

Dear Ms Copsey,

Thank you once again for the advice you gave me during our recent correspondence. We have decided not to request to attend any of the hearing sessions but instead rely on the Inspectors considering our original objection submitted on 9th August 2017 (Colchester Borough Council Reference No 7272) under the heading,

West Mersea Residents' Objection to Policy SS12a of the Colchester Borough Council Draft Local Plan. Specifically - The proposed development of the Dawes Lane site (MER02) being unsound. (copy attached)

Also and in the form of updated information we would like the Inspectors to consider the following which contains additional and to our minds pertinent information.

West Mersea Residents' objection to Outline Planning Application Ref:200351 for 100 dwellings and land for community use, public open space and landscaping; and access from Dawes Lane West Mersea dated 17th March 2020. (copy attached) - please note we have inserted an additional photograph at para 6 of the supporting narrative which was not in the original objection, hence not available to the planning committee.

The residents of West Mersea positively contributed to both the Colchester Local Plan (over 700 responses to the Dawes Lane site planning application) and West Mersea Neighbourhood Plan consultation process. Residents are left feeling very disappointed that for all their efforts the subject of developing the Dawes Lane site always appeared to have a predetermined outcome. Residents had sincerely hoped that the examination of Section 2 of the Colchester Local Plan would be prior to the developers being able to submit their outline planning applications for both site MER02 and MER18. Clearly that was not the case and now both sites have outline planning permission approved and the consultation process has failed us.

Furthermore the Neighbourhood Plan process for West Mersea was just as upsetting for the residents with the borough predetermining what sites would be developed in their Neighbourhood Plan without consideration being given to what the residents prefer to see. The preference of the residents and the Neighbourhood Plan Steering Group was for only one site with 200 dwellings to be developed however, it was made very clear by Colchester Borough Council that if the Neighbourhood Plan did not conform to the Local Plan it would be found non compliant at the examination stage, so much for consultation.

There is probably nothing that can now come from your examination of our objection but we would like to think that you may conclude that it does offer a more environmentally better option for delivering the 200 dwellings in West Mersea.

Yours sincerely

Paul Knappett

For the West Mersea Residents opposed to the development of the Dawes Lane site.



17th March 2020

Dear Mr Ryan,

Outline planning application Ref: 200351 for 100 dwellings and land for community uses, public open space and landscaping; and access from Dawes Lane West Mersea.

Thank you for your consultation on the above, received on 21 February 2020.

The West Mersea residents listed at Annex A to Objection No 7272 dated 8th August 2017 to Policy SS12a of the draft Local Plan now wish to register their objection to outline planning application No 200351. This objection is submitted without prejudice to objection No 7272.

We submit that there is an environmentally better alternative to delivering the strategic housing allocation for West Mersea. The 200 dwellings proposed in the emerging Local Plan should all be accommodated on the discreetly located Brierley Paddock's site. This would protect the Island's coastal landscape and open rural character from urbanisation. It is closer to the recreational beach areas, school and village centre and it has safer pedestrian access to these areas. It is on the main bus route and is the Neighbourhood Plan's preferred site for the long needed new West Mersea Surgery. Building 200 dwellings on this site would represent a far more efficient use of available land and preserve 10.2 hectares of valuable arable farmland. Unlike the Dawes Lane site it is located outside of the zone of influence of one of the European Designated Sites scoped into the Essex Recreational Disturbance Avoidance And Mitigation Strategy (RAMS). This alternative proposal is made in detail in our objection No 7272 dated 8th August 2017 copy attached.

We request that consideration is also given to the following two procedural points:

The application is not supported by West Mersea Town Council ¹and it pre-empts their emerging Neighbourhood Plan which, within the next two months, will be at the pre submission consultation phase (Regulation 14).

It breaches the current Colchester Local Plan which still has three years to run and is premature to the emerging Local Plan. Considering the uncertainty surrounding the emerging Local Plan it seems most irregular that sufficient weight can be given to the Plan enabling this application to be considered.

Please see supporting narrative Para's 1-13.

¹ WMTC Meeting 12/03/2020

Supporting Narrative

Landscape Character and Environment

1. The distinctive character of our surroundings contributes to the sense of place and belonging and has a fundamental impact on our quality of life². Identifying, protecting and enhancing those natural, historic and cultural elements that contribute to character are key aspects of achieving sustainable development³ (meeting the needs of today without compromising the needs of tomorrow).
 2. Within the Borough there are many villages and locations which enjoy beautiful rural and coastal landscapes⁴ and many can boast a proud heritage, but only Mersea is an island with a tidal causeway which regularly floods and isolates it from the mainland. As an island Mersea has unique and distinguishing features which create a strong sense of place, whilst the rarity of some its features, relative to other parts of the Borough, contribute to the highest landscape value.
 3. On approaching the island across the Strood causeway⁵ there is a distinct landscape structure which gives feeling of homecoming and wellbeing for the residents and something rather special for visitors to experience. This high value view is framed by a landscape with an absence of detracting visible features and a topography that slopes down from a high ridge just to the north of the settlement towards the coastline which is a designated SSSI.
 4. The Dawes Lane Site lies on the top of this high ridge of the topography which forms a key part of this landscape structure. These views and the open rural countryside are on the main tourist routes and are part of what makes Mersea so attractive to tens of thousands of visitors every year. Throughout the construction phase and the many years it will take for the proposed mitigatory landscaping to take effect our visitor's impression of the Island will be adversely changed.
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5. The significant level of landscaping being proposed⁶ to mitigate the damage the proposed development will cause to the open rural character and beauty of this part of the Island and the East side of Dawes Lane demonstrates how environmentally sensitive this location is for housing development. The question must be asked is this the most suitable site to deliver the strategic housing numbers (200) proposed for West Mersea.

² An approach to landscape sensitivity assessment – Natural England June 2019

³ National Planning Policy Framework - Sustainable development

⁴ Chris Blandford Associates - Review of Borough Countryside Conservation Areas dated 2005

⁵ History and Heritage of West Mersea - Alan Brook July 2019

⁶ Site promoter's Landscape Character Assessment

The following string line diagram is an addition to the original outline planning application objection. It is included to help demonstrate how damaging housing on this site will be to a highly valued view and the Island's historic landscape character.

STRING LINE DIAGRAM



PRODUCTION DETAILS

The wireline photo overlay has been created using computer modelling overlaid onto panoramic site photography. The computer model included terrain, control points and modelling of the proposed development. The development modelling is representative of traditional two storey dwellings across the site.

Ridge height modelled to: 8m above existing ground levels

Eaves height modelled to: 5m above existing ground levels

A match to the photograph is achieved with cross-reference of control points in both the photograph image and the computer model.

