



# The Planning Inspectorate

3/21 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

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Miss J Marcsik (Planning Services Department)  
Rochford District Council  
Council Offices  
South Street  
Rochford  
Essex  
SS4 1BW

Your Ref: 05/00208/FUL  
Our Ref: APP/B1550/A/05/1185976  
Date: 15 September 2005

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Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY HIGGINS HOMES LTD  
SITE AT 36 HOCKLEY ROAD, RAYLEIGH, ESSEX, SS6 8EB**

I enclose a copy of the appellants statement and third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter.

**You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.**

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Ms Kate Bennett

211AL(BPR)

Our Ref GJ/05/43  
Your Ref APP/B1550/A/05/1185976

13<sup>th</sup> September 2005

SPECIAL DELIVERY

**For the attention of Ms Kate Bennett**

The Planning Inspectorate  
3/21 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

Dear Madam

**Town & Country Planning Act 1990**  
**Appeal by Higgins Homes Ltd.**  
**Site at 36 Hockley Road, Rayleigh, Essex**

We write on behalf of the Appellant, in response to the Council's appeal questionnaire and supporting documents, concerning the above appeal against the Refusal of Planning Application 05/00208/FUL.

Firstly, we reserve the appellant's right to respond to the items listed in the questionnaire "to follow", which have not yet been received (Items 19 g, h & i). Furthermore, we are uncertain if the LPA intend to submit a Statement (no answer to Item 21) and reserve the right to make final comments, after the Council's position has been clarified.

In response to the information received we make the following comments;

1. The Essex Badger Group do not suggest there to be a sett on the appeal site, which is currently occupied and in residential use. An appropriate planning condition can be imposed, if necessary, to ensure any conflict with existing badger routes is properly resolved.
2. With regard to Essex County Council's comments on the education provision in the area, it will be noted the LPA chose not to include this issue as a reason for refusal.
3. Although the County Council's Principal Urban Designer is critical of the proposed design, it will be noted she has "no problem with the layout".
4. Concerns have been raised with regard to security and traffic safety. In this respect we point out The Essex Police Architectural Liaison Officer and The County Highway & Transportation, Area Highway Manager South, have no objections to the proposal.
5. There will be adequate on site parking and the neighbouring road network is suitable to cope with the additional vehicular and pedestrian attraction which the appeal scheme would bring to the area. The absence of any such concerns in the reasons for refusal supports this view.
6. The comment made in the petition that "there are already a number of high density developments in the immediate vicinity" reinforces the Appellant's claim that the scheme will be in keeping with the area.

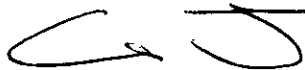
7. The Inspector is asked to take into account the double counting of the petition and individual letters of objection submitted. In addition we respectfully suggest many of the objectors will not be directly affected by the proposal.

To avoid unnecessary duplication and having regard to the comprehensive nature of the Appellant's initial appeal submissions, the Appellant does not consider further comment to be required at this stage. Accordingly, **we ask for the above comments, together with the previous submissions, to be treated as the Appellant's Statement.**

Two copies of this letter are submitted, as requested, to enable you to send a copy to the LPA (the Council already have a copy of the Appellant's initial Statement and Appendices).

We look forward to receiving any additional information produced by the LPA or third parties and to be given the opportunity of making our final comments, in due course.

Yours faithfully



Graham Jolley

For and on behalf of Graham Jolley Ltd

enc duplicate of this letter (for you to send to the LPA)

cc CHBC Architects (for the attention of David Charles)  
Higgins Homes (for the attention of Joe Leedham)

Miss A Cumberland  
76 Derwent Avenue  
Rayleigh  
Essex  
SS6 8LT

1st September 2005

Dear Sirs,

**Ref: APP/B1550/A/05/1185976 - 36 Hockley Road, Rayleigh, Essex.**

I have received a letter from Rochford District Council advising that an appeal for planning has been made to yourselves in respect of the above property.

I have already lodged my objection, which I am sure you are aware of, but would like to add a further point to which I have already made enquiries about to English Nature regarding Badgers.

I have lived at the above property for 3 years, and have had experiences of Badgers using my garden and the land at 36 Hockley Road. I came face to face with one in my garden after it had burrowed under the fence from 36 Hockley Road only last week.

