

4 Lubbards Close

Rayleigh

Essex

SS6 9PY

23/9/2014

FAO The Planning Department

Rochford District Council

Council Offices

South Street

Rochford

Essex

Dear Sir/Madam

Reference Planning Application No. 14/00627/OUT Land North of London Road Rayleigh Essex

Applicant Countryside Properties PLC

Please find attached a five page document being a **FORMAL OBJECTION** to the above Planning Application.

Please acknowledge this communication in writing.

Yours faithfully

L.D.Kendall (Mrs.)

To Planning Department Rochford District Council Council Offices South Street Rochford Essex

From Linda Kendall 4 Lubbards Close Rayleigh Essex SS6 9PY

Date 23rd September 2014

Reference Planning Application 14/00627/OUT

THIS IS A FORMAL OBJECTION TO THE ABOVE APPLICATION FOR OUTLINE PLANNING PERMISSION FOR DWELLINGS ON LAND NORTH OF LONDON ROAD RAYLEIGH ESSEX BY COUNTRYSIDE PROPERTIES PLC.

As a precursor I would request that the Monitoring Officer at Rochford District Council 'proactively' enquires as to whether any Members or Officers should declare any prejudicial 'Interest' in regard to this Outline Planning Application with regard to personal association with the landowners or applicant developer concerned prior to the decision making process.

My objections to this Planning Application are in numerical order, for ease of reference.

1) OBJECT TO THE INCREASE OF THE SITE INTO THE ADJACENT GREENBELT.

The Extent of the site proposed to be developed in this application includes a considerable extension to the controversial current GREENBELT SER1 site agreed in the Core Strategy being some 15% greater in dimension than the original agreed site. The objector is aware that a Government Inspector suggested this extension to provide for roads and engineering works to avoid accessing the site via Rayleigh Town Sport and Social Club site following his inquiry of 10th September 2013. Nevertheless, despite Members of RDC agreeing to this in the Modifications put forward by the Inspector, there has **been no consultation or agreement with the residents of the District of Rochford, as required, when deciding to develop this considerable extension into the Protected Metropolitan Greenbelt .**

Reference the National Planning Policy Framework (NPPF) and the Localism Act 2011. There is a duty to hold 'substantial' Consultations when Greenbelt is being developed. The requirement of a full 'Public Consultation' under the European Directive re. Strategic Environmental Assessment should also be conducted on this extension of the original approved Core Strategy site. Failure to do so would leave every protected Greenbelt area under threat of creeping urbanisation on the edges of developments by self- interested developers and landowners against the clear wishes of the local people. The objector does not consider that RDC have the capacity to agree this extension without reference to the public they serve.

2) OBJECT AS THE EXTENSION IS NOT SIMPLY A SUGGESTED GREEN BUFFER.

The objector considers the suggestion that this extension of the Core Strategy agreed site boundaries is simply a 'green buffer' cannot be accepted as the application requires the construction of a substantial roadway which will have to accommodate access to some 500 properties and other services to include engineering for street lights and street furniture which is incompatible with the Greenbelt principles. A large area, outside the original Core Strategy agreed site, is to be used for the construction of engineered attenuation ponds, designed to try to prevent flooding due to the development proposed. These will further diminish the areas Greenbelt status, they will require regular maintenance attended by commercial vehicles. The objector considers this requirement of water management should be contained within the original SER1 site, as approved. The Greenbelt area will be further reduced, by the application, with a request to build slip roads, within the greenbelt boundary, onto the two roads that straddle this site, Rawreth Lane and London Road. This

incursion into the greenbelt will result in further acres of agricultural farmland being lost contrary to policies designed to protect food production.

3) OBJECT - DENSITY OF BUILDING PLANNED IS GREATER THAN CORE STRATEGY APPROVAL

The application is for some 500 dwellings. The site known as SER1 was agreed to accommodate a total of 550 dwellings. Only two thirds of that originally identified site, agreed in the Local Development Framework Allocations Document, is proposed in this application resulting in a substantial increase in agreed density of dwellings. It follows that at the density proposed by this application the SER1 site would have achieved some 750 dwellings, a far greater quantum than agreed in the scheme for this SER1 site. The objector considers the density applied for is thus unsustainable and will lead to a development that undermines the present status of the area. Despite anecdotal evidence to the contrary the remainder of the SER1 site (including the Rayleigh Town Sports and Social Club/ Lower Barn Farm and the two parcels of land abutting London Road) remains endorsed for development under the adopted Core Strategy and LDF Allocation Document. Unless the RDC formally removes these land masses from the determine policy of the Council that remains the case.

4) OBJECT. ESSEX COUNTY COUNCIL TRAFFIC ASSESSMENTS ARE INADEQUATE, OUT OF DATE AND UNRELIABLE. The last full assessment was undertaken in 2005.