PHOTOGRAPHY DETAILS

Location: North side of the Strood at start of footpath 147-12

Coordinates: 601287E 215199N

Photography date and time: 28.08.2019 – 12.55

Eye level (camera height): 1.65m

Horizontal angle of view

(width of view on top panorama): 80 degrees

Correct distance for viewing top panorama image (printed at A3): 30cm

When held at the correct viewing distance the top panorama image should be the same scale as it would appear in real life. For full accuracy in this close one and curve the image so that all parts of the image are the same correct viewing distance from the eye.



6. Due to the site's prominent location there are concerns regarding the potential damage which could be caused by artificial lighting from residential areas on the Island's dark skies which also contribute to its local character.
7. For the aforementioned reasons, it is submitted that this planning application is contrary to the following policies of the emerging Local Plan.
 - (i) Policy ENV1 of the Colchester Borough Council Core Strategy adopted 2008 (revised 2014) which provides that the Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline. The Policy also provides that development within the Coastal Protection Belt will not be permitted that would adversely affect its open and rural character.
 - (ii) Policy DP1 of the Colchester Borough Council Development Policies document adopted 2010 (revised 2014) which provides that all development must respect its landscape setting and contribute to the surrounding area.
 - (iii) Policy DP23 which provides that development within the Coastal Protection Belt will only be supported if it would not be significantly detrimental to the landscape character of the area.

Note: The above policies were quoted by Colchester Borough Council itself to refuse retrospective planning permission for the fence surrounding Smiths Hall, Dawes Lane, West Mersea⁷ which adjoins this site.

8. At a time when the borough has introduced a Climate Emergency we would expect to see efficient use of land for housing development and the preservation of arable farm land when it is needed to help mitigate global warming. Developing this site will result in the unnecessary loss of 10.2 hectares of agricultural land.
9. Natural England comments that the application will have an adverse effect on the integrity of European Designated Sites within the scope of the Essex Coast Avoidance And Mitigation Strategy (RAMS) without mitigation.

Pedestrian Access

10. There is concern that the proposed pedestrian access points to East Road via the Wellhouse Green development and Dawes Lane present a safety risk to users. Neither of the two entry points into Glebe View has footpaths or room to create them. They are both shared vehicular and pedestrian access points which may have been satisfactory when the Wellhouse Green development was built but not for circa 240 new residents, plus those who would use the proposed new recreational areas, footpaths, and cycleway. The proposed pedestrian access to East Road via Dawes Lane involves crossing Dawes Lane twice, this is necessary because there is no access to a footpath on the West side of Dawes Lane or again room to create one.

Community Benefits

11. There is no evidence that we are aware of that West Mersea has a requirement for the proposed further five hectares of recreational open space other than a need for more match day parking. Match day parking is a problem which needs to be addressed but has there been a review of Glebe 1 to ascertain if the current parking area could be further extended without compromising the area needed for sport? There is concern that the two proposed community areas sit outside of the proposed new Settlement Boundary and depending on what is constructed on them, could put further pressure on protecting the landscape views.
12. The site promoter has made land available for a new West Mersea Surgery however the Chairman of the Neighbourhood Plan has stated that the Neighbourhood Plan's preferred site for a new surgery is Brierley Paddocks. If the surgery is built on the Brierley Paddocks site, then there would be no overwhelming community benefit arising from this site to justify breaching the Coastal Protection Belt.

⁷ Planning application – No 172985

Local Plan

13. The borough demonstrated at an early stage in the Local Plan process⁸ that the Brierley Paddocks site could accommodate 200 dwellings and the Dawes Lane site 150. When the strategic housing number was reduced to 200, because it more aligned to the available infrastructure, facilities and services, we submit it would have been better in environmental and planning terms to have removed the Dawes Lane site which had an allocation of 150 from the process.

Yours sincerely

Paul Knappett

For and on behalf of the West Mersea residents who submitted objection No 7272 dated 8th August 2017.

⁸ Sustainability Appraisal – draft Local Plan

West Mersea Residents' Objection to Policy SS12a of the Colchester Borough Council Draft Local Plan

**Specifically - The proposed development of the
Dawes Lane Site (MER02) being unsound**



The Dawes Lane Site MER02

Our objective: To ensure the community's housing needs are met and delivered in the right location and to protect the coastal landscape, character and environment of Mersea Island.

Preface (explanatory notes)

The supporters of this document who are listed in Annex A remain opposed in principle to unsustainable development in West Mersea. Their inclusion within this objection should not be read as unconditional support for 200 houses being built on one site in West Mersea, instead an agreement with the principles and arguments laid out within.

The West Mersea Neighbourhood Plan will be able to identify the community's housing needs in terms of housing types including affordable housing and bungalows within the 200 houses proposed in the Draft Local Plan (DLP). However, it is understood that because of the Town Council's lateness in commencing the Neighbourhood Plan process the opportunity for the community to also identify the most suitable site, or sites for this housing was lost.

For the reasons given above supporters of this document feel it is necessary to submit to Colchester Borough Council and the Government Inspector their views regarding what is the most suitable site for development. In doing so every effort has been made to ensure the completeness, accuracy and compliance of this objection.

It should be understood this objection has been made in good faith by certain residents of West Mersea who are not legal or planning experts and would have found it extremely difficult to represent their views individually.

Document structure

The document is presented as follows:

Preamble	
Section 1.	Introduction to objection
Section 2.	Executive Summary
Section 3.	Aim
Section 4.	Evaluation of Dawes Lane site MER02 – Glebe Facilities
Section 5.	Evaluation of Dawes Lane site MER02 – Coastal Protection Belt
Section 6.	Evaluation of Dawes Lane site MER02 – Surface Water Flooding
Section 7.	Evaluation of Dawes Lane site MER02 – Site Access
Section 8.	Evaluation of Dawes Lane site MER02 – Site Location and Environmental Issues
Section 9.	Evaluation of Dawes Lane site MER02 – Archaeological interest
Section 10.	Evaluation of Brierley Paddocks site MER18 – Site development potential
Section 11.	Evaluation of Brierley Paddocks site MER18 – Coastal Protection Belt
Section 12.	Evaluation of Brierley Paddocks site MER18 – Surface water flooding
Section 13.	Evaluation of Brierley Paddocks site MER18 – Site access
Section 14.	Evaluation of Brierley Paddocks site MER18 – Site Location and Environmental issues
Section 15.	Evaluation of Brierley Paddocks site MER18 – Archaeological interest
Section 16.	Advantages of one site option - Based upon developing MER18
Section 17.	Conclusion
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Preamble

Before proceeding with our objection it is necessary to clarify certain points contained in the brief summary of West Mersea by Colchester Borough Council in both their original DLP and Boundary Review April 2017 (see extract below) which are misleading in the simplistic approach adopted.