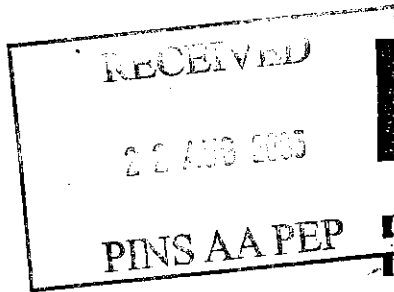
There are still burrows in my garden, and would request that you take this into consideration and perhaps establish the whereabouts of their Sett.

I would appreciate your response, as I would like to advise English Nature of the outcome.

Yours sincerley,



Alexandria Cumberland



RCS

RAYLEIGH CIVIC SOCIETY  
Founded 1963

Registered Charity no. 1020053

18th August 2005

The Planning Inspectorate  
3/21 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PM

Mr K S Gee  
1 Leasway  
RAYLEIGH  
Essex  
SS6 7DW

Jean Seiv

APPEAL REF APP/B1550/A/05/1185976

Please send a copy of the decision letter to  
the above address.

Yours faithfully,

K S Gee

54 Windsor Way,  
Rayleigh,  
Essex, SS6 8PF.

18<sup>th</sup> August 2005

The Planning Inspectorate,  
3/21 Kite Wing, Temple Quay House,  
2, The Square,  
Temple Quay,  
Bristol,  
BS1 6PN

Re Appeal reference :- APP/B1550/A/05/1185976  
Site Location :- 36 Hockley Road, Rayleigh, Essex.

I understand that an appeal is being made against the decision by Rochford District Council to refuse planning permission in respect of the above mentioned site.

When it was first known that developers were seeking permission to build on the site in question I informed the local Planning Officer of my objection. My interest in the proposal stems from my frequent visits to Mill Field Close, where my daughter and her young family reside, and my resultant knowledge of the problems due to the width and shape of the Close.

The primary reason for objection is the stated intention of the developer to access the site from Mill Field Close. It is my considered opinion that the Close is not sufficiently wide to permit the safe use of the extra traffic which the proposed development will generate. To my certain knowledge the majority of residents of Mill Field Close chose to purchase their properties because of the quiet and reasonably safe nature of the road. The fear now is that traffic from the proposed 24 dwellings will render the Close less safe, more noisy and probably more crowded with vehicles which cannot find parking space within the proposed area of development. The present use of the Close does not allow space for extra traffic to use regularly. There is just sufficient for two cars to pass but when large vehicles such as the dustcart and removal lorries use the road it becomes very difficult for vehicles to pass especially in view of the bends in the road.

Any plans produced cannot satisfactorily show the narrow width of Mill Field Close. In fact the difference between the Close and the main road, Hockley Road is great. Furthermore, the diagrams of the intended development have not so far shown the full extent of Mill Field Close. The bends in the road and its junction with adjacent roads are omitted - for a reason ? However, I am given to understand that an Inspector "appointed by the Planning Inspectorate" would visit the site. I trust that for the purpose of considering the Appeal the responsible Inspector in his visit to the site would include a visual inspection of not only Mill Field Close but the other neighbouring roads as I am sure the residents of those roads have their own very serious reservations as to the wisdom of permitting development in the manner indicated in the developer's plan.

My comments and concern have already been expressed to the District Council Planning Officer and they may be forwarded to you. If that is so I apologise for duplicating my objections but I am anxious that the serious concerns of the residents of Mill Field Close be taken into account.

In view of my genuine concern in this matter I respectfully request an acknowledgment of this letter and in due course to receive a copy of your decision letter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Turner', written in a cursive style.

D. Turner

Enclosed two extra copies of this letter.

( Despatched by First Class post )

29a Helena Road  
Rayleigh  
Essex  
SS6 8LN

19<sup>th</sup> August 2005

The Planning Inspectorate  
3/21 Kite Wing  
Temple Quay House,  
2 The Square,  
Temple Quay,  
Bristol.  
BS1 6PN

Dear Sir,

**Re: Planning Appeal Inspectorate Reference APP/B1550/A/05/1185976**

Further to my previously submitted correspondence regarding the original building application.

I make the following crucial observation to the appeal body in respect of the appeal lodged by Higgins Homes.

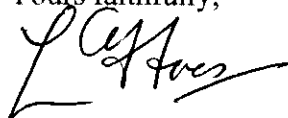
Whilst the Rochford District Council refused the application, it however failed quite wrongly I would suggest to acknowledge the implications this application would have on the local residents in close proximity to the development and in particular to the residents of Helena Road.

