will be protected, with some of the main issues listed in paragraph 10.7 (a summary of parts of a Landscape Appraisal for the Borough carried out in 2005, and still considered relevant). More recently, an appraisal of important views has been undertaken, with their locations being shown on the Policies Map, and the Policy seeks to ensure that there is no detrimental impact on them. Gladman ask for all of these to be deleted on the grounds that no evidence has been provided to explain their significance; there seems to be a misunderstanding here, since the relevant document, dated February 2021, is readily available on the Town Council’s dedicated NP website (although I have no information about when it first appeared). The assessment was carried out by Places4People planning consultancy, and while it contains limited site-specific information, it does show the locations of all viewpoints clearly and these are accompanied by relevant photographs.
80. Essex County Council make a number of detailed suggestions about the way the Plan could include further information regarding “green infrastructure” and proposes a specific policy about improving connectivity between the area’s various natural assets. ***I recommend the adoption of this Policy as worded by ECC*** and am content to leave to CBC and the Town Council the decision about where it (and any necessary contextual material) might best be located in the Plan, but an expansion of Policy WM21 might be a logical option.

Policy WM23: Tourism and leisure development

Policy WM24: Caravan parks

Policy WM25: The coastal footpath

81. Policy WM23 sets out support in principle for tourism and leisure development while noting a range of potential impacts that would need to be taken into account when individual proposals are considered. CBC make two somewhat conflicting comments: the first involves reiterating a list of very detailed points which were made at the Regulation 14 stage, while at the same time pointing out that the Policy duplicates LP Policy DM5 (and presumably that it is therefore superfluous). I have reached the same conclusion on this as I did in relation to WMNP Policy WM18, and for similar reasons, ***and therefore recommend that Policy WM23 be deleted.***
82. The island has six caravan parks, catering for both static and touring caravans, and holiday lodges/chalets. Together with camping, these represent an important element in the local economy. They are generally sited in the open countryside, with consequent implications for the various wildlife protection zones. Paragraph 11.6 points out that, for the most part, touring caravans have far less impact on the island’s infrastructure than the longer-term accommodation (and this is reflected in a section of Policy WM24 which states that the replacement of short-term facilities with sites for static caravans will not be supported). I note that Community Aspiration 4 is for the production of a tourism mitigation strategy designed to reconcile these pressures with the need to conserve the island’s natural assets and the availability of services.
83. Policy WM24 supports further development at existing caravan parks only where it can be shown that their likely impact is deemed acceptable, the scope of this consideration being set out in two categories. The second deals with wastewater management and sewerage

capacity, and I would expect any issues arising here to be within the remit of normal development management policies (although I consider its current wording rather unclear). The first, however, is too vague and generalized to be of much practical value: it says that proposals should “*not adversely impact on the environment, local businesses, or the health and wellbeing of the local community and their enjoyment of current facilities and services. For example: doctors, dentist, vehicular traffic, noise, light pollution*”. Other policies in the Plan seem to me adequately to cover the issues raised, for example, WM12, WM18, WM22, WM23, WM26 and WM28, and I consider that sub-paragraph i) is superfluous.

84. The preamble to the Policy is not clear where it refers to the intensification of an existing use and a “change in activities”: these are not defined, and in any event would not necessarily require planning permission. The second paragraph of the Policy requires proposals located within the Coastal Protection Belt to show “how they meet the requirements of Policy ENV2 of the Colchester Local Plan”. This is rather vague, and in any event, need not be a requirement of the Neighbourhood Plan, since it would simply duplicate LP Policy ENV2. ***I recommend that the reference be deleted.***
85. ***I recommend that the first paragraph of Policy WM24 (together with the two sub-paragraphs) be deleted and replaced with the following: “In addition to account being taken of other relevant policies in this Plan, where planning applications are made for the further development of existing caravan sites, as identified on the Policies Map, they will only be supported where they can provide adequate wastewater treatment and sewerage infrastructure capacity to serve the caravan park, protect the EU designated coastal bathing water quality and meet all other statutory requirements, including those under the Habitats Regulations, as set out in Local Plan Policy SS12c”.***
86. The coastal footpath runs for over 13 miles around the island, and I was able to see for myself how valuable an asset it is. Policy WM25 simply offers support for anything that would contribute to its maintenance or improvement. The Essex Bridleways Association ask that consideration be given where possible to the inclusion of equestrian access, while recognising that this may not always be feasible. ***I recommend that the aspiration of the Association to achieve this objective be noted in the supporting text to the Policy, together with any further comment which is considered necessary.***