“Overall the town is well served by infrastructure and there is an active community in the town providing many services to residents. The capacity at the local primary school and the option to expand is an advantage. Distance to secondary schools and train stations are the most significant issues affecting growth in the settlement but the frequent bus routes which service the town mitigate these issues to some degree.”

- Infrastructure is not good, roads are in poor condition and overcrowded, parking is limited and the medical facilities are over stretched. The Medical Centre is in need of upgrading to meet current let alone future needs, an issue that has been running throughout the current Plan period.
- The primary school may have some capacity but has the question been asked whether this applies overall or to each age group? There is a possibility of some capacity for certain age groups, but not others, also expansion of the school will reduce the recreational facilities of the pupils and this should be discouraged.
- West Mersea does not have good bus services, one bus each hour serves the proposed development sites MER02 and MER18 (two hours on a Sunday) and both would entail a walk of between 10 to 15 minutes to the nearest bus stop. Also bus services are withdrawn during certain high tides for up to two hours. The two secondary schools available to West Mersea children are served by special school bus services and for Tiptree there is no direct bus service.
- West Mersea is not self-sufficient with regard to shops as much major shopping has to be done in Colchester or elsewhere.
- Employment in West Mersea is limited and most people travel to Colchester and beyond for their work, in this regard see original DLP.
- Finally, it must be remembered that the only access to Mersea Island is by way of the B1025 and which is impassable due to flooding at certain stages of the lunar monthly tide cycle. In this respect, we have been unable to ascertain a viable evacuation plan that will cover the possibility of evacuating a possible 14,000 people.

Such misleading information has a direct impact on the DLP and the above corrections should be borne in mind at all times.



Figure 1

The above photograph shows an incident when the tide covered the access road to the Island.

Section 1. Introduction

1.1 This objection to the DLP Policy SS12a is submitted on behalf of West Mersea residents who are opposed to the development of the Dawes Lane site (MER02). Every effort has been made to ensure none of these residents have made independent representation or signed up to another West Mersea group objection.

1.2 Policy SS12a is considered to be **unsound** regarding the proposal to develop MER02. This objection will provide the reasons why Policy SS12a is considered **unsound** and will offer an alternative proposal to Colchester Borough Council (CBC) and the Government Inspector to how the Plan could be **modified**.

The DLP Policy SS12a to which our objection relates states:

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the areas identified on the policies map which contributes towards expanding Mersea Island Primary School and meets requirements for each site indicated below;

Dawes lane Development will be supported which provides:

- (1) 100 new dwellings of a mix and type of housing to be compatible with surrounding development.
- (2) Public Open Space and children's play area adjacent to The Glebe.
- (3) A single site access off Dawes Lane; and
- (4) Suitable landscaping to screen the development to minimise any negative impact on the surrounding landscape and to protect the open rural character of land within the Coastal Protection Belt.

Brierley Paddocks Development will be supported which provides:

- (1) 100 new dwellings of a mix and type of housing to be compatible with surrounding development.
- (2) An access via Seaview Avenue.
- (3) New public open space and community facilities as identified in the Neighbourhood Plan.

There are three existing designated Local Economic Areas in Mersea as shown on the policies map that will continue to be safeguarded for this use. Any future development proposals at these sites will be required to comply with policies SG4.

This policy should be read in conjunction with the generic Neighbourhood Planning Policy SG8 and the West Mersea Neighbourhood Plan, once adopted.

An Addendum Sheet dated 12 Jun 2017 made changes to DLP Part 2 as follows: The DLP Policy SS12a states: New homes will be designed and address local needs, including starter homes and single-story dwellings. Dawes Lane public open space to include **sports pitches and possible pavilion**; Brierley Paddocks to be designated a mixed-use area which will accommodate 100 dwellings, public open space **and community facilities as identified in the Neighbourhood Plan**.

Section 2. Executive Summary

*This section summarises where we believe the Plan to be **unsound**. We contend it is **not fully justified, effective or consistent with national policy**.*

2.1 MER02 is in a prominent location on the Island approach and we believe its development would be contrary to paragraphs 105-108 of the National Planning Policy Framework (NPPF) and constitute a serious breach of the Coastal Protection Belt (CPB) damaging the Island's landscape and coastal character. Such a breach in accordance with CBC's own CPB Policy ENV2 should only be made in exceptional circumstances.

2.2 The policy states development may be permitted where it is proven it provides overwhelming public or community benefit that outweighs all other material consideration. In such instances applications must demonstrate that the site is the only available option and is acceptable in terms of other planning merits. MER02 is not the only available option. It does not provide overwhelming public or community benefit that outweighs all other material consideration. We also believe that it is also not acceptable in terms of other planning benefits. The MER18 site is available and acceptable in terms of other planning benefits which we can identify with.

2.3 The CBC Settlement Boundary Review (April 2017) recognised the prominence of MER02 stating that land to the north of the existing built up area is in a prominent location in the landscape and further development that extends beyond the existing development line would tend not to be appropriate.

2.4 MER 02 is subject to risk from surface water flooding and natural springs (see *Youtube* video at Para 6.7) which will require a sustainable urban drainage system (SUDS) to mitigate the problem. The sequential test for development in areas of flood risk is set out in paragraphs 100-104 of the NPPF and states: The aim of this sequential test is to steer new development towards areas with the lowest probability of flooding. The NPPF states that development should not be allocated or permitted if there are alternative reasonably available sites appropriate for that development in areas of lower probability of flood risk. MER18 is available and is located in an area of no known flood risk.

2.5 Access to MER02 would be from Dawes Lane which is an unclassified road having restricted width, no drainage, footpaths, or street lighting and is in substandard condition. It carries significant traffic movement especially during summer months when it is a main route to the coastal recreational areas. Developing MER02 does not offer the opportunity for people to travel more sustainably as the proposal does not provide good quality access to public transport, safe walking or cycle routes in line with Paragraphs 69 and 95 of the NPPF. Furthermore, the vehicular movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles and introduce a further point of possible traffic conflict, being detrimental to highway safety.

2.6 MER18 does not present the same problems regarding vehicular or pedestrian access. Access would be off Seaview Avenue with connecting foot paths to the village, school, holiday parks and beach areas. Access to public transport would be via the East Road site entrance.

2.7 Para 110 of the NPPF states: In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework. We believe MER02 location is unsound in terms of the environment and green issues.