I live in the very road that would see the traffic from the proposed development enter and exit. This particular road is already blighted by heavy traffic which is constantly used as a cut through route to avoid the congestion in the town centre. In addition, the comprehensive school situated very close to the proposed development provides additional traffic in Helena Road as parents set down and collect their children from a foot path providing access to the school via the back entrance.

The proposed development would do little to enhance the environment of those who unfortunately will have to live in close proximity to this monstrosity should you decide in favour of Higgins Homes and against the residents by sanctioning this unsightly development.

I look forward with interest to receiving a copy of your judgement in due course.

Yours faithfully,



L A F Ives

80, Helena Road,  
Rayleigh,  
Essex. SS6 8LQ

18<sup>th</sup> August, 2005.

The Planning Inspectorate,  
3/21 Kite Wing,  
Temple Quay House,  
2, The Square,  
Temple Quay,  
Bristol, BS1 6PN

Dear Sirs,

JM/APPEAL/05/00208/FUL

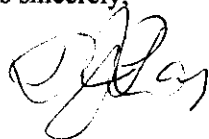
Thank you for your letter of 12<sup>th</sup> August informing us of the Appeal against the proposed development at 36, Hockley Road, Rayleigh.

From the Map enclosed with your letter the vehicular access is shown as being via Millfield Close, whereas this should also include Graysons Close, from whence vehicles would have to turn left into Helena Road and left again into Victoria Road and then either right or left into Hockley Road. Alternatively vehicles would need to turn right into Helena Road from Graysons Close and then left into Bull Lane, from here it would be necessary to turn right at the top of the road into Hockley Road. At this point Traffic Lights control the access to Hockley Road, and even at this time there are often considerable Traffic delays.

Helena Road is already crowded with parked vehicles, so extra traffic would worsen this situation, and added to this Helena Road is in a very bad state of repair.

The original rejection of the Plans by the Local Authority still has good cause, and we would like the above objection added to the original submitted by us

Yours sincerely



Stella. m. Ray

50, Helena Road  
Rayleigh,  
SS6 8LL

23<sup>rd</sup> August, 2005.

The Planning Inspectorate,  
3-21 Kite Wing, Temple Quay House,  
2, The Square,  
Temple Quay,  
Bristol, BS1 6PN

Dear Sirs,

**YOUR REFERENCE; 05/00208/FUL**

I am sorry to see that the Appeal - Reference APP/B1550/A/05/1185976 -has once again raised it's ugly head.

This proposed development is quite out of keeping with the other properties in the area. It would certainly give a very poor impression upon anyone entering Rayleigh from Hockley Road.

You state all traffic for vehicles via Millfield Close. Where does it go from there?

The development is altogether too crowded and certainly out of touch with everyone already living in this part of the town.

Yours faithfully,

*M. Seymour*

M. Seymour (Mrs.)

69 Helena Road  
Rayleigh  
Essex SS6 8LQ

29 August 2005.

Dear Sir/Madam,

**Planning Application reference 05/00208/FUL**  
**Planning appeal reference APP/B1550/A/05/1185976**  
**Site location: 36 Hockley Road, Rayleigh, Essex**  
**Proposed development:**  
**Demolition of bungalow, and erection of 22 apartments,**  
**2 bungalows with required refuse, cycle storage, parking and landscaping**  
**(within a two, two and a half and single storey building.**  
**No vehicle access from Hockley Road – all access for/by vehicles**  
**From Millfield Close.**

.....

I am writing to register our further objection to the above proposed development.

The overall density of this development will produce an intrusive environment that totally fails to reflect and respect the scale of residential properties in close proximity to the site. The lives of those who live close by will be made intolerable by resultant extra traffic (presently a lovely quiet residential area) noise and pollution.

Please acknowledge receipt of this letter, and send me a copy of the decision letter.

Yours sincerely,



Mrs and Mrs H.I. Lodge

9 Mill Field Close  
Rayleigh  
Essex  
SS6 8LX

The Planning Inspectorate  
3/21 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

6<sup>th</sup> September 2005

Dear Sir/Madam

**Planning Inspectorate Appeal Reference: APP/B1550/A/05/1185976**  
**Appeal Site: 36 Hockley Road, Rayleigh, Essex**

My partner and I were, from the outset, the organisers of protest against this application by the appellant. We therefore have the support of all those who signed the original petition in this further submission objecting to the developer's appeal.

We are against the appeal proposals for the same reasons as Rochford District Council, especially the height of the buildings and the scale of the development, which would be out of keeping with the adjacent properties. However, with regard to RDC's refusal for poor design etc. we leave to those more qualified than ourselves to resolve.

