

REGULATION 18 CONSULTATION RESPONSE
Colchester City Council – Draft Local Plan (2025–2041)

Submitted by:
Councillor Carl Powling
Colchester City Council

Date: January 2026

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Planning Policy Team
Colchester City Council

Dear Planning Policy Team,

Please find enclosed my Regulation 18 response to the Draft Local Plan (2025–2041). This submission focuses specifically on the proposed allocation of 300 dwellings at West Mersea (PP23) and the wider treatment of Mersea Island within the Draft Plan.

My response is grounded in national planning policy, statutory regulator evidence, environmental data, and the physical and infrastructural constraints unique to Mersea Island. The analysis demonstrates that the Draft Local Plan, in its current form, does not meet the National Planning Policy Framework tests of soundness and does not comply with the requirements of the Habitats Regulations.

I respectfully request that this submission is considered in full and that the necessary modifications are made before the Plan proceeds to Regulation 19. These modifications are essential to ensure that the Local Plan is legally compliant, evidence-based, and capable of delivering sustainable development.

Yours sincerely,

Cllr Carl Powling
Colchester City Council

SECTION 3 – EXECUTIVE SUMMARY

3.1

This Regulation 18 response identifies significant evidence-based concerns regarding the soundness of the Draft Local Plan (2025–2041) as it relates to Mersea Island, with particular focus on the proposed allocation of 300 dwellings at Dawes Lane (PP23).

3.2

The Draft Local Plan does not meet the National Planning Policy Framework (NPPF) tests of soundness. It is not positively prepared, not justified, not effective, and not consistent with national policy. Key statutory regulator evidence has not been incorporated, and critical environmental and infrastructure constraints have not been assessed.

3.3

Mersea Island is a tidal island with a single, flood-prone access route, internationally protected environmental designations, and infrastructure already operating at or beyond capacity. The Draft Plan does not assess cumulative impacts from existing, under-construction, and proposed development, nor does it reference the Marine Conservation Zone (MCZ).

3.4

The West Mersea Water Recycling Centre (WRC) has been linked to record bacterial spikes in bathing waters. Natural England, the Food Standards Agency, and the Environment Agency have all warned that further housing will increase nutrient and bacterial loading, with potential harm to sensitive estuarine habitats and shellfish waters.

3.5

Healthcare provision on Mersea Island is already overstretched, with a doctor-to-patient ratio significantly above national benchmarks and closed patient lists. The Draft Plan does not demonstrate how additional development will be supported by adequate healthcare capacity.

3.6

Transport constraints, including the tidal vulnerability of The Strood, limited public transport, and constrained emergency access, have not been assessed in accordance with NPPF requirements.

3.7

The proposed allocation PP23 conflicts with multiple Local Plan policies, including ST1, ST2, ST3, ST7, EN1, EN2, EN3, LC1, and LC3. It also conflicts with the West Mersea Neighbourhood Plan and the evidence base provided by statutory regulators.

3.8

To become sound, the Draft Local Plan requires significant modification, including the removal or fundamental revision of PP23, reinstatement of a Mersea-specific policy, a full cumulative wastewater assessment, explicit inclusion of the MCZ, and updated infrastructure and healthcare capacity evidence.

SECTION 4 – FULL TECHNICAL RESPONSE

4. National Policy Context

4.1 Compliance with the National Planning Policy Framework (NPPF, 2023)

4.1

The Draft Local Plan must comply with the National Planning Policy Framework (NPPF, 2023). The sections below identify key areas where the Draft Plan fails to meet national policy requirements in relation to Mersea Island.

4.2

Under NPPF paragraphs 15–16, Local Plans must promote sustainable development. The Draft Plan does not demonstrate that development on Mersea Island is sustainable given the island’s tidal access, infrastructure deficits, and environmental constraints.

4.3

Under NPPF paragraphs 109–110, plans must promote sustainable transport. Mersea Island cannot meet these requirements due to a single tidal road, limited public transport, no rail access, and constrained emergency access.

4.4

Under NPPF paragraphs 152–165, plans must address climate change, flooding, and coastal change. The Draft Plan fails to assess tidal flooding at The Strood, coastal erosion, and climate-driven access disruption.

4.5

Under NPPF paragraphs 174–182, plans must conserve and enhance the natural environment. The Draft Plan does not reference the Marine Conservation Zone (MCZ), does not assess cumulative wastewater impacts, and does not demonstrate that development will avoid harm to designated sites.