2.8 We contend that MER02 is neither suitable for development in planning terms, nor does it provide an overwhelming public or community benefit which outweighs all other material consideration. It is proposed that development be steered towards MER18 in terms of compliance to the NPPF, a less damaging breach of the CPB and the site's capacity to accommodate the housing numbers being proposed for West Mersea.

Section 3 Aim

3.1 The aim of this paper is to demonstrate to CBC and the Government Inspector that the proposals in SS12a relating to the development of MR02 are **unsound**.

3.2 As required the paper will explain how it can be **modified** to make it **sound** against the following tests of **soundness: positively prepared, justified, effective, consistent with national policy and legally compliant**. The accompanying DLP response form will indicate if the issue has been raised at a previous consultation and if not, a reason will be given. It will also confirm our wish to participate at the oral part of the examination.

3.3 To achieve this, the paper will evaluate the suitability of sites MER 02 and MER 18 for housing development as proposed in the DLP. It will also compare the planning, environmental and community benefits of one site over the other, reach a conclusion and make recommendations to how the Plan can be **modified**.

Section 4. Evaluation of Dawes Lane Site (MER02) - Glebe Facilities

*This section sets out to explain why the Plan is considered **unsound** under this heading. We consider the Plan is **not justified** against the strategy being proposed which unnecessarily **breaches the CBC Coastal Protection Belt Policy ENV2**.*

4.1 The DLP proposal for MER02 includes what has become known locally as Glebe Phase Two. The proposal includes an area for further sports pitches and a children's play area. It also includes a new pavilion if agreed by the Neighbourhood Plan. The proposal for further sports pitches and the children's play area is seen to pre-empt the outcome of the Neighbourhood Plan. The community is concerned that this is a preordained process only favouring a minority group of beneficiaries when the wider community have more pressing need for improvements in the services and infrastructure.

4.2 Additionally, and in support of the wider community concerns, it must not be overlooked that in the same vicinity there are six football pitches (full size and junior), two cricket squares, six tennis courts, two BMX courses, children's play area, a club house, tennis pavilion, changing rooms,

toilets, car parking, and perhaps more importantly one rugby pitch and room for another as ascertained by West Mersea Town Council (see Para 4.3 below).



Figure 2

The above photograph indicates the facilities for both Glebe Colchester Road and Glebe Wellhouse Green.

4.3 The subject of the additional rugby pitch was discussed with the Mersea Island Sports Association at the Annual Town Council Meeting on 11th May and at the Sport and recreational Committee meeting on 22nd May 2017. It was agreed in principle at these meetings that by moving a footpath and the advertising hording a second rugby pitch could be accommodated within the existing area. As at 8th August work is well in hand to achieve this. There was no need to move the footpath but as proposed the advertising hording has been moved further south. The three football pitches have been relocated and space is now available to accommodate the additional rugby pitch. With regard to the provision of a new pavilion, this proposal should be as stated in the DLP, examined and the need justified through the Neighbourhood Plan process.

4.4 The existing children's play area on the Glebe is only a few years old, it is very well equipped and maintained, but underutilised. There are also other underutilised areas such as the BMX tracks and tennis courts which the Town Council have tried unsuccessfully to get the community to use and a very large public open space, with seating areas fronting the Wellhouse Green development.

4.5 The question must be asked why sacrifice 9.898 hectares of good to moderate quality agricultural land, as defined by Natural England, and breach the CPB in order to provide recreational facilities where the need has not been demonstrated? It certainly does not provide an overwhelming public or community benefit that outweighs all other material consideration as defined in the Coastal Protection Belt Policy to justify development.

NB: A sub group of the Neighbourhood Plan are in the process of engaging with all West Mersea's sports and recreational clubs to ascertain their current and future needs. By the time this objection is scheduled to be examined by the Government Inspector a clear understanding of their needs along with the wider community's actual needs should be known and made available.

Section 5. Evaluation of the Dawes Lane Site (MER02) - Coastal Protection Belt (CPB)

*This section will explain why the Plan is considered **unsound** under this heading. We consider the Plan not to be consistent with **national policy** and **The CBC Coastal Protection Belt Policy ENV2 of 2017**.*

5.1 For an Island community the aim of the CPB has particular significance. The community and many thousands of visitors that come to the Island all enjoy a special feeling of uniqueness when they come over the Strood causeway (B1025). On crossing the Strood if we look up to our left across the site line of the coastal landscape a row of telegraph poles can be seen. These poles are just forward of the northern boundary of MER02 (proposed sports pitch extension) and serve as an accurate marker just how visible the proposed 100 houses will be. The CBC Settlement Boundary Review (April 2017) recognises this concern by stating: "Land to the north of the existing built up area is in a prominent location in the landscape and further development that extends beyond the existing development line would tend not to be appropriate" To describe it as a prominent location is accurate. The spot height is 21.3 metres, the highest point on the Island.



Figure 3: Topography Views

5.2 It is recognised that well designed landscaping can play a part in mitigating the effect of large scale development in certain locations such as proposed for MER18. Sadly, because of the size and position of MER02 landscaping would not offer a solution and the Island's coastal landscape and character would be seriously and irrevocably damaged.

5.3 We feel strongly that the Island's coastal character and uniqueness should also be seen as a Borough asset and protected by the Borough. The DLP proposes for Colchester as a whole that circa 900 houses will be built year on year though out the period of the Plan and these new residents will undoubtedly want to come here and enjoy the beauty that Mersea has to offer. The aim of the policy on coastal change as set out in paragraphs 105-108 of the NPPF is to reduce the risk of coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical change to the coast. This aim is specific and we believe it to be very relevant to the MER02 site.

5.4 It is recognised that the CPB Policy referred to in para 5.6 below states that in exceptional circumstances, development may be permitted where it is proven that the proposal provides overwhelming public or community benefit that outweighs all other material consideration. In such instances applications must demonstrate that the site is the only available option and is acceptable in terms of other planning merits. As previously stated, it is not proven that within the proposal to develop MER02 to include additional recreational facilities will provide an overwhelming public or community benefit that outweighs all other material consideration. Nor is MER02 the only available site option, nor do we believe acceptable in terms of other planning merits.

5.5 Chris Blandford Associates were appointed by CBC to undertake a review of the existing Coastal Protection Belt boundary and policy to inform the new Colchester Local Plan (2017-2032). The review involved the following tasks:

- Review of existing Coastal Protection Belt Boundary
- Identify Coastal Protection Belt mapping criteria
- Map proposed updated Coastal Protection Belt Boundary
- Recommend a revised Coastal Protection area policy

5.6 The Review findings were made available for the Local Plan Committee Meeting members to evaluate and comment on at the Local Plan Committee Meeting on 07/02/17. The findings were discussed in detail and with some minor reservations (none of which affected West Mersea) agreed. However, when the DLP was presented to the Local Plan Committee for agreement on 12/06/17 the fact that the CPB had been breached on sites MER02 and MER18 to allow the building of 100 houses on each was apparently ignored.

