

Sir Bob Russell

High Steward of Colchester



Promoting
Civic Pride in Colchester



Middlewick viewed from Abbot's Road and Mersea Road is a visible and readily-accessible open space which has been enjoyed by local residents for generations, a green lung so important in urban Colchester to prevent the coalescence of the distinct and separate communities of Old Heath and Monkwick/Berechurch.

My name is Robert Edward Russell, although I am more generally known as Bob.

I was first elected to Colchester Borough Council in 1971 – next month is the 50th anniversary. I was elected to the Council at nine consecutive elections. I was Mayor in 1986-87 and Leader of the Council from 1987 to 1991.

In 1997 I was elected Member of Parliament for Colchester. I served for 18 years until 2015.

In the autumn of 2015, Colchester Borough Council unanimously appointed me to the historic position of High Steward of Colchester, an honorary title, in recognition of my many years of holding elected office in my home town.

I was Knighted in the 2012 New Year's Honours in recognition of my public service to Colchester.

LOCAL PLAN - MIDDLEWICK

I invite the Inspector to make a judgement which gives Colchester Borough Council, working in partnership with the local community, the flexibility of where within the landholding of the Ministry of Defence the new housing should be built.

I am not opposing the principle of 1,000 houses at Middlewick. Regrettably – I would love to be proved wrong! – that argument was lost when this figure was placed in the emerging Local Plan. While I would prefer there to be no housing at Middlewick I would be wasting my time in pursuing a lost argument. I sense that horse has long bolted. **It is now a question of damage limitation!**

My submission is all about where is the least disastrous part of Middlewick on which to build up to 1,000 dwellings.

I am convinced that the MOD – Defence Infrastructure Organisation (DIO) – still wants 2,000 houses. Why else did they ask for 2,000 dwellings in the first place? You do not need Sherlock Holmes to deduce that. The immortal words of Basil Fawlty are more astute: “The bleedin’ obvious”.

It was very late in the process of the emerging Local Plan that the DIO informed Colchester Borough Council that it wanted Middlewick to be included, with 2,000 dwellings. Knowing that the MOD had announced the closure of the Middlewick firing range (along with others across the UK), and that it is Government policy for surplus public land to be considered for housing, the Council faced a dilemma – almost impossible to say “no” to any housing, so a compromise of 1,000 dwellings was the Council’s conclusion.

That figure has not been challenged by the MOD/DIO. Of course not. Get the 1,000 approved, then come back in later years for the second 1,000. The only way to prevent that happening is for all land within the red boundary not allocated for housing to be gifted to Colchester Borough Council as public open space.

The 2,000 dwellings originally proposed by the MOD/DIO was for the land marked with a red boundary. The larger area marked with a blue boundary was excluded. With the proposal now half that number, then all open space within the “red” development area should be concentrated at the northern half, nearest Abbot’s Road, in order to minimise the visual impact.

The original intention for 2,000 dwellings was not site specific. It only became site specific when the DIO chose where the halved number should go land from Abbot’s Road southwards towards the firing butts. **See [Appendix “A”](#)**

Surely in a democracy, particularly when it is publicly-owned land that is being discussed, the decision of where houses are built should be taken by elected Councillors and not DIO/MOD bureaucrats?

I invite the Inspector to state that where the 1,000 houses at Middlewick are built should be determined by Colchester Borough Council.

The precise details can be achieved through the Development Plan Document (DPD) and Supplementary Planning Document (SPD).

Also, that all the rest of the site within the red boundary is gifted to Colchester Borough Council.

The evidence submitted to this Hearing – by both the DIO in its 100+ pages “Middlewick Vision Document” and the Council – reveal that engagement with the local community has basically been a box-ticking exercise. The DIO, from the outset in 2016, should have involved the local Ward Councillors – they did not.

Look at 3.2 in the Council's 26-pages “Local Plan Examination of Section 2 – Topic Paper 5” (pages 6 into 7):

“The DIO have also engaged with the local community in developing the evidence.”

What exactly was this “engagement” with the local community? A box-ticking exhibition on a couple of days in July 2019 and a leaflet drop last year to residents is hardly “engagement” – and with residents expressing opposition to the loss of Middlewick, any suggestion this “engagement” shows support is not true.

What of the locally elected Councillors? I enquired of those who represent the separate Old Heath and Berechurch Wards which have a direct interest in Middlewick.