4.2 Compliance with the Habitats Regulations 2017

4.6

The Draft Local Plan must demonstrate no adverse effect on the integrity of the Essex Estuaries SAC, the Blackwater, Crouch, Roach & Colne MCZ, the Colne Estuary SSSI, Ramsar sites, and SPA designations.

4.7

The Draft Plan does not provide the evidence necessary to demonstrate compliance with these duties. No cumulative assessment of wastewater impacts has been undertaken, and the MCZ is not referenced at all.

5. Strategic Policies

5.1 Policy ST1 – Health and Wellbeing

5.1

Policy ST1 requires development to support health and wellbeing and provide access to adequate healthcare facilities.

5.2

West Mersea Surgery has a doctor-to-patient ratio of approximately 1:2,800, significantly above the benchmark of 1:1,800. Patient lists are closed, and there is no clear commitment to additional GPs or dentists.

5.3

Access to off-island healthcare is constrained by tidal conditions at The Strood and limited public transport. The Draft Plan does not demonstrate how additional development will be supported by adequate healthcare capacity.

5.4

Accordingly, compliance with ST1, particularly ST1(f), cannot be demonstrated.

5.2 Policy ST2 – Environment, Green Network and Waterways

5.5

Policy ST2 commits the Council to protecting and enhancing the natural environment, including rivers, estuaries, and coastal areas, and to managing water resources sustainably.

5.6

The Draft Plan fails to provide a cumulative assessment of wastewater impacts from existing, under-construction, and proposed housing on Mersea Island, which together amount to approximately 600 dwellings.

5.7

The Plan does not reference the Marine Conservation Zone (MCZ) and does not demonstrate that the West Mersea Water Recycling Centre (WRC) has sufficient treatment capacity to avoid increased nutrient and bacterial loading.

5.8

Evidence from Natural England, the Food Standards Agency, and the Environment Agency indicates that further housing will increase bacterial loading and harm sensitive marine habitats, including native oyster beds.

5.9

In the absence of robust cumulative assessment and mitigation, ST2 is not met.

5.3 Policy ST3 – Spatial Strategy

5.10

Policy ST3 sets the spatial strategy for growth. Mersea Island is treated as a larger settlement suitable for additional housing.

5.11

Mersea Island is approximately 13 km from key services and facilities, is accessed only via a single tidal road, and has no rail connection. Public transport is limited and unreliable.

5.12

Given these constraints, the classification of Mersea Island as a suitable location for significant additional growth is not justified by the evidence.

5.4 Policy ST7 – Infrastructure Delivery and Impact Mitigation

5.13

Policy ST7 requires that necessary infrastructure is in place to support development and mitigate its impacts.

5.14

The Infrastructure Audit and Delivery Plan (IADP) does not adequately account for:

- The electrification of heating as gas and oil boilers are phased out
- Increased demand for electric vehicle charging
- The cumulative electrical load of new and existing development on Mersea Island

5.15

With respect to wastewater, the only identified change at the WRC is an increase in storm flow, which does not provide additional treatment capacity for new development.

5.16

Without clear evidence of infrastructure capacity and delivery, ST7 is not satisfied.

6. Environmental Policies

6.1 Policy EN1 – Nature Conservation Designated Sites

6.1

Policy EN1 seeks to protect designated nature conservation sites.

6.2

Mersea Island and its surrounding estuaries are covered by multiple designations, including SAC, SPA, SSSI, Ramsar, NNR, CPB, and MCZ.

6.3

The Draft Plan does not reference the MCZ and does not provide an assessment of how proposed development will avoid adverse effects on these designated sites.

6.2 Policy EN2 – Biodiversity Net Gain

6.4

Policy EN2 requires development to deliver biodiversity net gain (BNG).

6.3A

In addition to the statutory designations already identified, the Blackwater Estuary and Mersea Island form part of the proposed East Coast Flyway Natural World Heritage Site, covering wetlands from the Humber to the Thames, including specifically the Blackwater and Colne estuaries. In September 2023, the East Coast Flyway was formally added to the UK Government's Tentative List of potential UNESCO World Heritage Sites and submitted to UNESCO for consideration. It is now awaiting evaluation by the World Heritage Committee, with the next stage involving preparation of a full nomination dossier. This emerging international designation further elevates the global ecological importance of the Blackwater Estuary and reinforces the need for rigorous assessment and protection under Policy EN1.

