




Local Plan Committee

Item
7

27 March 2017

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| Report of | Head of Commercial Services | Author | Beverley McClean  282480 |
| Title | Coastal Protection Belt Review | | |
| Wards affected | Marks Tey and Layer, Mersea and Pyefleet, Old Heath and Hythe and Wivenhoe Wards | | |

The Local Plan Committee is asked to agree proposed deletions to Colchester's Coastal Protection Belt following review

1. Decision(s) Required

- 1.1 The Local Plan Committee is asked to agree the proposed deletions to the Colchester Coastal Protection Belt (CPB) policy and map. The Local Plan Committee approved proposed additions to the revised Coastal Protection Belt on 7 February 2017 but more information was requested to justify the deletion of 4 land parcels from the revised Coastal Protection Belt.
- 1.2 The Coastal Protection Belt once agreed will form part of the evidence base for the emerging Local Plan for Colchester.

2. Reasons for Decision(s)

- 2.1 To ensure that the evidence base for the Local Plan provides a robust basis to support decisions on future planning applications affecting coastal wards of the Borough.

3. Alternative Options

- 3.1 The alternative would be rely on the current Coastal Protection Belt policy and map as evidence for the emerging Local Plan. The current policy was based on the Essex County Council 1984 Subject Plan and Structure Plan both of which are now obsolete as planning documents. Planning decisions based on these documents or the current Coastal Protection Belt policy and maps would not be made on the most up to date evidence and could be challenged.

4. Supporting Information

The existing Coastal Protection Belt was originally defined in 1984 by Essex County Council in the Essex Coast Protection Subject Plan and included as policy in subsequent County Structure Plans for Essex until their abolition. A Coastal Protection Belt policy was also included in successive Local Plans for Colchester

from 1984 onwards. It is still a valid policy in the current Local Plan for the Borough.

- 4.1 The Subject Plan recognised the rural and undeveloped character of the Essex coastline as a unique, finite and irreplaceable resource in its own right. In recognition, the Subject Plan set out a coastal protection policy, the main objective of which was to protect the coast outside built-up coastal areas from development that would adversely affect the open and rural character or wildlife within the area known as 'The Coastal Protection Belt'.
- 4.2 The original Coastal Protection Belt was defined using the following principles. The inland extent of the Coastal Protection Belt was delineated using the tidal influence of the river estuaries as the inland cut off point. The boundary was also delineated using permanent physical features on the ground i.e. roads, field boundaries and Public Rights of Way as these were readily identifiable and defensible features. The criteria below were also used to determine what land to include within the current Coastal Protection Belt policy:
- **Areas of open, undeveloped and rural character with coastal/estuary views** – the areas excluded included urban coastline, larger towns/villages and industrial areas (with the exception of small villages and areas of development that retain their open quality such as minerals extraction sites).
 - **Areas of high landscape value** – as defined by a landscape quality appraisal undertaken in 1976-78 that formed the basis for Special Landscape Areas in the Essex County Structure Plan.
 - **Areas of designated nature conservation value** – Sites of Special Scientific Interest and Nature Conservancy Zones associated with coastal habitats such as saltings, marshes and mudflats.
- 4.3 The supporting documents underpinning the current Coastal Protection Belt designation are no longer valid. A review of Colchester's Coastal Protection Belt was commissioned to ensure that a Coastal Protection Belt policy based on up to date evidence could be included in the new Local Plan for the Borough.
- 4.4 The approach used to re-define the extent of the Coastal Protection Belt builds on the principles and criteria used in the original Essex Coast Subject Plan referred to above. It was also informed by legislative change (the 2006 European Landscape Convention), policy changes in the National Planning Policy Framework in relation to the protection and management of coastal areas in England and the need to manage climate change and to reflect updates to the Borough's Landscape Character Assessment.
- 4.5 The criteria and factors used to define which land to include and which to exclude from the Coastal Protection Belt were also reviewed. Three revised criteria were defined as part of the Coastal Protection Belt review and these are set out below:

- Criteria A - Coastal Character – inclusion of open, undeveloped and rural areas (terrestrial and inter-tidal) that have a distinctive coastal/estuarine character and sense of place as defined by the Colchester Borough Landscape Character Assessment. Note the revised criteria A does not include coastal views. This criterion is in line with NPPF objectives to protect the open, undeveloped and rural character of the coast (not views).