Councillor Lee Scordis (Old Heath Ward) told me:

“As councillors we had a meeting with the DIO before the first consultation (2019) and an online one before the second (which was a leaflet instead of an exhibition).

In both, we had no real say of the design, we were just told this is what they are doing. Any feedback we gave was ignored.

That was the extent of the engagement. Nothing had changed despite the objections raised by residents.”

The words claiming that the local community has been “engaged in developing the evidence” is not a true reflection of the views of the community and its elected representatives!

I therefore ask the Inspector to rule that the DIO and the Council's Planning Department must establish a Forum to which the local Ward Councillors and residents can help formulate an agreed way forward for an “up to 1,000 houses” development. Not asking a lot, surely?

The best way is for the houses to be built primarily on land currently within the fenced firing range itself and for the northern part (from Abbot's Road to the range fence) to be handed to Colchester Borough Council to continue in appearance and use as it is currently, a public amenity enjoyed by generations in the past and for generations to enjoy in the future.

This would stop the DIO/MOD returning to get a second allocation of 1,000 dwellings as originally intended, and which – I have been around long enough to be an experienced cynic – I contend is still their intention.

I am not gullible to believe the following from the DIO, namely that land beyond firing butts southwards to Weir Lane will be used for military training purposes. It is not used for that purpose now! The statement it would be used for military purposes in the future (after the firing ranges close) is a ruse. It was not mentioned when the housing proposal was first put to the Council ([see Appendix "A"](#)).

Two Freedom Of Information Act requests by me to the Ministry of Defence – one last year, the second last month – have confirmed that the only military purpose for which Middlewick has been used in the calendar years 2019 and 2020 is that associated with the firing butts. There was no military training on any of the land to the south of the firing butts. Not once in two years!

The two FOI responses from the MOD are attached as [Appendices "B" and "C"](#).

My contention is that the long-term intention of the DIO/MOD is for this land to be declared surplus to military requirements in a few years' time, and that an attempt will be made for development. The best way to prevent this is for the whole of the area within the "blue boundary" to be declared – within the Local Plan – as a "country park and nature reserve" as an alternative future use should in due course it be formally declared surplus to military requirements.

My suggestions would prevent the DIO/MOD coming back to build a further 1,000 dwellings on land within the red boundary – and, in the longer term, any development within the blue boundary.

AVOIDING COALESCENCE

Middlewick is a rare surviving area of wild heathland in urban Colchester. It provides a much-loved open space between distinct separate urban communities which have been developed in the 20th century.

If Middlewick is built on, then this green oasis will result in an urban sprawl across the southern side of Colchester, stretching from Mersea Road in the west to Old Heath in the east.

An indication that those who have composed the DIO "Middlewick Vision Document" have a poor knowledge of Colchester in general can be seen by

several howlers. They are sloppy, and bring into question how much credence can be given to what else is stated. If such basic errors are made about fact how can one really trust the accuracy of the “opinions” expressed throughout the document?

These are listed as [Appendix “D”](#).

Worth stressing is the howler on Page 8 – reference that the development would be “a logical extension to the existing suburb of Colchester.”

Old Heath and Berechurch/Monkwick are not a single suburb! They are distinct communities separated by the open acres of Middlewick.

They are in separate ecclesiastical parishes, separate primary school catchment areas, have separate Scout groups, separate municipal wards and separate county divisions. They are not a single suburb!

The proposed development is not an “extension” – **it would see the coalescence of two distinct and separate communities!**

The coalescence of existing separate communities was rejected on two occasions as recently as 2019 when, in separate Appeals, two different Inspectors turned down housing proposals in other parts of the Borough with the grounds including that they would lead to a coalescence. My hope is that the same reason – to prevent coalescence – can be cited by the Inspector in his conclusions of this Hearing to prevent the separate communities of Old Heath and Berechurch (Mersea Road area) becoming so physically joined in an urban sense.

Appeal Ref: APP/A1530/W/18/3217708 – decision dated 17th June 2019. In dismissing the Appeal, the Inspector stated in part that the site made a “significant contribution towards the landscape character.” Also: “The development would lead to a coalescence of the two settlements and would be harmful to the character and appearance of the landscape.”

Precisely what would happen at Middlewick.