5.8 To breach MER18 for housing development because of its discrete and lesser prominent position in terms of the coastal landscape and character would regretfully have been more understandable and acceptable to the community. To breach MER02 is considered to be both unnecessary and not justified.

5.9 How CBC can engage a professional body who possess the expertise to study our coastal landscape and character in line with policy guidance and then go against their advice twice is extremely hard for the community to understand and accept.

The map below is Chris Blandford Associates coastal protection belt map for West Mersea. The map shows both sites within the area for protection.



Figure 4: Coastal Protection Belt shown in red.

Section 6. Evaluation of the Dawes Lane site (MERC02) - Surface Water Flooding

*This section will explain why the Plan is considered **unsound** under this heading. We believe the Plan fails to recognise the **full extent** of surface water flooding on MERC02 and has not given due consideration to **local knowledge** and the guidance in **para's 99 -104 of the NPPF**.*

6.1 MERC 02 has a long history of surface water flooding which the community feels has not been fully understood and considered in the site evaluation process. A report containing statements and photographic evidence exists to support this claim and is available for examination by the Inspector.

6.2 In response to CBC's initial request for comments on the DLP the Environment Agency (EA) responded as follows: Representation (No. 2986) on preferred options Local Plan was made by the EA (Mr Martin Barrell) stating:

"Residential development of up to 150 dwellings at Dawes Lane is shown in an area of surface water flooding TM022413585 this site should be considered sequentially. The updated map for surface water shows a significant proportion of the proposed development area is subject to surface water flooding".

6.3 Our understanding is the sequential test for development in areas of flood risk is set out in paragraphs 100-104 of the NPPF. The aim of this sequential test is to steer new development towards areas with the lowest probability of flooding. The NPPF states that development should not be allocated or permitted if there are alternative reasonably available sites appropriate for that development in areas of lower probability of flood risk. MER18 is available and as stated initially in the DLP appropriate for the development of all the 200 houses now being proposed.

6.4 The EA representation (No2986) was raised with CBC and they responded as follows:

“All sites being proposed for allocation in the Local Plan have been considered sequentially in terms of flood risk. At a meeting in November 2016 the EA confirmed that their initial statement about a significant proportion of the proposed development area of the Dawes Lane site being subject to surface water flooding was inaccurate. While the Council and Environment Agency recognise that there is a risk from surface water flooding on part of the site, the issue will be further explored through a Delivery Appraisal which considers whether surface water removal at the Dawes Lane site can be Mitigated”

6.5 When this matter was raised with Martin Barrell all he could say was his comments only form one part of the site evaluation process and felt it was essential for the community to submit their local knowledge of flooding on this site to CBC. This was done immediately to ensure enough time in the process was allowed for it to be considered. Unfortunately, the report was never acknowledged by CBC and one must assume because of the outcome of this process not given consideration. It is our opinion that the following photographs and video clip demonstrate that a **significant** area of MER02 does suffer from surface water flooding and Mr Barrell’s original statement was correct.

6.6 We also understand that Paragraph 99 of the NPPF states: Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.



Figure 5

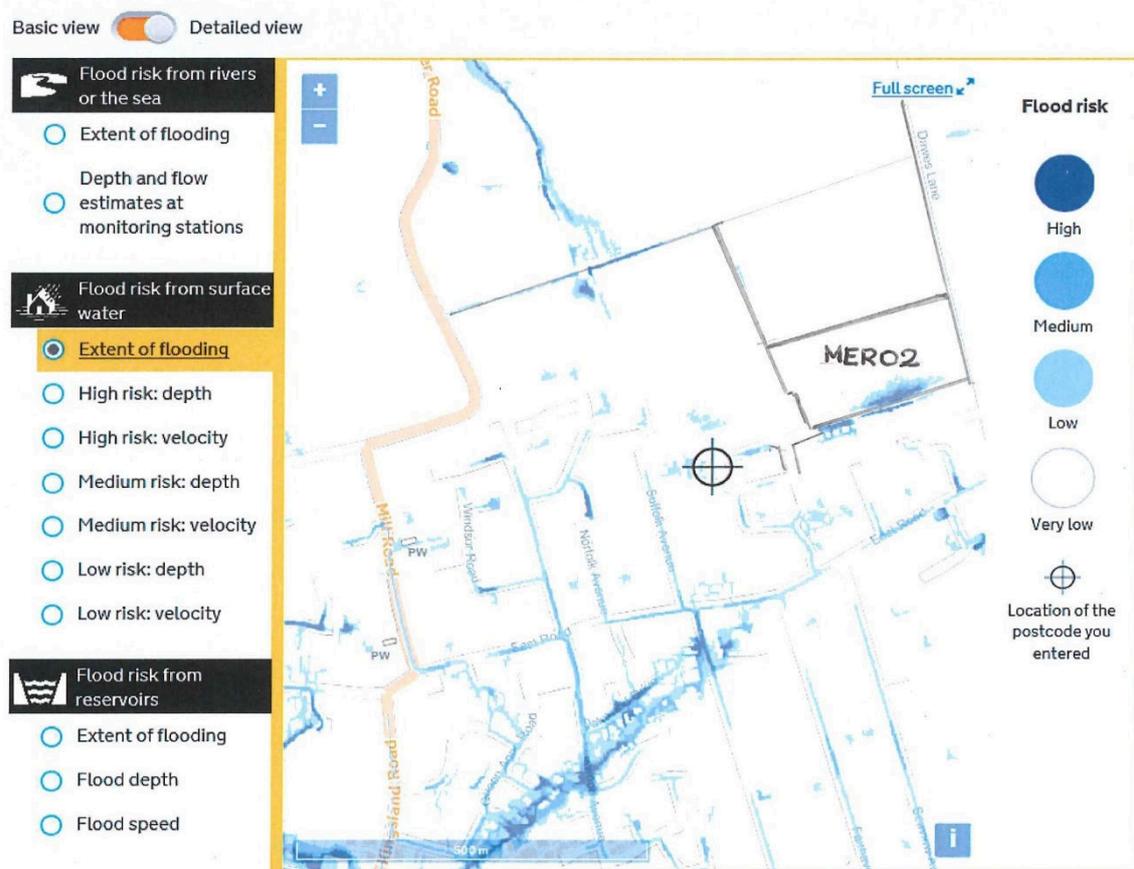
This photograph provides evidence of actual surface water flood levels on MER02.