In addition to the comments stated on RDC's refusal report, the three main thrusts of our objections are:-

### **1. Density**

Government guidelines state that under certain situations density ratios can be exceeded. However, we feel this is not one of those situations for the following reasons:-

Housing provision guidelines 1996 - 2011 for the area call for a provision of 3050 units. The Rochford District Local Plan (calculated in 2001) estimated that 3297 units would be the projected figure. Therefore, without impinging on greenbelt land, even that figure will be greatly exceeded if our local developers have their way.

A high-density development ratio of 96 dwellings per hectare is, therefore, neither necessary nor desirable (as per RDC's refusal report).

## **2. Car Parking Facilities**

We understand there are precedents within Rayleigh Town centre where approval has been given to flatted developments, which do not include car parking facilities or are very restricted.

However, 36 Hockley Road is not a true town centre site. These other sites also have access to municipal car parking and are within easy walking distances of a supermarket. They also have very restricted on street parking in the area. This site does not fit the same criteria.

On a site with 24 x 2 bedroom properties, in this day and age it is not unreasonable to expect a good proportion of them to be two or even three car families. This gives a potential for 70 plus vehicles. If only half of them were two car families, this would amount to an extra 12 vehicles plus any visitors having to be accommodated in Mill Field Close and Graysons Close. These being, besides the only access route, the only non-restricted on street parking in the vicinity.

The RDC's refusal report states (page 5, paragraph 6) that the County Highways Officer gives his "full support". However, the CHO states (page 7, paragraph 7) "No objection to the proposal subject to....." There is, we feel, a world of difference between "full support" and having "no objection to".

## **3. Residential Nuisance**

We are also very concerned about the proposed pedestrian access way. There is an existing public footpath situated between Mill Field Close and Fitzwimarc School, which links Helena Road with Hockley Road. We already experience considerable noise and nuisance from this access way. There is also an access way between Sweynes Court and Derwent Avenue.

It could also be envisaged that Mill Field Close will become a collection point for parents picking up their children from Fitzwimarc School. This will then become the closest unrestricted parking area to the school.

All this will definitely mean considerable residential disturbance for the occupants of Mill Field/Graysons Close. The increase in traffic will be an added danger to residents, especially children.


## **Summary**

In the developer's appeal document, he speaks of infrastructure, townscapes, landscapes, amenities, character, layout, design, transport, neighbourhood, appearance, safeguards etc., but nowhere does it mention people and the effect this type of development will have on their lives. What it does is depersonalise the impact such a scheme will have on those residents already in situ, not those who will buy into the new development.

We therefore request that you refuse this appeal and suggest to the developer that a scheme in line with the original guidelines of 30-50 per hectare would be a fairer and more reasonable proposition. Thus giving proper and due consideration to the neighbouring residents (This site is 0.257 hectares i.e. 8 - 13 dwellings).

We would appreciate it if you could acknowledge receipt of this letter and also send us a copy of the appeal decision.

Yours faithfully

Handwritten signatures of Jean Taylor and Robert Fillery. The signature for Jean Taylor is on the left and the signature for Robert Fillery is on the right, written in a cursive style.

Jean Taylor & Robert Fillery

Copies to: Rochford District Council, Planning Dept.  
Mark Francois MP  
Cllr Mr Pullen & Cllr Mrs Webster

2 Rectory Garth  
Rayleigh  
Essex SS6 8BB.

7th September 2005.

The Planning Inspectorate  
3/21 Kite Wing  
Temple Quay House  
2 The Square.  
Temple Quay  
Bristol BS1 6PN.

Planning Inspectorate Appeal Reference: APP/B1550/A/05/1185976.

Original Application Reference: 05/00208/FUL

Appellant(s) Name(s): Higgins Homes.

Dear Sirs.

We have been notified that a further appeal, this time to the Secretary of State, has been made regarding the above application for planning permission.

We have already stated our reasons for objecting to this proposal by letter which we are informed will have been sent to you.

We would like to reiterate that we consider the design and density of the proposed housing to be a totally poor and inappropriate concept for both the site itself and for the immediate surrounding area.

Also we cannot believe that either Mockley Road or Millfield Close could adequately support the volume of traffic that would ensue there.

The plot should remain as it is now, the site of a single storey building possibly with extensions or even with a minimum of additional structures again to be single storeyed.

Please may we have a letter informing us of your eventual decision?

Yours sincerely

Sheila and Derek Moss

SHEILA AND DEREK MOSS.