Appeal Ref APP/A1530/W/18/3207626 – decision 19th August 2019. In dismissing the Appeal, the Inspector stated in part the following reason: “Policy DP1 provides that proposals respect or enhance the landscape that contributes positively to the site and the surrounding area.” He also mentioned “coalescence” and “blurring their separate identities” – precisely what would happen at Middlewick.

A further reason against building at the Abbot's Road end of the site is the proximity of pylons carrying high-voltage overhead electricity cables, and the radiation health issues which arise.

See [Appendix “E”](#).

HISTORIC HEATH

Heaths were once a feature of the landscape of Colchester for miles in every direction. Middlewick is a sole survivor in 21st century urban Colchester. Other heaths were built on from the 19th century, leaving “The Wick – as it has been affectionately known by generations of residents – as a visual reminder to when heathland dominated the Colchester landscape.

There are strong historic reasons why this rare surviving area of Colchester's heathlands should not be lost. It would be an historical, planning and environmental disaster if this happened.

Surely in contemporary times, with better informed decision-making in planning – and with the Government making announcements about the importance of protecting the natural environment – it would be perverse for this rare surviving heath to be built on?

Generations of soldiers for the past 160 years – not just during two World Wars, but every year – may have disturbed the neighbourhood with live firing practice, but they did not disturb the visual character and wildlife habitation of the heath from Abbot's Road south to the butts where they fired at targets, and which soldiers in 2021 continue to fire at.

It is as important to Colchester's rich history as are so many of the town's historic buildings. It is Natural History.

Until last year the Ministry of Defence freely allowed people to use Middlewick other than the firing area “behind the wire”. There has historically been good relationships between the Army and civilians. The public has continued to use this land in a manner which generations have done. To all intents and purposes, it is “public” open space.

Although last year the DIO closed many access points to Middlewick citing public safety, the public is still able to have legal access thanks to official Public Footpaths.

The DIO claim for closing “unofficial” access points – although they were constructed by the MOD to allow easy access for walkers – on the grounds of safety was shown to be risible because the Public Footpaths can still be used.....and a Freedom Of Information Act request by me to the MOD showed that there are no reports of anyone being injured while on Middlewick at any time over the past ten years!

The FOI answer is on the attached [Appendix “F”](#).

PRECEDENT FOR WHAT I PROPOSE

While no two Planning Hearings are the same, I draw the Inspector's attention to a significant Appeal some 45 years ago in Colchester which I recall because I see a similarity with what I am proposing today.

It would be wonderful if the Inspector provided the same excellent outcome as that which occurred all those years ago. That appalling planning proposal was prevented. Instead of a sprawling housing estate, to the north of the main railway line, stretching across the northern slopes of the Colne valley, we have the open fields of High Woods Country Park in North Colchester.

I was a young Councillor involved in saving this land for permanent public benefit. Now in my twilight years, I would dearly like to see a similar outcome – albeit on a smaller scale – in South Colchester, at Middlewick.

What Councillors prevented 45 years ago was a development which had been included in the Local Plan. The proposals were further advanced in that Local Plan than Middlewick is in this Local Plan process. It had the unimaginative description "COL/13". Fortunately, thanks to the determination of Borough Councillors, "COL/13" did not proceed. Instead, High Woods Country Park was established. The housing allocation was moved further to the north. The same solution I suggest for Middlewick – with the housing allocation being moved to the south, out of sight of Abbot's Road.

This would be a common-sense outcome. It would retain the natural beauty of Middlewick, as viewed from Abbot's Road and Mersea Road.

To smother it with housing would be more than a blot on the landscape, it would be a travesty.....Middlewick's special ecological features, its recreational uses, its landscape attraction, a "green lung" separating the established communities to the west at Monkwick and to the east at Old Heath, all reasons why its special characteristics should not be lost.

I am not saying that 1,000 dwellings at Middlewick should be removed from the Local Plan. There would be consequences elsewhere if that happened. I am proposing that the allocation be moved to the south, and for the land from Abbot's Road to the wire-fence of the firing area be retained as a public open space.....which in effect it has been for the past 160 years.

THE NATURAL ENVIRONMENT

The Inspector will be aware of the Government's rhetoric and pronouncements about the environment – which building on Middlewick is the opposite to those flowery words from Downing Street and elsewhere in Whitehall. The DIO/MOD are not in step with what the Government is saying!