Figure 6

This photograph supports the EA statement and shows how surface water flooding in this area also affects the dwellings located in Bower Grove on the Wellhouse Green Development.

6.7 This development was completed as recently as 2016. The drains in the private road section of Bower Grove can't cope with the flooding and water actually comes up through the drains because the soak-aways are ineffective. When these houses were built the tradesmen allegedly called it "Lakeside". The back gardens of these houses also flood but that has nothing to do with surface water run-off from MER02. This is a direct result of high density development on a site where the land does not naturally drain and inadequate drainage systems were put in place.



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Figure 7: Flood risk map for MER02



Figure 8

This photograph shows extent of flooding ME02

Click on the Icon below to view video of flooding on MER02.



Figure 9

Click on the photograph above to see video of flooding on MER02

If the above link does not work copy and paste the URL below into your browser.

[watch?v=hdXkyA40M7w&feature=youtu.be](https://www.youtube.com/watch?v=hdXkyA40M7w&feature=youtu.be)

This above photograph and video demonstrates how the actual flooding on MER02 can be more significant than indicated in Figure 7. The question must be asked, did the Delivery Appraisal really understand the level of flooding which can take place on MER02?

Section 7. Evaluation of Dawes Lane Site (MER02) - Site Access

*This section will explain why the Plan is considered **unsound** under this heading. We consider the Plan not **effective** due to the unsuitability of Dawes Lane as a single point vehicular access to MER02.*

7.1 An early amendment to the DLP stated that access to MER02 would be from Dawes Lane not East Road as originally proposed. Dawes Lane is a very narrow unclassified road in poor condition with no drainage, lighting or footpaths. Dawes Lane is not a C classified road, as stated by CBC. This has been confirmed in writing by the Transport Planning and Development Department of Essex County Council. Unless significant investment is planned to widen and upgrade this lane it is hard to imagine how it could accommodate increased volumes of traffic whilst maintaining the safety of its users.

7.2 Following a review of the consultation responses and discussions with the site promoters, CBC recommended that the number of houses being proposed for West Mersea was reduced from 350 to 200. **The reduction in housing numbers reflected the infrastructure capacity on Mersea**, and the need to consider alternative highway access to the two sites. It is our understanding that the site promoter for MER02 engaged the services of a consultant to produce a road traffic analysis report recording existing and increased movements for evaluation by the Essex County Council Highways Engineer. The content of the consultant's report and the Essex County Council Engineer's findings are not in the public domain. It is our opinion that this important information should have been available to provide transparency and a clearer understanding of the site promoter's proposals which may have helped guide CBC's decision regarding this site.

7.3 This is an important point because a traffic count was put in place on Dawes Lane during the second week of December 2016. If the results of that count were used by the site promoter and CBC to gain an understanding of traffic volumes on this lane it would not be representative and could be misleading. As a minimum, the count being organised by the Neighbourhood Plan team for late summer should also be considered alongside the December 2016 count. This would enable a more informed understanding of the true traffic volumes on this lane to be taken into account. The importance of the late summer traffic count cannot be underestimated because Dawes Lane is heavily used by holiday makers and visitors wanting to gain access to the caravan parks and beach areas. It should also be understood that if a major incident occurred on the Island the Dawes Lane would be an evacuation route.

Section 8. Evaluation of Dawes Lane site (MER02) - Site location and environmental issues.

*This section will explain why the Plan is considered **unsound** under this heading. We consider the Plan fails to recognise the adverse effect on the environment by developing MER02 through not following the guidance given in, **para's 95, 105-108, 110 and 112 of the NPPF, The CBC Coastal Protection Belt Review and para 8.17.2 of The Sustainability Appraisal Strategic***

Environmental Report. In addition, we submit that **errors** have been made in **CBC's Strategic Land Availability Assessment** as highlighted.

8.1 When considering the location of MER02 one's attention is drawn to the aim of the policy on coastal change as set out in paragraphs 105-108 of the NPPF. The aim is to reduce the risk of coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical change to the coast. MER02 is located on one of the two main approaches to West Mersea and as previously stated is the highest point on the Island. Building 100 houses on this land would certainly create an adverse physical change to the coastal landscape and character.

8.2 The sloping topography from the northern boundary of MER02 to the Strood causeway would add considerably to the adverse visible impact for all visitors to the Island. We believe the level of light pollution at night from MER02 across the site line would be contrary to Paragraph 110 of the NPPF and have a significant adverse effect on the environment, the coastal landscape and character at night. To state in the Strategic Land Availability Assessment (SLAA) that the impact of developing MER02 would not be severe because it is an extension of the urban area which it sits adjacent to is not logical. All the urban area sits adjacent to the CPB so that any extension is not a breach ad Infinitum till one reaches the edge of the Island. Para 85 of the NPPF also states that when defining boundaries, local planning authorities should where necessary identify in their plans areas of "Safeguard Land" between the urban area and the Green Belt. This is in order to meet longer-term development needs strengthening beyond the Plan period. In this situation we consider the protection afforded by the CPB to be very relevant.

8.3 The site location is very unsatisfactory regarding the environmental and green issues when considering gaining access to such facilities and services as public transport, the school, doctors, dentist, shops and coastal recreational areas. It really does not conform to paragraph 95 of the NPPF. The nearest public transport serving the site is 275M away and buses only pass that stop every hour. There is no train service and the nearest commonly used rail connection is Colchester North station located 13.2 KM away. There is no secondary school on the Island children of that age group rely on a school bus service to secondary schools in Colchester (9.5 KM) and Tiptree (13.2KM).

NB: We also have concerns regarding the availability of secondary school places in Tiptree for our children because of the 600 houses being built there as part of the Plan. The secondary school in Colchester is also close to another substantial development (Middlewick) being promoted by CBC and this may give rise to placement problems for West Mersea children.

8.4 The site is located 1200M from the primary school not 992M as stated in the SLA. Conversely the Medical Centre is 1100M not 1400M as stated in the SLAA but still a Red Flag rating, being well over the recommended 800 metres. The distance to the village centre (the Post Office and Mersea Island Community Centre) is 1725M not 752M as stated in the SLAA. These amendments highlight that MER02 is very distant from the key facilities and services which the residents from MER02 would need to use on a regular basis. Six out of the nine assessments for sustainability are rated Red using the Red, Amber, Green criteria.

NB: The source of this information is the Ordnance Survey Maps TM 00/01 scale 1:25 000 and sheet 168 scale 1:50 000. Measurement is taken in a straight line from the centre of MER02 to the point of

service. Obviously, the figures quoted above are very much the minimum because access by footpath or road will be further.