Policy WM26: Heritage assets

Policy WM27: Local heritage assets

87. As well as the Coast Road Conservation Area, the Parish contains 37 listed buildings and five scheduled monuments. There are also valuable archaeological remains. Policy WM26 sets out the steps that must be taken when any proposals come forward which might impact on the objective of preserving or enhancing these features. Similar requirements apply in relation to those assets which have been identified by CBC as being of local significance. CBC suggest that Policy WM27 include a reference to buried archaeology, as is the case with Policy WM26, ***and I recommend that this be done.***

Policy WM28: Minimising light pollution

88. This Policy primarily seeks to ensure that outdoor lighting minimises any environmental impact, while responding to the needs of highway safety and security, in line with national policy.

Policy WM29: Design considerations

Policy WM30: Sustainable construction practices

89. Policy WM29 takes forward emerging Local Plan policies as well as providing more detail of how more “sustainable” forms of development can be achieved. It states that applications will be supported where, as appropriate to the proposal, certain issues are positively addressed. These are listed as 13 criteria, each of which would be seen as a routine development management consideration. My only concern is that several of them are duplicated by other policies earlier in the Plan, and even within the Policy itself there are some overlaps. This can be confusing, and there is scope for differences in approach being inferred when none was intended.
90. The principal examples of unnecessary duplication are:
- criterion c with Policy WM10;
 - the reference in criterion d to light pollution, which appears in Policy WM28;
 - criterion h with elements of Policy WM12;
 - criterion k with Policy WM8 (as I have recommended it be reworded); and
 - criterion m with Policy WM12.
91. In addition, where they deal in general terms with the need to respect the prevailing physical characteristics of the area, criteria a) and b) overlap both with each other to some extent, and also with criterion f). ***It would aid straightforward interpretation of the Plan if all these duplicated references were removed, and I recommend that this be done.***
92. Essex County Council would welcome reference to the Essex Sustainable Drainage Systems Design Guide and also to energy efficiency measures. Policy WM29 already briefly refers to SuDS at criterion j), but ***I recommend that, in its revised form, it deal with this broadly in the way suggested by Essex County Council, with suitable additions to the supporting text.*** The issue of energy efficiency seems to me to be satisfactorily covered by Policy WM30.

Other matters

93. The Regulation 16 process resulted in a number of other representations. None of these called into question compliance with any of the basic conditions and I see no need for me to make any further comment on them. They include (but are not limited to) comment by CBC and two local residents on some detailed information in Appendices 4, 5 and 6; CBC reiterating a number of observations they made at the Regulation 14 stage and querying the definition of the settlement boundary in the glossary¹¹; local resident Mr D Cooper pointing to an omission in the Policies Map key (which I note has now been resolved); and a number of other detailed comments made by Mr Cooper, largely of a factual nature. With all these matters, I am content for CBC and the Town Council to agree any minor alterations to the Plan document they see fit.

Monitoring and delivery

94. It is the practice in many neighbourhood plans for clear guidance to be given on the circumstances where (or when) review might be undertaken. However, this is not a statutory requirement, nor is it the subject of Government policy beyond guidance that

¹¹ “a planning term that does not necessarily include all buildings within the boundary” – I share CBC’s puzzlement at what this means.

communities are encouraged to keep plans up to date. In paragraph 14.1, the Town Council commits itself to an annual monitoring report to check that the Plan remains fit for purpose. In paragraph 14.2 it goes further by saying that a review will be needed once the Local Plan has been adopted. This seems unnecessary given the likely imminence of that event and the fact that the WMNP has been prepared from the outset on the basis that it would seek to comply with the strategic planning policies for the area (and, indeed, that my examination has concluded that this has been achieved). ***I recommend that paragraph 14.2 be deleted.***

Conclusions on the basic conditions

95. I am satisfied that the West Mersea Neighbourhood Plan makes appropriate provision for sustainable development. I conclude that in this and in all other material respects, subject to my recommended modifications, it has appropriate regard to national policy. Similarly, and again subject to my recommended modifications, I conclude that the Plan is in general conformity with the strategic policies in the Development Plan for the local area. There is no evidence before me to suggest that the Plan is not compatible with EU obligations, including human rights requirements.