The Government wants to create new habitats for wildlife. Great. I support that. I have read the phrases “re-wilding” and the need “to stem the appalling collapse of biodiversity.” Support that, also.

The problem with this rhetoric is that in Colchester the DIO/MOD are making a mockery of the fine words of the Prime Minister in particular, and the Government in general, through plans to destroy an existing area of wildlife!

Middlewick is not a “brownfield” site. Much of the former Colchester Garrison became brownfield for housing developments when the old barracks were demolished at the turn of the 20th and 21st centuries, and the new Merville Barracks were built not that far from Middlewick. It is home to 16 Air Assault Brigade, Britain's rapid response force.

While this Planning Hearing is not about the defence of the realm, as a former MP for a Garrison Town (and a former member of the Defence Select Committee) I place on record my contention that disposing of this military asset is not in the national interest. Selling it is short-termism at its worst.

Other than the firing area (which is behind security fences), most of Middlewick is a natural area of open space which provides exactly the sort of habitat for wildlife the Government says it wants to promote! It is completely against the spirit of the Government's announcement to create new habitats for wildlife when, at the Abbot's Road northern end of Middlewick, an existing habitat for wildlife would be destroyed!

The loss of this specific area of Middlewick to an urban sprawl is contrary to the Government's post-Brexit proposals for a change of direction – dropping the EU's Common Agricultural Policy – with policies aimed at protecting our green and pleasant land with great emphasis on public benefit through measures designed to encourage wildlife habitats.

Government rhetoric is not being honoured by the DIO/MOD when it comes to Middlewick!

ECOLOGY – EXPERT OPINION

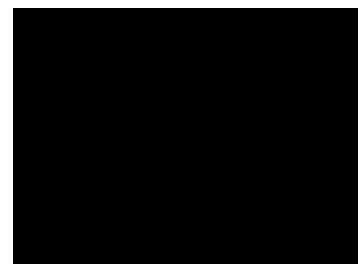
When it comes to ecology, I am a lay person. I do not have qualified knowledge – but there are people who are experts so I have sought expert advice and opinion. I trust their informed opinions, given freely. They have not been paid to produce “evidence” which suits what developers want, something I have previously witnessed at Planning Inquiries.

The advice from Dr Chris Gibson, a retired Principal Planning Advisor with Natural England, and Mr Adrian Knowles, a former ecologist with the Essex Wildlife Trust, are attached as [Appendix “G”](#).

I also add words of support from the Campaign Against Urban Sprawl in Essex, more generally known by its initials – CAUSE. It successfully lobbied against proposals for a “garden village” (sic) between Marks Tey and Coggeshall, to the west of Colchester. One of its leading figures is Rosie Pearson, who in respect of Middlewick stated in a letter to the Colchester Daily Gazette on 18th February:

“The key issue is the unique habitat. It is a local wildlife site. Rare species abound. The acid grassland is rare, undisturbed and one of a few remaining in North Essex. The green space is precious to locals.”

I conclude with [Appendix “H”](#) which is an article by me in the Colchester Daily Gazette of 26th February this year – with the headline: Beauty spot should not be destroyed.



APPENDIX "A"

FREEDOM OF INFORMATION RESPONSE FROM COLCHESTER BOROUGH COUNCIL

Dear Sir Bob Russell ,

Thank you for contacting Colchester Borough Council with your Freedom of Information request regarding: Middlewick Ranges.

We do hold the information you have requested and it has been provided in this email. Additional comments (if any) can be found below:

I have provided a response against each of your questions in red text alongside each one.

When agents for the Ministry of Defence requested the Council to allocate Middlewick for 2,000 dwellings in the Local Plan, did they:

Refer to the whole of the MOD landholding at Middlewick, or only part of it?

Just the part of the holding which is reflected in the allocation site boundary in the eLP (SC2)

Were they site specific as to where they would wish the 2,000 dwellings to be built? No other than within the red line boundary comprising the proposed allocation

Did they in that initial approach to the Council indicate their intention that any part of the Middlewick landholding would be retained for military training purposes?

No the initial submission referred only to the land within the area of the allocation and made no reference to this or any further landholding in this area being required for military training purposes.