8.5 The likelihood therefore is anyone wanting to use the aforementioned facilities and services would drive to access them. Parking and traffic congestion in and around the village and amenities is already a serious problem especially during summer months which will be exasperated if this development is approved.

8.6 Pedestrian Access to public transport and the village amenities would to be via the Wellhouse Green development which is renowned for its lack of footpaths and no space to build them. The developers of MER18 may have recognised this issue and the house they purchased in Seaview Avenue for site access is nearly opposite a footpath leading to the village. This will encourage their residents to take shorter, safer walks to access the village facilities and services, especially the school. It also provides for a very short walk in the other direction to beach, holiday parks and other coastal recreational areas, this would not be the same for residents of MER02 being located at the furthestmost northern point from the coast.

8.7 The DLP proposes that bungalows are built on MER02. This is certainly a housing type required by those wanting to downsize and the older element of the community, but will this demographic really want to live on the outskirts of the village and encounter all the aforementioned access difficulties?

8.8 As well as damaging the coastal landscape and character, developing MER02 will also destroy 9.89 hectares of good to moderate quality agricultural land. We feel this would be against guidance given in paragraph 112 of the NPPF. In addition, The Sustainability Appraisal / Strategic Environmental Report states at paragraph 8.17.2 item 8 *"It will maintain and enhance the landscape character of the Borough. It will protect and enhance designated areas of the countryside and coastal environment"* We would contend that building 100 houses on a green field site within the CPB is not enhancing and protecting the character of the Borough environment.

8.9 Residents who live along the southern boundary of MER02 would have houses built within feet of their homes. The narrow strip of greensward being proposed by the site promoter will not mitigate the significant negative impact to their environment and quality of life. It is understood that an entirely different level of landscaping including a pond and trees is planned to improve the environment for the current residents of Brierley Paddocks.

8.10 The CBC Sustainability Appraisal / Strategic Environmental Report 2017 stated:

"The impact of Policy SS17a allocations may have a negative impact on the Blackwater Estuary SSSI, The Colne Estuary SSSI and RAMSAR site. The Policy could have regard to the fact that both proposals as the stated scale would require consultation with Natural England regarding the impact on SSSI and RAMSAR due to the site's locations within SSSI Impact Risk Zones"

If there is any indication that MER02 will impact upon the above protected areas the site should not be chosen.

Section 9. Evaluation of Dawes Lane site (MER02) - Archaeological Interest

*This section will explain why the Plan is considered **sound** under this heading. We acknowledge that the Plan recognises MER02 may be of archaeological interest and the action taken in accordance with the NPPF.*

9.1 MER02 is located close to Mersea's most famous Roman relic, the Barrow located at the north end of Dawes Lane. The Barrow is believed to have been erected in the first century A.D in honour of a local chieftain, or important wealthy person. MER02 has been of archaeological interest to organised parties of metal detectors for a number of years. In line with the NPPF CBC recognised the potential archaeological significance of this site and prior to any development there would be a need for the site to be further explored by way of geophysical survey and trial trenching.

Section 10. Evaluation of Brierley Paddocks site (MER18) - Site development potential

*This section questions the **justification** for proposing two sites for development.*

10.1 The DLP proposal for MER18 states development will be supported which provides for 100 new dwellings of a mix and type of housing to be compatible with surrounding development, an access via Seaview Avenue and new public open space.

10.2 The DLP site evaluation process initially confirmed that MER18 is a suitable site for the development of 200 houses. If this is the case why after the housing number was reduced from 350 to 200 did CBC divide the revised number equally between both sites? MER18 is a 9.074-hectare site and could take over 200 dwellings even with 20% open space. Additionally, the Sustainability Appraisal /Strategic Environmental Assessment reported that the site could accommodate 230 homes.

10.3 The map below not only confirms that MER18 has the capacity to accommodate 200 houses but has the potential to expand and meet West Mersea's long term needs.

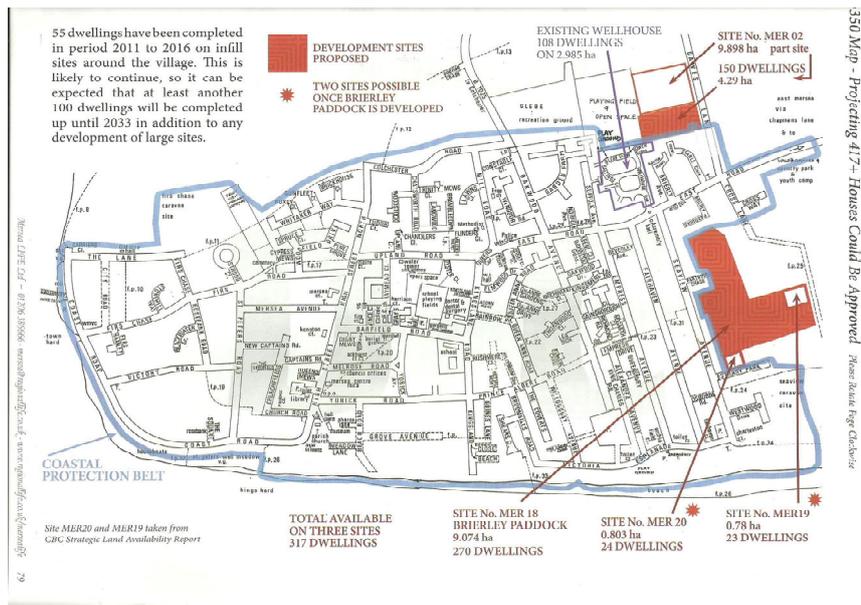


Figure 10

Map showing capacity for development MER18

Section 11. Brierley Paddocks (MER18) site evaluation – Coastal Protection Belt

*This section will explain why the Plan is considered **unsound** under this heading. The Plan is not consistent with **CBC's Coastal Protection Belt Policy ENV2 of 2017**.*

11.1 MER18 is located within the CPB, however, because of its discrete location and that it is already developed on three sides, we believe housing development would not adversely affect the coastal landscape and character in the way developing MER02 would. Clearly CBC recognised this factor when they included the need for landscaping in their proposal for MER02, but felt no need to do the same for MER18 in terms of protecting the coastal landscape and character. Any landscaping planned for MER18 is only designed to mitigate the effect of development for the land owner and residents of Brierley Paddocks. Visitors to the Island would have no idea that the MER18 development existed and the Island's coastal landscape and character would be preserved.