Evidence is not available that can assess whether the Highway infrastructure is 'fit for purpose' given the large development proposals being proposed across Rochford district. The traffic assessments provided are based upon data which does not reflect the actual figures collated by resident groups. The objector disputes the figures within the application. **A full independent traffic assessment, to be undertaken over an extended period must be commissioned to ascertain the full impact this development will occasion when combined with the other proposed developments within the immediate area.** The failure of RDC to address the impact on the lives of those who live in this part of the district and the inability to summarise the full nature of the proposals suggested for this area was severely criticised by the Inspector when addressing reasons for the huge objection to the Allocations Document. The facts of congestion are undisputed on the two road abutting this site. A survey dated 19/07/2013, by Rayleigh Action Group, established an average total of 11,043 vehicles used London Road over a 12 hour period 7am – 7pm daily. The Rawreth Parish Council conducted a similar survey in 2010 on Rawreth Lane which showed an average 7,179 vehicles daily over a similar period. Watery Lane carried 4870 vehicles. Watery Lane is a minor route, adequately described by its' name, that is regularly closed due to flooding being just a few hundred metres from the tidal River Crouch, leading to increased volume of traffic using Rawreth Lane for access to the east. During poor weather and at times of delay on the A127 major route this volume of traffic is further greatly increased across this one mile square area causing major disruption and inconvenience to residents, visitors and business owners.

5) OBJECT. REFERENCE ROAD SAFETY

The proposed 'ghost junctions' will result in compromising road safety. Both Rawreth Lane and London Road, where the suggested junctions are proposed, have speed limits of 40 mph. They are straight fast stretches of road that already have a number of minor access points. The effect of the suggested junctions will require vehicles to cross the 'ghost' junction in order to turn right into a fast moving continuous traffic flow. Given the proven number of vehicles using these routes at all times of the day and night the objector considers this suggested type of 'cheap option' (a simple white arrow on the road surface) junction is a recipe for disaster and must be given every consideration by the decision

makers. I would remind the decision makers concerned, in deciding this application, that the Rayleigh Lawn Tennis Club were refused planning permission in 2004, on the same stretch of London Road, when applying for permission to relocate their small tennis facility from the High Road, this was due to perceived dangerous traffic considerations. This was when vehicle movements were less frequent.

- 6) **OBJECT. REFERENCE AIR POLLUTION.RDC SHOULD REQUIRE THAT A FULL INDEPENDENT AIR POLLUTION ASSESSMENT IS PRODUCED.** The assessments in relation to air pollution, dust and dirt are questionable. Rochford District Council has had a long term problem with Air Pollution due to what 'THEY' termed a 'bad neighbour' the Rawreth Industrial Estate, which due to relatively recent housing developments approved by RDC now abut the estate. RDC's concern is such that the Council have concluded that the estate should be removed from its' present location to a new site. THE TIMING OF SUCH A MOVE HAS NOT BEEN ADDRESSED AND IN FACT HAS BEEN PUT IN ABEYANCE DUE TO COST AND VIABILITY CONSIDERATIONS so is unlikely to proceed in any swift manner. The objector would question the Environmental Assessment regarding Air Pollution due to the fact that despite the previous mentioned facts an 'Air Monitoring Unit' was 'surprisingly removed from the industrial site just prior to the report commissioned in preparation for this application. It is therefore evident the data used is that pertaining to other monitoring equipment not in the immediate area. Studies undertaken by RDC (West Rayleigh Study) did not include required air quality assessment to include Nitrous Dioxide levels which are particularly harmful to children from vehicle fumes. There are two schools, a third proposed, a nursery and a home for the handicapped immediately adjacent to Rawreth Industrial Estate as well as the present developments to the east. This so called 'bad neighbour' will be completely surrounded by development, should this application receive approval, creating a static area where pollutants that currently dissipate across the present open fields will be trapped. They will be likely to cause health problems for the residents.

- 7) **OBJECT. PROPOSAL TO SITE REQUIRED SCHOOL ON THE MOST LIKELY AREA TO FLOOD.**

The proposed allowance for a one entry school now being insisted upon by Essex County Council should not be acceptable in the present allocated site due to it being the area most likely to flood on this western side of the site, currently in the ownership of the Diocese of Brentwood. Also the positioning of the school is inappropriate due to its' location directly opposite a huge warehouse trading concern (Makro) that has constant ingress and egress of heavy trade vehicles. Noise, pollution and road danger for future pupils will be a serious concern if the developer is given permission for this school facility on this part of the site. A more unsuitable site for a school is difficult to imagine. I hope those making the decision to dispose of his parcel of land, that might possibly be the Roman Catholic Diocese of Brentwood, have the grace to insist this location is not permitted for the siting of an infant school, for the reasons given.

- 8) **OBJECT DUE TO FLOOD RISK**

Under the National Planning Policy Framework Section 10 paragraph 94 and 100. Decision taking Para .192 It states:- "The population have a right to have crucial information e.g. Up to date Flood Risk Assessment and Environmental Impact Statements of ALL decisions taken by Local Authorities this to include water and sewage issues."

I can find no current or relevant statements on the flood risk apparent in the area to be developed. The 'call for sites' Assessments on the two parcels of land that are subject of this application clearly indicate areas of the site are subject to flood risk within Flood Zone 2 & 3.