Supplementary to the above questions:

Was it only after the Council agreed to allocate 1,000 houses at Middlewick in the Local Plan that agents on behalf of the Ministry of Defence (a) made site specific proposals for the 1,000 dwellings on the northern part of Middlewick (between Abbot's Road and the firing butts), and (b) that land to the south of the firing butts as far as Weir Lane would be used for military training purposes?

Yes any further site specific proposals have been worked up following the inclusion of the site for 1000 dwellings in the eLP. The site specific proposals referred to are informed by the evidence

work undertaken to support the proposed allocation and the MOD's vision and indicative masterplan is illustrating an option for the way in which the site may be developed and to demonstrate the ability to deliver 1000 homes, plus supporting infrastructure and the necessary mitigation required. During this work the MOD have indicated that the land south of Weir Lane is required for military purposes as well as providing the potential to utilise for part of the ecological mitigation / biodiversity net gain.

NOTE from Bob Russell: I queried the reference to "south" in the last sentence – the Council has confirmed that this should be land "north" of Weir Lane.

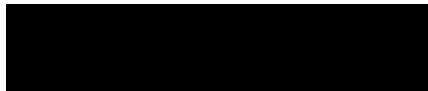
APPENDIX "B"



**Ministry
of Defence**

Secretariat
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield B75 7RL

Sir Bob Russell



Ref. FOI 2020/02127

5 March 2020

Dear Sir Bob,

Thank you for your letter of 5 February requesting the following information:

To provide the dates in the 2019 calendar year when the firing ranges at Middlewick, Colchester Garrison, were used for firing practice.

To provide the dates used in the 2019 calendar year when the firing ranges at Middlewick, Colchester Garrison, were used for purposes other than for firing practice.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD) and I can confirm that all the information in scope of your request is held.

Middlewick Ranges were used on 72 of the days between 1 January 2019 – 31 December 2019 for Firing Practice. Please find below the exact dates during that period in which the Ranges were in use for this purpose:

19, 22, 24, 31 - January

07, 08, 11, 12, 13, 19, 26 - February

01, 13, 14, 30 - May

01, 06, 10, 18, 19, 20 - June

01, 04, 08, 09, 10, 11, 12, 14, 23, 24, 30, 31 - July

04, 06, 08, 20, 21, 22, 27 - August

02, 03, 04, 09, 10, 11, 12, 13, 18, 23, 24, 30 - September

01, 07, 08, 09, 10, 16, 17, 29, 30, 31 - October

05, 06, 07, 12, 13, 14 - November

02, 03, 04, 05 - December

Middlewick Ranges were not used for purposes other than firing practice, so data on this aspect is not held.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made in writing within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act.

Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DIO Secretariat

APPENDIX "C"



Ministry
of Defence

Secretariat
Defence Infrastructure Organisation
Kingston Road

Ref. FOI 2021/01764

Sutton Coldfield
B75 7RL

Sir Bob Russell

12 March 2021

Dear Sir

Thank you for your email of 15 February 2021 requesting the following information:

"To provide the dates in the 2020 calendar year when the firing ranges at Middlewick, Colchester Garrison, were used for firing practice."

To provide the dates used in the 2020 calendar year when the firing ranges at Middlewick, Colchester Garrison, were used for purposes other than for firing practice."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD) and I can confirm that all the information in scope of your request is held.

Please find below the exact dates during the 2020 calendar year in which the Ranges were in use for live firing practice:

January: 7, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23

February: 5, 6, 7, 11, 12, 13, 18, 19, 20, 26, 27

March: 3, 4, 5, 11, 12, 17, 19, 20

May: 13, 19, 20, 21

June: 9, 11, 16, 18, 23, 24, 30

July: 2, 7, 8, 9, 15, 16, 21, 22, 23

August: 15, 16

September: 1, 2, 15, 16, 17, 18, 22

October: 6, 7, 8, 9, 14, 15, 17, 20, 21, 22

November: 4

December: 2, 3, 8, 9, 10, 15

Middlewick Ranges were not used for purposes other than firing practice, so data on this aspect is not held.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made in writing within 40 working days of the date of this response.