Formal recommendation

96. I have concluded that, provided that the recommendations set out above are followed, the West Mersea Neighbourhood Plan would meet the basic conditions, and therefore recommend that, as modified, it should proceed to a referendum. Finally, I am required to consider whether the referendum area should be extended beyond the neighbourhood plan area, but I have been given no reason to think this is necessary.

David Kaiserman

David Kaiserman BA DipTP MRTPI
Independent Examiner

1 December 2021

APPENDIX 1 – SUMMARY TABLE OF RECOMMENDATIONS

Examiner's report paragraph	NP reference	Recommendation
18	Plan title	<ul style="list-style-type: none"> amend the plan title to include the plan period
28	Part 2: Planning policy context	<ul style="list-style-type: none"> include reference to the MLP and WLP in paragraph 2.1 include the explanatory paragraph suggested by ECC within this section of the plan
34	Part 2: Planning policy context	<ul style="list-style-type: none"> update references to local policy context which have been overtaken by events update paragraph 2.2 to refer to July 2021 version of the NPPF add a full key to the emerging local plan policies maps on page 10
45	Policy WM1	<ul style="list-style-type: none"> retain the first two paragraphs of the policy but delete and replace the remainder as suggested include a summary of LP Policy OV2 within the supporting material
48	Policy WM2	<ul style="list-style-type: none"> delete the first paragraph of the policy and replace as suggested
52	Policy WM4	<ul style="list-style-type: none"> delete the second sentence of the first paragraph and replace as suggested delete paragraph 5.16 of the supporting text
53	Policy WM4	<ul style="list-style-type: none"> amend the first sentence of the policy as suggested amend the beginning of the last paragraph of the policy as suggested
54	Policy WM5	<ul style="list-style-type: none"> delete the phrase "in exceptional circumstances" from the fifth paragraph of the policy
55	Paragraph 5.17	<ul style="list-style-type: none"> delete the phrase "entry level homes for purchase"
58	Policy WM7	<ul style="list-style-type: none"> include within the supporting text a brief reference to the extent to which the plan's housing objectives are impacted by current permitted development rules
61	Policy WM8	<ul style="list-style-type: none"> delete the first sentence of the policy include a brief explanation of the status of NDSS/LP Policy DM12 within paragraph 5.22 of the supporting text
62	Policy WM8	<ul style="list-style-type: none"> reword the policy as suggested include details within the supporting text of the parking standards or guidelines and where they can be found

69	Policy WM12	<ul style="list-style-type: none"> include an additional element in the policy as suggested with regard to the needs of equestrian recreation
72	Policy WM16	<ul style="list-style-type: none"> include within the supporting text a brief reference to the extent to which the policy is impacted by current permitted development rules amend the beginning of the second paragraph of the policy as suggested
73	Policy WM16	<ul style="list-style-type: none"> delete the last two paragraphs of the policy and replace as suggested
75	Policy WM18	<ul style="list-style-type: none"> delete the policy
78	Policy WM21	<ul style="list-style-type: none"> delete the opening phrase of the policy: “except in exceptional circumstances”
80	Part 10: Natural environment, landscape and coastal protection	<ul style="list-style-type: none"> include an additional policy about improving connectivity between the natural assets, using the wording suggested by ECC
81	Policy WM23	<ul style="list-style-type: none"> delete the policy
84	Policy WM24	<ul style="list-style-type: none"> delete the second paragraph of the policy, which refers to LP Policy ENV2
85	Policy WM24	<ul style="list-style-type: none"> delete the first paragraph of the policy and its two subparagraphs and replace as suggested
86	Policy WM25	<ul style="list-style-type: none"> include within the supporting text to the policy reference to the Essex Bridleways Association request for the inclusion of equestrian access where possible
87	Policy WM27	<ul style="list-style-type: none"> include a reference to buried archaeology
91	Policy WM29	<ul style="list-style-type: none"> remove duplicated references in criteria as highlighted
92	Policy WM29	<ul style="list-style-type: none"> amend criterion j) and add to the supporting text broadly in the way suggested by ECC with regard to SuDS
94	Paragraph 14.2	<ul style="list-style-type: none"> Delete the paragraph