Section 12. Brierley Paddocks (MER18) site evaluation - Surface Water Flooding

*The Plan is considered **sound** under this heading.*

12.1 MER18 is not subject to surface water flooding or springs and would conform to paragraphs 100-104 of the NPPF as alternative site to MER02 which suffers from surface water flooding and springs.

Section 13. Brierley Paddocks (MER18) site evaluation - Site Access

*This section will explain why the Plan is considered **sound** under this heading.*

13.1 The main vehicular access to this site would be off Seaview Avenue. This is of a reasonably good standard full width road, with street lighting, established footpaths and drainage. We understand that an access appraisal has been undertaken and that this confirms the site can accommodate 250 dwellings, in terms of highway access. Emergency and pedestrian access is also available off East Road which is of an equal standard. Both access points link directly onto established foot paths leading to public transport connections, coastal recreation areas, beach, school and village services and facilities.

Section 14. Brierley Paddocks (MER18) site evaluation - Site location and environmental issues.

*This section explains why the Plan is considered **sound** under this heading.*

14.1 The site because of easier access to services compared to MER02 will encourage residents to walk and cycle to local destinations. This has the potential for residents to improve their health and reduce motor traffic, energy use and pollution. As stated previously West Mersea has a serious problem especially during the summer months with traffic congestion and parking. Any plans for housing development should give consideration to this problem.

14.2 This site is ideally located for residents who wish to walk to the beach and the adjoining large areas of public open space complying with paragraph 69 of the NPPF regarding clear and legible pedestrian routes and paragraph 95 regarding a low carbon future. The access onto Seaview Avenue leads directly onto foot paths which lead to the village facilities and services including the school. The northern entrance to the site will provide the residents with access to the limited public transport service.

14.3 The impact of developing this site on residents with properties adjoining the site will be far less than those adjoining MER02. Most properties adjoining this site have long established gardens with mature natural screening except for those in Brierley Paddocks, but as stated earlier this has been recognised and mitigated in a sympathetic way. The site promoter's plan shows a large area of public open space with a pond in front of these properties.

14.4 Although this site is currently farmed and has been for decades, CBC has stated that it is not registered as agricultural land. MER02 is registered as good to moderate quality agricultural land by Natural England.

Section 15. Brierley Paddocks (MER18) site evaluation - Archaeological interest.

*This section is not applicable regarding **soundness** of the Plan.*

15.1 MER18 has no known archaeological interest identified in the DLP.

Section 16. Advantages of one site option - Based upon developing MER18

*This section will explain why the **soundness** of the Plan could be improved under this heading.*

16.1 We contend that developing the MER18 site would be significantly more compliant with and to the NPPF.

16.2 Developing MER18 would still breach the CPB, but the impact on the Island's landscape, coastal character and environment would be much less because of its discrete location. Conversely MER02 is located on the highest point on the Island in a very vulnerable location on the Island approach. The light pollution across the site line on the Island approach from this development would be very unsatisfactory and we believe contrary to Paragraph 110 of the NPPF.

16.3 MER18 is not classified as agricultural land whereas MER02 is designated by Natural England as good to moderate quality agricultural land. We believe developing MER18 would comply with paragraph 112 of the NPPF. The good to moderate quality agricultural land on MER02 would be preserved for agricultural use or possibly the needs of future generations.

NB: Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Or put another way, "Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations"

16.4 MER02 is subject to surface water flood risk. Developing MER18 would not be subject to risk from flooding and comply with paragraphs 99 and 100-104 of the NPPF.

16.5 The main and emergency vehicular access to MER18 would be via better quality roads, a much safer alternative than accessing MER02 from a sub-standard unclassified road.

16.6 The MER 18 site location is far better than the MER02 site environmentally. Pedestrian access to the school, village facilities and services, beach and coastal recreation areas would be closer and via good standard footpaths. This should bring both health and environmental benefits complying with Paragraphs 69 and 95 of the NPPF.

16.7 Infrastructure costs should be significantly reduced by removing the need to upgrade Dawes Lane and also put in place safe pedestrian access. The requirement for installation of SUDS would be removed along with the additional sewerage, fresh water, electricity, communication and gas connections.

16.8 Project risk should be reduced. Site management and control should be simplified. The construction period should be more tightly controlled and less disruptive to the community. Benefits should be accrued by all stakeholders including the wider community.

16.9 Considerate development, aligning to the Neighbourhood Plan, would bring benefits to existing and new residents of the Island.

Section 17. Conclusion

*This section will conclude how the Plan could be **modified** to improve its **soundness**.*

17.1 It is concluded that the advantages of a one site option based on developing MER18 outweigh the advantages of developing both sites. We believe the Plan's compliance with the CBC Coastal Protection Belt Review ENV2 and the NPPF would be improved especially in environmental terms.

17.2 MER18's location also provides far better and safer vehicular access. The pedestrian access to coastal recreational areas, the school, village facilities and public transport would be closer and more likely to be used, bringing health and environment benefits.

17.3 It would be reasonable to expect that because the remedial, infrastructure and management costs should be reduced, whilst housing numbers are maintained, the opportunity would exist for better community and public benefits to be secured. Any community benefits arising from development should be identified and delivered through the Neighbourhood Plan process.

Section 18. Recommendations

*This section will recommend **modifications** to improve the **soundness** of the Plan.*

18.1 It is requested that due consideration is given to implementing the following five recommendations:

- a. Reduce the number of sites for development in West Mersea from two to one.
- b. Confirm the one site for development as MER18.
- c. Confirm the number of houses to be built on MER18 as 200.
- d. Retain MER02 as good to moderate agricultural land within the CPB for the needs of future generations. **This is a precious resource** that should not be given away lightly based on what we believe to be a flawed justification.
- e. The Neighbourhood Plan identifies essential community benefits funded by developer contributions.

This objection is submitted on behalf of the West Mersea residents' (listed in Annex A) who are opposed to development of the Dawes Lane site (MER02). All those listed have been made aware that they cannot make any further representation either individually, or as part of another group submission.

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MERSEA ISLAND A UNIQUE AND BEAUTIFUL PLACE



Figure 11 Link to video Mersea Island

Click anywhere on above to see video of Mersea Island as published on YouTube

If the above link does not work paste the following URL address into your web browser

<https://youtu.be/4qWxdhAUyuo>



Figure 12 Link to video Strood flooded

Click on the above to see video of the Strood (B10250) flooded as published on YouTube

If the above link does not work paste the following URL address into your web browser

<https://youtu.be/AGnBaw3czAw>

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2	Photograph indicates the facilities for both Glebe Colchester Road and Glebe Wellhouse Green.
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- 5 Photograph provides evidence of actual surface water flood levels on MER02.
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