6.5

Natural England has identified Maydays Farm as a strategic opportunity for habitat creation. However, off-island BNG or SANG provision cannot adequately mitigate on-island impacts arising from development within the Coastal Protection Belt and near sensitive estuarine habitats.

6.6

BNG must be locally relevant and must not undermine existing ecological connectivity on Mersea Island.

6.3 Policy EN3 – Biodiversity and Geodiversity

6.7

Policy EN3 requires protection and enhancement of biodiversity and geodiversity and the delivery of measurable net gains.

6.8

The West Mersea WRC has already been linked to record bacterial spikes in bathing waters. Additional housing without adequate mitigation will increase nutrient and bacterial loading, harming native oyster beds, wading birds, and protected habitats.

6.9

In these circumstances, EN3 cannot be demonstrated for further development on Mersea Island.

7. Green Network and Waterways

7.1 Policies GN3 and GN6 – Local Green Spaces and Open Space

7.1

The West Mersea Neighbourhood Plan designates several Local Green Spaces and open spaces.

7.2

If the Neighbourhood Plan becomes out of date, the Draft Local Plan does not clearly explain how these designations will be retained or protected.

7.2 Policy GN5 – Suitable Alternative Natural Greenspace (SANG)

7.3

Policy GN5 addresses SANG provision.

7.4

SANGs on Mersea Island should only be used where they directly relate to development on the island. Using Mersea as a SANG resource for off-island development would increase recreational pressure and conflict with the island's environmental constraints.

8. Landscape and Coast

8.1 Policy LC1 – Landscape

8.1

Policy LC1 seeks to protect and enhance landscape character and the setting of valued landscapes and the coast.

8.2

The proposed allocation PP23 lies within the Coastal Protection Belt and on productive agricultural land.

8.3

Appeal decision APP/A1530/W/21/3285769 confirms that development within the Coastal Protection Belt on Mersea Island conflicts with policies protecting the character of the coast and countryside, even where sites are not immediately adjacent to the shoreline.

8.4

The Draft Plan does not demonstrate how PP23 can comply with LC1.

8.2 Policy LC3 – Coastal Areas

8.5

Policy LC3 seeks to protect the undeveloped character, landscape, and setting of the coast.

8.6

The Draft Plan does not adequately assess:

- Coastal erosion
- Sea level rise
- The condition and longevity of seawalls
- The implications of tidal flooding at The Strood for safe access and egress

8.7

These matters are also required to be considered under NPPF paragraphs 159–169. The absence of such assessment means LC3 is not satisfied.

9. Site Allocation PP23 – Land East of Dawes Lane

9.1

PP23 proposes 300 dwellings on land east of Dawes Lane, West Mersea.

9.2

The site lies within the Coastal Protection Belt, is dependent on a single tidal access route, and is served by constrained healthcare and wastewater infrastructure.

9.3

The allocation conflicts with:

- ST1 (health and wellbeing)
- ST2 (environment and waterways)
- ST3 (spatial strategy)
- ST7 (infrastructure)
- EN1, EN2, EN3 (environment and biodiversity)
- LC1 and LC3 (landscape and coast)
- The West Mersea Neighbourhood Plan

9.4

PP23 is not supported by the evidence base and is therefore unsound.

10. Conclusion and Required Modifications

10.1

The Draft Local Plan is unsound in relation to Mersea Island.

10.2

To become sound, the following modifications are required:

- Removal or fundamental revision of allocation PP23.
- Reinstatement of a Mersea-specific policy aligned with the West Mersea Neighbourhood Plan.
- A full cumulative wastewater assessment for approximately 600 dwellings (existing, under construction, and proposed).
- Explicit inclusion and assessment of the Marine Conservation Zone in the evidence base.
- Clear evidence of WRC treatment capacity, not limited to storm flow.
- A robust assessment of tidal access constraints under NPPF paragraphs 109–110 and 159–169.
- A healthcare capacity plan demonstrating compliance with ST1.
- An updated Infrastructure Audit and Delivery Plan that reflects electrification of heating, EV charging, and increased electrical demand.
- Introduction of a Mersea Island Development Capacity Policy, setting a maximum threshold for the proportion of the island that may be developed. A cap of 20%, reflecting the current approximate level of development, would ensure that growth remains sustainable, protects the island's unique environmental and landscape character, and prevents cumulative impacts that exceed infrastructure and ecological capacity.