Only 3 Landscape Character Areas/Types defined in the Landscape Character Assessment Report 2006, meet the above objectives of revised criteria A. These are:

- (i) Landscape Area Type C - Estuarine Marsh/Mudflats. Land falling within this Landscape Area Type typically includes a mosaic of open saltmarshes, mudflats, narrow winding creeks and channels, adjacent to the River Colne, with and intertidal landscape constantly washed by the sea, separated from a backdrop of drained coastal marshes and open coastal farmland by prominent sea walls. It includes marsh and mudflats around West Mersea, The Strood, Salcott and Fingringhoe.
- (ii) Landscape Area Type D - Drained Estuarine Marsh. Land falling within this Landscape Area Type typically includes areas of former saltmarsh which have been drained and enclosed by a sea wall. They are managed either by arable cultivation or by coastal grazing. The area includes scattered patches of low-lying scrub and the land is criss-crossed by drainage ditches which create an intimate yet large-scale landscape pattern. It includes drained estuarine marshes around Mersea, Colne and Pyfleet.
- (iii) Landscape Area Type E Coastal Farmland. Land within this Landscape Character Type is typically flat, low-lying predominantly arable farmland comprising a mix of small, medium and large arable fields with hedged field boundaries with a network of drainage ditches traversing the island,. There is typically no woodland cover, however several mature trees present in hedgerow field boundaries. Around Langenhoe, the coastal farmland character is more rolling and there are more patches of woodlands in this area. It includes coastal farmland on Mersea, Little & Great Wigborough and Langanhoe

4.6 It is important to note that the Landscape Character Assessment is a well-established piece of evidence which has been used to inform both the Local Plan and planning decisions over a long period. It would not now be appropriate to suggest it is not fit for purpose.

- Criteria B - Coastal Designations – inclusion of designated sites of nature conservation value associated with coastal habitats such as saltings, marshes and mudflats; and designated sites of cultural heritage value associated with the Borough's coastal/maritime history. This criterion is

in line with NPPF objectives to protect natural and historic environment designated assets in coastal areas.

- Criteria C - Coastal Change Areas – inclusion of coastal areas that are likely to experience significant physical changes as a result of permanent or temporary inundation. This criterion is in line with NPPF objectives for management of coastal change.

- 4.7 In determining whether to include areas in the CPB or not, the area should wholly or predominantly meet criterion A; and also meet criteria B and/or C. In this way, greatest weight is given to criterion A in line with the main objective to protect the open, undeveloped and rural character of the coast.
- 4.8 Built up areas that were not predominantly rural, undeveloped and open were excluded from the review, while Colchester Borough administrative boundaries and permanent identifiable and defensible physical features on the ground roads, field boundaries and the low-water mark in inter-tidal areas were also used to define the extent of the revised Coastal Protection Belt.
- 4.9 As a result of the review a new Coastal Protection Belt designation was proposed. The key changes to the Coastal Protection Belt were presented and discussed at Local Plan Committee on 7 February 2017. Four new areas of land were proposed for addition to the Coastal Protection Belt and 4 areas were proposed for deletion. The proposed additions to the Coastal Protection Belt were agreed but Members sought further justification about why 4 areas were being proposed for deletion in the revised Coastal Protection Belt. The 4 areas of land proposed for deletion are briefly summarised in section 5 of this report below and shown on the accompanying map.

5. Proposals

- 5.1 The main policy objective of the Coastal protection Belt to protect open undeveloped areas of the coast remains unchanged following the review. The change in criteria detailed above resulted in some small changes to the boundary of the Coastal Protection Belt. The areas proposed for deletion are set out below;

Zone 1 – The sea area below low water mark around Mersea Flats was proposed for deletion from this zone.