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Yours sincerely,

DIO Secretariat

APPENDIX “D”

Here are the errors in the DIO “Middlewick Vision Document”

- Page 8** reference that the development would be “a logical extension to the existing suburb of Colchester.”
- Old Heath and Berechurch/Monkwick are not a single suburb – they are distinct communities separated by the open acres of Middlewick.
- They are in separate ecclesiastical parishes, separate primary school catchment areas, separate Scout groups, separate municipal wards and separate county divisions.
- They are not a single suburb! The proposed development is not an “extension” – it would see the coalescence of two distinct and separate communities!
- Page 33** “Monkwood Infant and Junior Schools”. There is no such place as Monkwood. It is Monkwick.
- Page 34** reference to “three university towers”. There are six towers. Difficult to miss – 14 storeys high!
- Page 41** Old Heath Road does not run along the “western” boundary. It is the “eastern” boundary.
- Page 41** Shrub End is not a “small settlement”. Perhaps it could be so described a century ago. But development over the past 70 years has made it a municipal ward as big as Berechurch.
- Page 46** a map refers to a place called “Canterbury home”. There is no such place.
- Page 48** it is stated that houses in Cavendish Avenue were “constructed in the 1950s”. Not true. They were built in the 1930s.
- Page 51** reference to Canterbury Road being an “interwar linear street”. Such a description relates to the 20 years between The First World War (1914-18) and Second World War (1939-45). Houses in Canterbury Road were built in the years leading up to the First World War, not during the “interwar” years
- .

As a former newspaper sub-editor I would also observe that the authors used the wrong word in describing the “consultant team” – 2nd column on Page 8. It should be “principal” not “principle”.

APPENDIX “E”

NEWS RELEASE

Immediate Release

Health danger warning to Middlewick housing plans

An expert who monitors the effects from radiation from high-voltage overhead electricity cables has raised concerns that proposals to build 1,000 houses close to pylons at Middlewick could cause health problems for residents.

He was called in by Colchester's former MP, Sir Bob Russell, who has been opposed to the loss of Middlewick for housing ever since the Ministry of Defence announced in 2016 that it was going to close the Army Firing Range and sell the land for housing. The MOD initially wanted 2,000 dwellings, but the Borough Council reduced this to 1,000.

Sir Bob said: “There are already strong environment, planning and traffic reasons why the Borough Council should give an emphatic No to what the MOD is planning for Middlewick, and now we have the very worrying issue of radiation because new dwellings would be too close to the high-voltage electricity supply cables.

“It is to be hoped that this is a further reason why Councillors should unite and remove Middlewick from the Local Plan, as currently identified. Housing has to be built in the right place. This is not the right place.”

The health warning was given by Mr Alex Metcalfe who is Senior Electromagnetic Risk Profile Technician for a national company set up to carry out domestic and commercial EMF surveys – the initials being the acronym for “electro-magnetic fields”. It operates by the name EMF Detection and is part of The VXO Group Ltd.

Sir Bob sent Mr Metcalfe photographs he had taken of the pylons at Middlewick, together with a public relations drawing issued on behalf

of the MOD clearly showing the pylons being retained next to the illustration of new houses.

Responding, Mr Metcalfe said: "Looking over the pictures and maps of the area, it is my opinion that some of the houses built on that development will have increased electromagnetic radiation which could well be harmful to health. It is also likely that the occupants will be unaware of the risks associated with living close to high voltage lines."

He added: "In our opinion, and that of many EMF professionals and scientists, no homes should be built so close to power lines.

"Unfortunately, developments near power lines are all too common these days and they are being built with no regulation in place to protect the public's health with regards to electromagnetic radiation."

Many other countries have such regulations.

Sir Bob said: "People's health has to be taken seriously. I therefore hope that Colchester Councillors will become a beacon for councils throughout the country by taking the lead in saying that building houses close to high-voltage overhead electricity cables is not acceptable, and refuse any consent for housing on Middlewick.

"The fact that existing houses are close to over-head cables is not a reason for allowing more to be built, rather it is a reason to say No to further dwellings now radiation health concerns are known whereas in the past they were not."

He pointed out that more than a decade ago, when a new housing estate was built off Berechurch Hall Road, the pylons were removed and the electricity cables put underground. Also, several years ago no developer was willing to build houses beneath the overhead cables on land to the rear of The Willows shopping centre, on the opposite side of Mersea Road from Middlewick, even though planning permission was given.

Mr Metcalfe has told Sir Bob that EMF Detection is "more than happy to help" in drawing attention to the potential health consequences of building houses on Middlewick.