10.3

Until these modifications are made, the Plan cannot be considered positively prepared, justified, effective, or consistent with national policy.

SECTION 5 – TABLES

Table 5.1 – Healthcare Capacity Assessment (West Mersea Surgery)

Indicator	Current Position	Benchmark / Standard	Assessment
GP-to-patient ratio	1:2,800	1:1,800 (NHS recommended)	Significantly over capacity
Patient list status	Closed to new patients	Open lists expected for growth areas	Fails capacity requirement
Additional GP provision	None committed	Required for major development	No mitigation identified
Access to off-island healthcare	Constrained by tidal access and limited public transport	Unconstrained access required	Fails NPPF sustainable access test
Dental provision	No additional capacity	Additional provision required	No mitigation identified

Table 5.2 – Wastewater Treatment Capacity (West Mersea WRC)

Parameter	Current Position	Required for Growth	Assessment
Treatment capacity	No additional treatment capacity	Additional treatment required for ~600 dwellings	Capacity deficit
Storm flow	Increased storm flow only	Does not increase treatment capacity	Insufficient
Impact on bathing waters	Linked to record bacterial spikes	No deterioration permitted (Habitats Regulations)	High risk
Regulator position	NE, EA, FSA warn of increased bacterial loading	Evidence of no adverse effect required	Not demonstrated
Cumulative assessment	Not undertaken	Mandatory under NPPF and Habitats Regulations	Missing

Table 5.3 – Environmental Designations Affecting Mersea Island

Designation	Status	Relevance to Development	Assessment Requirement
Marine Conservation Zone (MCZ)	Statutory	Protects native oyster beds and estuarine habitats	Not referenced in Draft Plan
Special Area of Conservation (SAC)	Statutory	Protects estuarine habitats	Habitats Regulations Assessment required
Special Protection Area (SPA)	Statutory	Protects overwintering birds	Disturbance and water quality assessment
Ramsar Site	International	Wetland protection	No adverse effect required
SSSI	Statutory	Protects key habitats	Impact assessment required
Coastal Protection Belt (CPB)	Local policy	Restricts development	PP23 conflicts with CPB

Table 5.4 – Infrastructure Capacity (Electricity and Transport)

Infrastructure Area	Current Position	Future Requirement	Assessment
Electricity grid capacity	Limited headroom	Increased demand from EVs and heat pumps	Not assessed
EV charging	Minimal provision	Universal provision required	No strategy provided
Heating electrification	Not accounted for	Full electrification by 2050	Missing from IADP
Bus reliability	Poor and inconsistent	Reliable service required	Not demonstrated
Rail access	None	Not feasible	Increases reliance on Strood
Strood tidal access	Regular closures	Safe, reliable access required	Not assessed

Table 5.5 – Transport and Access Constraints (The Strood)

Constraint	Current Position	Planning Requirement	Assessment
Tidal flooding	Regular closures	Safe access and egress required (NPPF 109–110)	Not assessed
Emergency access	Frequently compromised	Must be reliable	Not demonstrated
Public transport	Limited and unreliable	Sustainable transport required	Not met
Alternative routes	None	Multiple access routes preferred	Not possible
Climate change impact	Increasing tidal frequency	Must be modelled	Not included

Table 5.6 – Policy Conflict Matrix (PP23 vs Local Plan Policies)

Policy	Requirement	Conflict with PP23
ST1	Adequate healthcare	No capacity; lists closed
ST2	Protect environment and waterways	Increased bacterial loading; MCZ not assessed
ST3	Sustainable spatial strategy	Tidal access; remote location
ST7	Infrastructure delivery	No WRC capacity; no EV strategy
EN1	Protect designated sites	MCZ omitted; SAC/SPA impacts unassessed
EN2	Biodiversity Net Gain	Off-island BNG ineffective
EN3	Protect biodiversity	WRC impacts unresolved
LC1	Protect landscape	CPB conflict
LC3	Coastal protection	No erosion or tidal modelling

SECTION 6 – DIAGRAM DESCRIPTIONS (WITH FIGURE CAPTIONS)

Figure 6.1 – Strood Tidal Flooding Mechanism (Diagram Description)

This diagram illustrates the mechanism by which tidal conditions cause flooding at The Strood, the only access route to Mersea Island. The diagram would show:

- The rising tide approaching from the estuary.
- The low-lying road surface of The Strood.
- The point at which tidal height exceeds road level.
- The resulting overtopping and closure of the road.
- The absence of alternative access routes.
- The impact on emergency vehicles, public transport, and general traffic.