Zone 4 – includes land around Wivenhoe and Rowhedge in the vicinity of the Upper Colne Estuary. An area of land to the north west of Wivenhoe and another plot of land to the south east of Wivenhoe plus an area of land to the south/south east of Rowhedge, are proposed for deletion from the Coastal Protection Belt.

- 5.2 Table 1 below sets out the justification for deleting the off shore and land parcels in Zones 1 & 4 when considered against the revised Coastal Protection Belt selection criteria A, B and C discussed in section 4.5 of the report.

Table 1 Revised Coastal Protection Belt – deletion justifications table

| Zone Number | Proposed change | |
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| 1 | Deletion of sea area below low-water mark | <p>The off shore sea area proposed for deletion from the Coastal Protection Belt does not fall within Landscape Character Type C, D, and E (which have a defined estuarine/coastal character) as described in Criteria A of the Coastal Protection Belt and it is not within a coastal change area likely to experience significant physical change as a result of inundation.</p> <p>The offshore area therefore has been proposed for deletion from the revised Coastal Protection Belt designation as it does not satisfy criteria A or C in the revised Coastal Protection Belt document.</p> |
| 4 | Deletion of land at Bowes Road Wivenhoe | <p>The land at Bowes Road, Wivenhoe proposed for deletion from the revised Coastal Protection Belt falls within Landscape Character Type B Farmland Plateau (B8 Wivenhoe Farmland Plateau and Landscape Character Type A Colne River Valley (A5 Colne River Valley Slopes) as defined by the Landscape Character Assessment. Landscape Character Type B8 is characterised as being predominantly arable farmland on a plateau position consisting of medium and large fields with gappy field boundaries, interspersed with small irregular patches of woodland, with a well-connected network of lanes and footpaths traversing the area. It includes the historic Wivenhoe Park. Landscape Character Type A5 Colne River Valley Slopes is characterised by the relatively steep v-shaped valley slopes with attractive and open views across and along the river corridor. Small to medium-sized arable fields directly align the river whilst a mosaic of large regular arable fields cover the upper parts of the slopes. Only a very small area of land under review falls within A5. Neither Landscape Character Types B8 nor A5 have an estuarine or coastal character. The land at Bowes Road therefore falls outside the Landscape Character Types C, D and E (which have a defined</p> |

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| | | <p>estuarine/coastal character) as described in Criteria A in the Coastal Protection Belt Review.</p> <p>The land is not designated for any coastal ecological interest or maritime heritage interest (Criteria B) and it does not fall within a coastal change area likely to experience significant physical change as a result of inundation (Criteria C).</p> <p>The area of land at Bowes Road Wivenhoe therefore has not been included in the revised Coastal Protection Belt designation as it does not satisfy criterion A, B or C in the revised Coastal Protection Belt document.</p> |
| 4 | Deletion of land to the north west of Wivenhoe | <p>The land to the north west of Wivenhoe proposed for deletion from the revised Coastal Protection Belt falls predominantly with Landscape Character Type B Farmland Plateau (B8 Wivenhoe Farmland Plateau) as defined by the Landscape Character Assessment. Landscape Character Type B8 is characterised as being predominantly arable farmland on a plateau position consisting of medium and large fields with gappy field boundaries, interspersed with small irregular patches of woodland, with a well-connected network of lanes and footpaths traversing the area. It includes the historic Wivenhoe Park.</p> <p>Landscape Character Type B8 does not have an estuarine or coastal character.</p> <p>The land the north west of Wivenhoe falls outside the Landscape Character Types C, D and E (which have a defined estuarine/coastal character) as described in Criteria A in the revised the Coastal Protection Belt document.</p> <p>The land is not designated for any coastal ecological interest or maritime heritage</p> |