He added: "We are constantly poring over the latest peer reviewed literature and feed this information back to the public by way of our

website as we look to push for regulations on public exposure to electromagnetic fields that are in place in many other countries. We don't feel that the UK, with one of the most brilliant scientific communities, we should be lagging behind on this matter."

ENDS

17th January 2021

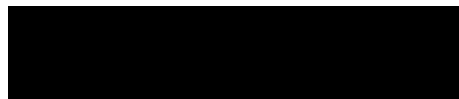
APPENDIX "F"



**Ministry
of Defence**

Secretariat
Defence Infrastructure Organisation
Kingston Road

Sutton Coldfield
B75 7RL



Sir Bob Russell



4 November 2020

Ref. FOI 2020/11410

Dear Sir Russell

Thank you for your email of 12 October 2020 requesting the following information:

“Can you please advise how many civilians have been (a) killed or (b) injured at Middlewick Ranges, in each of the last ten years for which figures are available?”

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD) and I can confirm that no information in scope of your request is held.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to know that zero fatalities have occurred at Middlewick Ranges in the last 10 years, this includes civilian and military personnel.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made in writing within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act.

Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,

Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DIO Secretariat

APPENDIX "G"

ECOLOGY – EXPERT OPINIONS

Dr Chris Gibson, a retired Principal Planning Advisor with Natural England Mr Adrian Knowles, a former ecologist with the Essex Wildlife Trust

My first expert witness is ecology expert Dr Chris Gibson, a retired Principal Planning Advisor with Natural England for whom he worked and its predecessor bodies (English Nature and the Nature Conservancy Council) for the whole of his 31 years working career. He is now a freelance naturalist and wildlife tour leader. Throughout most of his professional career he was responsible for seeking to deliver sustainable development solutions through the positive application of the Habitats Regulations. He lives in the Borough of Colchester, at Wivenhoe.

Dr Gibson has given me permission to quote him in my statement to support the retention of the habitat at Middlewick.

Dr Gibson has told me:

- It is a large area of high conservation value land, complementary to the areas to the south on the outskirts of Colchester, but of added value (to the physical and mental welfare of residents) as being within the developed area of the town as opposed to just on the periphery.
- The wildlife interests are especially botanical (grass heath habitat, now rare in Essex) and entomological (many warmth/sand loving insects known from the area), with the greatest focus of interest being the sandy patches interspersed with scrub around the butts.
- It fully merits its status as a County Wildlife Site, and could well be worthy of SSSI designation. However, to the uninitiated grass heath looks relatively poor (it is not highly diverse plant wise) and is therefore often severely undervalued.

There are a number of key points to address however (in no particular order):

- A. Any attempt to argue Biodiversity Net Gain is essentially flawed. BNG is basically a con, a developers' charter where an oversimplistic equation is used to demonstrate 'benefits'. If the input side is flawed (ie undervaluing of the existing resource, as is usually the case), that weights it unacceptably in favour of development. And as the biodiversity value

'afterwards' is only guesswork (habitat creation/restoration is not an exact science), that further devalues the equation. The equation also conveniently ignores that fact that the one thing that cannot be re-created is time (= ecological complexity). Obviously that is plain in respect of ancient woodland versus plantation woodland, but the same is true to some extent of any habitat creation.

- B. The developers will always argue they are keeping the same amount of biodiversity, just in a smaller area by making it more concentrated. Again, a fallacy. Artificially inflating biodiversity is contrary to naturalness. And when that same concentrated wildlife are is also green space for more feet, balls, bikes, dogs etc it stands to reason that you cannot lift the values uniformly across sectors/user groups.
- C. Back in the day when I worked in the field, the MoD had a formal Memorandum of Understanding that any land disposal, where that land was of conservation value, should first be offered to the conservation community. Does this still exist – I guess not...

My second expert witness is Mr Adrian Knowles, now a freelance entomologist but prior to that for nearly 30 years he was an ecologist with the Essex Wildlife Trust. It was his work that saw Middlewick identified as a Local Wildlife Site in the first place. He told me that I could offer the following, quoting him, to this Inquiry:

*I have always felt that one of the key species for the site is the digger wasp *Cerceris quadricincta* (not to be confused with the more widely known *Cerceris quinquefasciata*, which is also present). *Cerceris quadricincta* has always been very rare nationally but always known from Colchester. There are old Victorian laments in print concerning nests of it being destroyed as the unpaved streets of the town went under artificial surfaces.*

If ever there was a "flagship insect" for the town, I would choose it! I have also recorded it at Sudbury and it has been seen once (I think) in south Essex and there are very scant records for north Kent but that is about it, nationally.