The purpose of this figure is to demonstrate how predictable tidal cycles create regular, unavoidable periods of isolation for the island, directly affecting the sustainability of development.

Figure 6.2 – Environmental Designation Overlaps (Diagram Description)

This diagram provides a conceptual map showing the overlapping environmental designations surrounding Mersea Island. The diagram would include:

- The boundary of the Marine Conservation Zone (MCZ).
- The extent of the Special Area of Conservation (SAC).
- The Special Protection Area (SPA) boundary.
- Ramsar site coverage.
- SSSI boundaries.
- The Coastal Protection Belt (CPB).
- The location of PP23 in relation to these designations.

The purpose of this figure is to show the density and sensitivity of environmental protections, highlighting the need for rigorous assessment under the Habitats Regulations.

Figure 6.3 – Wastewater Flow Path from Development to Discharge (Diagram Description)

This diagram illustrates the flow of wastewater from residential properties to the West Mersea Water Recycling Centre (WRC) and ultimately to the estuary. The diagram would show:

- Residential dwellings generating wastewater.
- Sewer network routes leading to the WRC.
- The WRC treatment process.
- The storm overflow pathway.
- The final discharge point into the estuary.
- The proximity of the discharge point to shellfish waters and bathing waters.

The purpose of this figure is to demonstrate how additional development increases loading on the WRC and the potential for increased bacterial and nutrient discharge into sensitive marine environments.

Figure 6.4 – Coastal Erosion and Sea Level Rise Progression (Diagram Description)

This diagram illustrates the projected progression of coastal erosion and sea level rise affecting Mersea Island. The diagram would include:

- Current coastline position.
- Projected erosion lines for 2030, 2050, and 2100.
- Areas of seawall stress or degradation.
- Low-lying areas vulnerable to inundation.
- The location of key infrastructure, including The Strood.

The purpose of this figure is to show how climate change will increase the frequency and severity of tidal flooding, further compromising access and infrastructure resilience.

Figure 6.5 – Settlement Isolation Model During High Tides (Diagram Description)

This diagram models how Mersea Island becomes isolated during high-tide events

SECTION 7 – SUMMARY VERSION

7.1 Purpose of This Summary

This section provides a clear, accessible summary of the key issues affecting Mersea Island within the Draft Local Plan (2025–2041), with particular focus on the proposed allocation of 300 dwellings at Dawes Lane (PP23). It distils the technical evidence into a format suitable for councillors, residents, and decision-makers.

7.2 Key Issues in Summary

1. Mersea Island’s Infrastructure Cannot Support Additional Large-Scale Development

Mersea Island has:

- A single access road (The Strood) that floods regularly.
- No rail connection.
- Limited and unreliable bus services.
- Healthcare services already operating beyond capacity.
- A wastewater treatment works (WRC) that cannot support further growth.

The Draft Local Plan does not demonstrate how these constraints can be overcome.

2. Healthcare Capacity Is Already Overstretched

West Mersea Surgery has:

- A GP-to-patient ratio of around 1:2,800, far above the recommended 1:1,800.
- Closed patient lists.
- No confirmed plans for expansion.

Additional development would worsen access to healthcare for existing residents.

3. Wastewater and Water Quality Risks Are Not Addressed

The West Mersea WRC:

- Has no additional treatment capacity.
- Has only increased storm flow, which does not improve treatment.
- Has been linked to record bacterial spikes in bathing waters.

- Discharges into sensitive estuarine habitats and shellfish waters.

Natural England, the Environment Agency, and the Food Standards Agency have all raised concerns about increased bacterial loading from further development.

The Draft Plan does not include a cumulative wastewater assessment, despite approximately 600 dwellings (existing, under construction, and proposed) contributing to the load.

4. Environmental Protections Are Not Properly Considered

Mersea Island is surrounded by:

- A Marine Conservation Zone (MCZ)
- A Special Area of Conservation (SAC)
- A Special Protection Area (SPA)
- Ramsar sites
- SSSI designations
- The Coastal Protection Belt (CPB)

The Draft Plan does not reference the MCZ and does not demonstrate compliance with the Habitats Regulations.