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| | | <p>interest and it does not fall within a coastal change area likely to experience significant physical change as a result of inundation.</p> <p>The land to the north west of Wivenhoe therefore has been proposed for deletion from the revised Coastal Protection Belt designation as it does not satisfy criteria A, B or C in the revised Coastal Protection Belt document.</p> |
| 4 | Deletion of land to the south/south east of Rowhedge | <p>The land to the south/south east of Rowhedge proposed for deletion from the revised Coastal Protection Belt falls within Landscape Character Area A River Valley (A3 Roman River Valley) and Landscape Character Area B Farmland Plateau, (B3 which includes the Southern Colchester Farmland Plateau as defined in the Landscape Character Assessment. Landscape Character Type A3 is characterised by the narrow, meandering floodplain of the Roman River, which becomes slightly broader at its confluence with the River Colne. It includes several marshy areas adjacent to the river, supporting riparian/ wetland vegetation, with single mature deciduous trees which form dominant landscape features on the edge of marshy areas adjacent to Ferry Road at the confluence of the Roman and Colne Rivers. Rowhedge Warehouses are a dominant landmark on the edge of the floodplain within this Landscape Character area. Landscape Character Type B3 is characterised typically a sloping farmland plateau, comprising a mixture of small, medium and large predominantly arable fields) bordered by Colchester settlement fringes to the north and the wooded Roman River Valley to the south.</p> <p>It contains several large patches of woodland that extend from the northern slopes of the Roman River valley, onto the plateau. It also contains several small</p> |

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| | | <p>lakes and ponds, associated with within disused sand and gravel works within this Landscape Character Type.</p> <p>Neither Landscape Character Types A3 nor B3 have an estuarine or coastal character.</p> <p>The land falls outside the Landscape Character Types C, D and E (which have a defined estuarine/coastal character) as described in Criteria A in the revised the Coastal Protection Belt document.</p> <p>The land is not designated for any coastal ecological interest or maritime heritage interest and it does not fall within a coastal change area likely to experience significant physical change as a result of inundation. The area to the south/south east of Rowhedge therefore has been proposed for deletion from the revised Coastal Protection Belt designation as it does not satisfy criterion A, B or C in the revised Coastal Protection Belt document.</p> |
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- 5.3 The proposed deletions (and approved) additions to the revised Coastal Protection Belt within zones 1, 3 and 4 are shown diagrammatically in Figure 2 in Appendix 1 to this report. A new Coastal Protection Belt policy drafted as part of the review has also been included in the emerging Local Plan.
- 5.4 The fact that these 4 areas will no longer be within the Coastal Protection Belt does not alter the fact that they are greenfield sites outside of any area designated for development. They will still be afforded protection from inappropriate development. It may be that some areas are protected by other designations such as the Colne Protection Belt being proposed in the Wivenhoe Neighbourhood Plan.
- 5.5 It is proposed that the Coastal Protection Belt Review is used to inform the designation of a new Coastal Protection Belt and revised policy wording in the Submission draft of the Local Plan.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan includes a commitment to promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination and to cultivate Colchester's green spaces and opportunities for

health, wellbeing and the enjoyment of all.. The Coastal Protection Belt policy will help deliver these objectives.

7. Consultation

- 7.1 The revised Coastal Protection Belt Policy and map have not been issued for public consultation. The Coastal Protection Belt Policy review paper is a technical document that forms part of the Local Plan evidence base. The Coastal Protection Belt Review paper and map are publically available on the Council's website under the new evidence base webpage.

8. Publicity Considerations

- 8.1 The Coastal Protection Belt Review is not expected to generate publicity.

9. Financial Implications

- 9.1 None

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on [this link](#) or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Your Council > How the Council works > Equality and Diversity > Equality Impact Assessments > Commercial Services > Planning Policy > Local Plan.

- 10.2 There are no particular Human Rights implications.

11. Community Safety and Health and Safety Implications

- 11.1 None identified.

12. Risk Management Implications

- 12.1 The updated Coastal Protection Belt Policy will help ensure that the Council's planning policies are robust and based on up-to-date evidence that will prevent inappropriate development being permitted along the Borough's coast.

13. Disclaimer

- 13.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omissions.

Supporting Papers

Coastal Protection Belt Review Paper
Coastal Protection Belt Review Maps