As with most of the important bees and wasps of the site, it needs two quite different things: bare, sandy and warm ground within which to nest and tall grassland within which to catch prey. The old butts are extremely important as nesting sites, but without the adjacent grassland the populations would most likely be doomed. As such, any attempt to build on the flat grassland close to Abbots Road but leave the butts alone is a flawed argument. It would be like closing a supermarket in a large housing estate - how would people eat?!

Following are words by Bob Russell: Mr Knowles identifies the national importance of the Middlewick site to this extremely rare wasp. Any threat to its existence would

clearly be contrary to the Government's exhortations about the importance of wildlife habitats. Of course, there is considerably more to the ecology of Middlewick than just this species of wasp – but it does emphasise the rich ecology of Middlewick which needs to be protected.

Destroying the rich habitat at Middlewick is completely at odds with the Government's pledge "to stem the appalling collapse of biodiversity."

APPENDIX "H"

34 Gazette

Friday February 26, 2021

www.gazette-news.co.uk

Beauty spot should not be destroyed

WHO supports building 1,000 houses on Middlewick, in south Colchester?

Do any of the 50 borough councillors want to see Middlewick swallowed up with an urban sprawl stretching from Mersea Road to Old Heath?

If any do, they are keeping quiet.

Why, then, are plans going forward for this appalling development?

In 2016, the Government announced the closure of the Ministry of Defence firing range at Middlewick, along with others around the country.

The MOD told the council they wanted 2,000 houses at Middlewick.

This is double the number currently being talked about. But do not be fooled.

If the MOD get the OK for 1,000 homes, in a few years I believe they will be back for another 1,000, despite the flowery words they are currently spouting.

Those who are blaming Colchester Council are wrong.

The only reason Middlewick is under threat is because of the MOD's decision to shut the firing range and sell the land for housing.

If it was not for this, the threat would never have arisen.

Middlewick is not a "brownfield" site - a definition used to support building houses on land which had a previous developed use, such as the former barracks and Hythe area.

In contrast, Middlewick is land that has never been developed.

Five years ago, the Government announced the closure of various defence assets around the UK, including the firing range at Middlewick.

This came as Colchester Council was finalising the Local Plan, a legal requirement imposed by Government on councils, for future development across the borough.

The council was placed in a difficult position.

To say "no" would inevitably result in a zero decision being challenged. Thus the compromise of 1,000 houses.

Where I suggest the Local Plan committee slipped up is that it did not tell the MOD



■ Making their voices heard - a poster displayed by the Friends of Middlewick Range, a group of residents opposed to the loss of this area of open space in south Colchester

Column: former MP Sir Bob Russell is calling for a halt to the proposed development at Middlewick



which bit of its large land-holding at Middlewick could be built on.

With the benefit of hindsight, the committee should have insisted that land to be developed should be to the south of the firing butts.

This would leave the wild heathland area nearest Abbot's Road in its current natural condition - the only surviving area of historic heathland left as Colchester became urbanised over the past century or so.

Can development of this area be stopped?

Yes, if there is a political will to do so.

Borough councillors have the power to say "no" and

Borough councillors have the power to say "no" and fight the MOD at a planning inquiry.

fight the MOD at a planning inquiry. There is a precedent.

High Woods Country Park in north Colchester would not exist if it had not been for councillors, 45 years ago, voting by a narrow majority to stop a huge housing estate (much bigger than what is proposed at Middlewick) being built as an urban sprawl from Turner Road to Ipswich Road.

Land at the western end (Turner Rise) was built on, but the bulk of the proposed development was stopped, even though it was included in the equivalent of the Local Plan at the time and had the backing of council officers and leading councillors.

Backbench councillors, of whom I was one, voted to stop this appalling development.

Today's borough councillors could do the same at Middlewick.

Time for the rhetoric to stop - and for councillors to refuse to allow housing on the area of Middlewick proposed by the Ministry of Defence.

Another reason why development at Middlewick should be opposed is that it flies in the face of Government announcements over the past 12 months in respect of promoting the natural environment, which building on Middlewick would destroy.

Colchester Council should urge the Government to back Government policies!