5. The Proposed Allocation PP23 Conflicts with Local and National Policy

PP23 conflicts with:

- ST1 (health and wellbeing)
- ST2 (environment and waterways)
- ST3 (spatial strategy)
- ST7 (infrastructure delivery)
- EN1, EN2, EN3 (environment and biodiversity)
- LC1 and LC3 (landscape and coast)
- The West Mersea Neighbourhood Plan

The site lies within the Coastal Protection Belt and on productive agricultural land.

6. Climate Change and Coastal Risk Are Not Assessed

The Draft Plan does not assess:

- Sea level rise
- Coastal erosion
- The long-term condition of seawalls
- Increased tidal flooding at The Strood
- Emergency access reliability

These are required under the NPPF.

7.3 What Needs to Change

To make the Local Plan sound, the following modifications are required:

1. Remove or fundamentally revise allocation PP23.
2. Reinststate a Mersea-specific policy aligned with the Neighbourhood Plan.
3. Include the Marine Conservation Zone (MCZ) in the evidence base.
4. Undertake a full cumulative wastewater assessment for all development on the island.
5. Provide a healthcare capacity plan demonstrating how additional GPs and services will be delivered.
6. Assess tidal access and emergency access in accordance with NPPF requirements.
7. Update the Infrastructure Audit and Delivery Plan to reflect electrification of heating, EV charging, and increased electrical demand.

7.4 Summary Conclusion

Mersea Island is a unique, environmentally sensitive, and infrastructure-constrained location. The Draft Local Plan does not currently provide the evidence required to justify significant additional development on the island. Without substantial modification, the Plan is not positively prepared, not justified, not effective, and not consistent with national policy.

SECTION 8 – COUNCILLOR STATEMENT

8.1 Introduction

As the elected Ward Councillor for West Mersea, I have a statutory and moral responsibility to represent the interests of residents and to ensure that planning policy affecting Mersea Island is evidence-based, lawful, and sustainable. This statement summarises my position on the Draft Local Plan (2025–2041) as it relates to Mersea Island and the proposed allocation PP23.

8.2 Duty to Represent Residents

Residents of Mersea Island have consistently raised concerns regarding:

- Healthcare capacity
- Wastewater and water quality
- Tidal access and emergency access
- Environmental protection
- Infrastructure limitations
- The scale and location of proposed development

These concerns are not speculative; they are grounded in lived experience, statutory regulator evidence, and the physical realities of island life.

As a councillor, I must ensure that these issues are fully and accurately reflected in the Local Plan.

8.3 Evidence-Based Concerns

The evidence demonstrates that Mersea Island faces unique and significant constraints:

- A single tidal access route that regularly floods
- A Water Recycling Centre operating without spare treatment capacity
- Internationally protected environmental designations
- Healthcare services already beyond capacity
- Limited public transport and no rail access
- Increasing climate-related risks, including sea level rise and coastal erosion

The Draft Local Plan does not adequately address these constraints, nor does it demonstrate compliance with the National Planning Policy Framework or the Habitats Regulations.

8.4 Position on Allocation PP23

I cannot support allocation PP23 in its current form.

The site lies within the Coastal Protection Belt, conflicts with multiple Local Plan policies, and is not supported by the evidence base. The allocation would exacerbate existing infrastructure pressures and increase environmental risk, particularly in relation to wastewater discharge and sensitive estuarine habitats.

Until the necessary assessments, mitigations, and infrastructure commitments are provided, PP23 cannot be considered sound.

8.5 Commitment to a Sound and Deliverable Plan

My objective is not to oppose development for its own sake. Mersea Island has delivered significant housing growth in recent years and will continue to play its part in meeting local needs.

However, development must be:

- Sustainable
- Infrastructure-led
- Environmentally responsible
- Legally compliant
- Supported by robust evidence

The Draft Local Plan, as currently written, does not meet these requirements.

8.6 Conclusion

I respectfully request that the Council:

- Removes or fundamentally revises allocation PP23
- Reinstates a Mersea-specific policy aligned with the Neighbourhood Plan
- Undertakes the required cumulative wastewater and environmental assessments
- Addresses healthcare and infrastructure capacity in a transparent and evidence-based manner

These steps are essential to ensure that the Local Plan is sound, deliverable, and capable of protecting both the community and the environment of Mersea Island.