With the onset of Climate change and the ongoing considerable flooding across this part of Rawreth (now termed west Rayleigh) and adjacent parts of Rayleigh it is required that a full unfettered risk assessment be undertaken by the Environmental Agency BEFORE any planning approval is granted on this site. A Flood Forum under the direction of the Environmental Agency is currently collating evidence so as to form a considered judgement on water management in the immediate area. It would be sensible to await their report before proceeding. The residents that are experiencing serial flooding deserve no less from the Authority that accepts their Council Taxes. I have reason to believe a case in law brought by the said agency in 2013 (see Regina (Thames Water Utilities Ltd) v Bromley) established that Statutory Consultee's, Developers and Local Authorities can be criminally liable if flooding of surface water and foul sewage is caused to occur due to their failure to assess the necessary requirements of developments adequately at the planning stage It is essential all enquiries are undertaken prior to any decision on granting planning.

My research indicates that much of the Development Industry data being used to assess the Greenfield runoff flood risk in this area is based on Flood Studies Report 1975. The water management proposals contained in the application before the Council contain serious questions that need to be addressed. The methodology using WinDes microdrainage software has some underestimates as to the level of SuDS required in comparison to the HR Wallingford method of calculation. The result is a considerable difference in water retention requirement against that suggested by the developer. Rayleigh, Wickford and parts of Basildon are tier one risk of flooding, in particular, the immediate area of this proposed development. The Pitt Report commissioned after the 2007 floods called for improved modelling of all forms of flood risk. I would further request that a further study is undertaken using Mid Essex SFRA 2008 report by Scott Wilson. This recommends that his Level 1 and Level 2 reports are used to assess actual flood risk in the light of ongoing climate change.

I understand RDC are relying on a Suds systems in current proposed developments. I cannot be so confident especially with the track record of the present applicant with regard to their development in Etheldore Avenue Hockley where the drainage system installed continues to cause considerable problems after some 12 years. This ongoing problem includes annual flooding of surface water, the failure of a pumping station that has led to leaching of sewage into local gardens and until recently a poorly maintained 'balancing pond' that was full of debris and undergrowth creating opportunity for further flooding. It is suggested the maintenance of this system is now contracted by the developer to a company based in Kent (60 miles away if a problem occurs) and that despite suggestions to the contrary Anglian Water engineers will still not agree to adopt the whole system as they claim it does not meet their 'specification' and due to illicit connection and discharge of ground water from the site into the public surface water sewage system without consent. The extraction of foul sewage is only undertaken by Anglian Water from the boundary of the development. This single development with the many problems it has experienced requires the UTMOST CARE be taken before agreeing any similar system. It must be remembered this development was approved (together with the drainage provision) by RDC in 1998 and

built in 2001/2 it is not an ancient entity. Essex County Council do not advocate SuDS underground due the maintenance issues yet this developer, despite the evident poor track record, is suggesting this for this development. None of the data provided by the developer has been independently verified. Much of their application has caveats that explain their assumptions could be subject to error and omission. Drainage and flooding are not issues that can be left to such guesswork.

Rawreth Brook is tidal and is subject to flooding across Rawreth and beyond. This incidence has increased and the fact that the site proposed is 'London Clay' that occasions swifter runoff than is generally found makes it imperative that any 'Attenuation ponds' are sufficient in capacity to contain larger than expected surface water ingress. This is because due to the fact that any release into the brook and during high tide will be impossible resulting in flooding in the immediate area of this proposal. The foul water/ sewage discharge to the Anglia Water Treatment Works , in Watery Lane Hullbridge is similarly problematic as this facility is current regarded at capacity during periods of heavy rainfall. The Watery Lane works is unlikely to be able to sustain the increase in capacity the 1379 homes planned for this immediate district without considerable investment in the plant. Currently excess sewage is required to be treated with lime to prevent noxious smells.

Finally on this issue of flooding a long serving recently retire Councillor from Grange Ward , Mr. Chris Lumley, recently wrote to the local newspaper and claimed the drainage system in this part of the district was 'inadequate' due to the huge building programmes that have been developed during his tenure of office with no upgrade of the infrastructure. It is incumbent upon those that now serve the people of this area to make sure further flooding disasters are not proved more likely, due to any decision of theirs, to inflict even more development on this neighbourhood without that necessary infrastructure investment obviously required.

9) **OBJECT Rochford District Council should even at this stage reconsider the proposal to destroy this greenbelt access to our town.**

This proposal if accepted will result in the urbanisation of this semi-rural area to the detriment of the whole town and district. Development will remove a large area of agricultural farmland that should be protected under Natural England guidelines PPS7 due to the need for protecting land for food production. We have ample brown field site to fill the perceived need for housing.

10) **OBJECT MATERIAL CONSIDERATION THAT SHOULD BE TAKEN INTO ACCOUNT BEFORE DEVELOPING PRECIOUS GREENBELT.**

The Council should consider a 'Material Consideration' which has occurred since the Core Strategy was developed. A 'Windfall ' site has become available that could be utilised to provide for the homes suggested for the greenbelt entrance to Rayleigh known as 'North of London Road'. The site is the now decommissioned 'Bullwood Hall Prison' Bull Lane, Hockley.

Objection signed

Linda Kendall

Dated 23rd September 2014