

Environmental Statement to WMTc From Graham Farley (local Resident) Mersea Island Environmental Alliance

Introduction

Mersea Island boasts a richly diverse built and natural environment. Located in the Blackwater Estuary, the largest estuary on the east coast, Mersea Island is an area of significant conservation importance. The Blackwater Estuary is one of the top ten estuaries in Western Europe for migrant birds, especially wading birds, with a large section designated as a Site of Special Scientific Interest (SSSI). Additionally, the Mersea saltmarshes form part of the Eastern Atlantic Flyway, a migration route for millions of seabirds stretching from Siberia to South Africa.

Mersea has the largest inshore fishing fleet between Lowestoft and Brixham, alongside numerous charter (rod-and-line) boats. The main catch includes sole, skate, bass, and mullet in the summer, while herring and cod dominate in winter. Second only to fishing is oyster farming, which holds significant cultural, economic, and environmental importance for the island.

The coastal area surrounding Mersea is an irreplaceable natural asset. The ecological importance of the Colne and Blackwater Estuaries is underscored by the numerous marine protected areas (MPAs) in the region, including:

- **Colne and Blackwater Estuary Special Area of Conservation (SAC)**
- **Blackwater Estuary Site of Special Scientific Interest (SSSI)**
- **Blackwater Estuary Ramsar Site**
- **Essex Estuaries Special Area of Conservation**
- **Mid Essex Coast Special Protection Area**
- **Blackwater, Crouch, Roach, and Colne Estuaries Marine Conservation Zone (MCZ)**

The Blackwater MCZ is the most important area for both wild and cultivated native oysters (*Ostrea edulis*) in the southeast region. Extensive oyster beds are located in the Crouch and Roach estuaries and throughout the Blackwater Estuary. However, oysters are vulnerable to threats such as pollution, invasive species, and overfishing. The protected native oyster (*Ostrea edulis*) and its beds are currently designated as "recover to favourable condition."

Mersea Island Environmental Alliance (MIEA) has been working with The Environmental Law Foundation for over ten years to challenge planning decisions that could affect our very special environment.

There is acknowledgement for the need for housing but not at the expense of human health or the environment. Environmental objectives should focus on minimising and mitigating the impacts of development, providing net gains for biodiversity. Additional housing will however increase levels of sewage processed by the sewerage Water Recycling Centre (WRC) at West Mersea. The WRC discharges sewage into the estuary, potentially affecting human health both from oysters and bathing water.

Planning and Environmental Concerns

The plan-led planning system places increasing emphasis on environmental concerns and the role of development plans in protecting and enhancing the environment. **PPG12** highlights that environmental considerations should weigh heavily in planning decisions.

The County Council's Structure Plan aligns with this focus, with one of its key aims should be the protection and enhancement of Mersea Island's environment in particular the MCZ. Government guidance underscores the need for sustainable policies to balance development requirements with the protection of the natural and built environment for future generations.

Despite the focus on environment, Colchester City Council have consistently failed to consider **Marine Conservation Zone (MCZ) Planning rules** for both Dawes Lane (planning application 200351 for one hundred dwellings and Brierley Paddocks (planning application 192136) for up to one hundred and one dwellings on Mersea Island despite The Essex Native Oyster Restoration Initiative (ENORI), FSA Sanitary Surveys, EA concerns, readily available data on declining bathing and shellfish waters.

Food Safety Agency (FSA) Statement - 1 March 2024:

"The FSA's view, based on evidence from the 2021 Sanitary Survey, is that increased housing in the West Mersea catchment area—especially on Mersea Island—would likely raise bacterial loading in coastal waters. This may negatively affect shellfish harvesting area classification unless improvements are made to the wastewater treatment network."

The Environment Agency 2020

The Environment Agency commissioned Pollution reports from Anglian Water as below due to their concern over declining water quality around Mersea Island.

Anglian Water SW-INV1 Sign Off Report (February 2024):

"The investigation has been put forward because the shellfish waters have failed to meet the microbial standard consistently and also some are showing signs of deterioration based on the national assessment".

Intertek Anglian Water Services AMP7 EINEP Bathing Water Investigations West Mersea 2022:

"The West Mersea BW classification has changed significantly in the last 10 years from Excellent in 2014 to Sufficient in 2018, according AMP7 MSF (measure ID: 7AW300067)
In 2018, the BW classification remained Sufficient. The risk of the BW failing the planning class of 'Sufficient' was calculated at 5%. The risk of failing Good was calculated as 86% and the risk of failing Excellent was 100%."

Conclusion:

Environment Agency concerns, FSA statement and Anglian Water surveys should be **material considerations in any future planning decisions for Mersea Island**, both Bathing and Oysters. Marine Conservation Zones (MCZs) are subject to specific planning rules. Authorities **must** consider the impact of proposed developments on MCZ conservation objectives. **Marine and Coastal Access Act 2009**, public authorities **must** adhere to the following duties:

- **Section 125:** Public authorities must exercise their functions in a way that best furthers (or at least does not hinder) the conservation objectives for MCZs.
- **Section 126:** Authorities must assess the potential effects of proposed activities on MCZs before granting authorisations. Activities that significantly risk hindering conservation objectives are restricted.
- **Section 127:** Statutory Nature Conservation Bodies (SNCBs) may provide conservation advice to public authorities regarding MCZs and are required to do so upon request.

These duties are designed to offer MCZs clear, flexible, proportionate, and effective protection and should as a matter of course be incorporated in the Local Plan.

4th February 2025

MIEA