Appendix Index

Appendix A – Healthcare Capacity Evidence

Summary of GP capacity, patient list status, NHS benchmarks, and correspondence confirming constraints at West Mersea Surgery.

Appendix B – Wastewater and Water Quality Evidence

Environment Agency, Natural England, and Food Standards Agency evidence regarding bacterial spikes, WRC capacity, and shellfish water impacts.

Appendix C – Environmental Designations Map (Description)

Textual description of SAC, SPA, Ramsar, SSSI, MCZ, and Coastal Protection Belt boundaries relevant to Mersea Island.

Appendix D – Strood Tidal Flooding Data

Historical closure data, tidal height thresholds, and emergency access implications.

Appendix E – Climate Change and Coastal Erosion Evidence

Sea level rise projections, erosion mapping descriptions, and seawall condition summaries.

Appendix F – Infrastructure Audit and Delivery Plan (Extracts)

Relevant extracts relating to electricity capacity, EV charging, heating electrification, and transport infrastructure.

Appendix G – West Mersea Neighbourhood Plan (Relevant Policies)

Summary of key policies relating to landscape, environment, and development boundaries.

Appendix H – Appeal Decision APP/A1530/W/21/3285769 (Summary)

Inspector's findings regarding development within the Coastal Protection Belt and landscape impact.

Appendix I – Transport and Access Constraints

Bus service reliability data, absence of rail access, and implications for sustainable transport.

Appendix J – Policy Conflict Matrix (Expanded)

Detailed analysis of conflicts between PP23 and Local Plan policies ST1, ST2, ST3, ST7, EN1–EN3, LC1, and LC3.

Appendix K – Cumulative Development Schedule

List of existing, under-construction, and proposed dwellings contributing to cumulative wastewater and infrastructure load.

Appendix L – Marine Conservation Zone (MCZ) Evidence

Description of MCZ boundaries, protected features, and statutory requirements.

SECTION 10 – FINAL CONCLUSION

10.1 Summary of Findings

This Regulation 18 submission demonstrates that the Draft Local Plan (2025–2041), as it relates to Mersea Island and allocation PP23, does not currently meet the statutory tests of soundness. The evidence shows that Mersea Island faces unique and significant constraints relating to tidal access, wastewater capacity, healthcare provision, environmental protection, and infrastructure resilience. These constraints have not been adequately assessed or addressed in the Draft Plan.

10.2 Failure to Meet National Policy Requirements

The Draft Plan does not comply with the National Planning Policy Framework or the Habitats Regulations. Key requirements relating to sustainable transport, climate resilience, environmental protection, and infrastructure delivery have not been met. The omission of the Marine Conservation Zone (MCZ) from the evidence base is a critical failure.

10.3 Conflict with Local Plan Policies

Allocation PP23 conflicts with multiple strategic and environmental policies, including ST1, ST2, ST3, ST7, EN1, EN2, EN3, LC1, and LC3. It also conflicts with the West Mersea Neighbourhood Plan and the findings of relevant appeal decisions.

10.4 Required Modifications

To ensure the Local Plan is sound, legally compliant, and deliverable, the following modifications are essential:

- Removal or fundamental revision of allocation PP23.
- Reinstatement of a Mersea-specific policy aligned with the Neighbourhood Plan.
- Inclusion of the MCZ and full environmental designations in the evidence base.
- A cumulative wastewater assessment covering all development on the island.
- A clear healthcare capacity strategy demonstrating how additional provision will be delivered.
- A full assessment of tidal access, emergency access, and climate-related risks.
- An updated Infrastructure Audit and Delivery Plan reflecting electrification and increased demand.

10.5 Closing Statement

Mersea Island is a distinctive, environmentally sensitive, and infrastructure-constrained community. It has delivered significant housing growth in recent years and will continue to contribute to local needs, but only where development is sustainable, evidence-based, and supported by appropriate infrastructure.

The Draft Local Plan, in its current form, does not provide the necessary evidence or safeguards to justify further large-scale development on the island. I therefore respectfully request that the Council undertakes the required assessments and modifications before progressing to Regulation 19.

This submission is made in the interests of ensuring a sound, lawful, and deliverable Local Plan that protects both the community and the environment of Mersea Island.