

[REDACTED]

From: [REDACTED]
Sent: 26 February 2015 09:19
To: Data Scanning
Subject: FW: Hullbridge submission
Attachments: OPA to RDC- 25.2.15.doc

From: [REDACTED]
Sent: 25 February 2015 23:19
To: Mike Stranks
Subject: Hullbridge submission

Dear Michael,

Re: Outline Planning Application No. 14/00813/OUT submitted by **Southern & regional Development Ltd**
(previously known as Landhold Capital Ltd)

Many thanks for your help.

Please find attached the Hullbridge Residents Association submission in respect of the Outline Planning Application for a proposed development in Hullbridge known as SER6.

We hope you find this comprehensive submission more of good use than hindrance.

We look forward to some fruitful dialogue and fair consultation in respect of the contents of this submission in the very near future.

Please acknowledge receipt and inform us when you hope to place this submission on your RDC website.

Thanking you
Yours Faithfully


Brian Marsden-Carleton
Chairman
Hullbridge Residents Association
20 High Elms Road
Hullbridge SS5 6HB
[REDACTED]

To

Shaun Scrutton
Head of Planning and Transportation
Rochford District Council
Council Offices
South Street
Rochford SS4 1BW

CC: The Planning Policy Team

From

Mr. B. Carleton
Chartered Surveyor (Retired)
Chairman
Hullbridge Residents Association.
20 High Elms Road
Hullbridge
Essex SS5 6HB


23. 02. 2015

Re: Stakeholder Ref. CP15678E and Representer No. 29007.

Plea for complete rejection of the Outline Planning Application submitted by: Applicant - Southern & Regional Developments Ltd (formerly known as Landhold Capital Ltd) for proposed development of 500 dwellings and associated works on site SER6a and SER6b

Dear Sir,

Re: Outline Planning Application No. 14/00813/OUT dated 11 November 2014. Proposal by Applicant: Southern & Regional Developments Ltd (previously Landhold Capital Ltd) for development of 500 dwellings & associated works on site known as SER6a and SER6b.

A Submission in respect of our "Constructive Objections" to the above Outline Planning Application.

We refer to the Laws empowering the community to use the Freedom of Information Act, Localism Act (2011), The National Planning Policy Framework as prescribed by the Department of Communities and Local Government Act (March 2012) which includes a Distinctive Local and Neighbourhood Plan (April 2012) and the Regulations Governing Neighbourhood Planning Laws.

We refer to the Outline Planning Application and submit our "Consultative Objections" which conforms to the NPPF policy 16. 66 namely – **'that applicants are supposed to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community'**.

We invite Rochford District Council to reject 'out of hand' the Outline Planning Application in respect of a proposed development of 500 dwellings on site SER6a and SER6b in Hullbridge due to the Outline Planning Application (OPA) being totally in breach of all the National Planning Policy Framework clauses, LDF & Allocations Submission Document.

In our consideration, the Soundness and Legal Compliance of the relevant Legislation Guidance of the National Planning Policy Framework- NPPF 182 is not:

- Positively Prepared.
- Justified.
- Effective.
- Consistent with National Planning Policy Framework.

We (HRA) submit that approval of this application will be the first step to make life impossible to live with the obvious congestion that will be caused as indicated by the exhibits within this document, and we have provided ample evidence for an outright rejection of this Outline Planning Application.

We request that Rochford District Council publish this document on your Website.

Thanking you

Yours faithfully
Brian J. Marsden-Carleton (Chartered Surveyor – Retired)
Chairman
Hullbridge Residents Association

TO ROCHFORD DISTRICT COUNCIL

A PLEA FOR COMPLETE REJECTION

of OUTLINE PLANNING APPLICATION No. 14/00813/OUT

**IN RESPECT OF A PROPOSED DEVELOPMENT ON SITE KNOWN AS
SER6A AND SER6B IN THE VILLAGE OF HULLBRIDGE, ESSEX**

**SUBMITTED BY SOUTHERN & REGIONAL DEVELOPMENTS LTD
(formerly indicated to the community as Landhold Capital LTD**

**By: Brian Marsden-Carleton
Chairman of
THE HULLBRIDGE RESIDENTS ASSOCIATION (HRA)**

On 23rd February 2015

Contributions by: John Surgett -	Architectural Consultatnt
Gary Congram -	Hullbridge Historian
Jeff Attfield -	Chartered Surveyor (Retired)
Victor Smith -	Project Manager (Retired)
Roy Fallis -	Insurance
Mike Harnetty -	Legal
Robert Ward -	Editor

This document is prepared in accordance with the principles and doctrine of the Rochford District Council Local Development Framework Document, in conjunction with the National Planning Policy Framework, The broad scope of this PLEA has been given by the Incumbent Residents, to Brian Marsden-Carleton and his team.

Note: Documents referred to in completing this Representation:

- Council letters to 640 residents in a community of 6548 residents, ignoring the remainder of the village and without courtesy to inform the HRA who represent the whole community of Hullbridge.
- National Planning Policy Framework.
- Outline Planning Application No. 14/00813/OUT.
- Correspondence between the Author (Mr. B. Marsden-Carleton) and Rochford District Council.

We have applied the following clauses of the **National Planning Policy Framework**:

NPPF Clauses

1, 2 & 17 Introduction page 1, And Core Planning Principles page 5.

6-16 Achieving sustainable development. Pages 2-4

17 Core Planning Principles. Pages 5-6. Note: North Point & Bar Scale are missing on all the drawings.

1. 18-22 Deliver sustainable development- Building a strong competitive economy.

4. 29-41 Promoting Sustainable Transport.

5. 42-46 Supporting high quality communications infrastructure.

6. 47-55 Delivering a wide choice of high quality homes.

7. 56- 68 Requiring Good Design.

8. 69- 78 Promoting Healthy communities.

9. 79- 92 Protecting the Green Belt land.

10. 93-108 Meeting the Challenge of Climate Change, Flooding & Coastal change.

11. 109 Conserving and enhancing the future environment.

12. 131 & 133 Safeguard against the heritage asset being destroyed.

12.126, 141 Conserving and enhancing the historic environment.

12.127 Designation of conservation areas.

150-157 Plan Making – Local Plans.

158 -159 Using a Proportionate evidence base.

162 Infrastructure.

173 Ensuring Viability and Deliverability.

174 **Impacts on development.**

175 Infrastructure.

188-189 Decision taking – Pre-application engagement & front loading.

NPPF TG Technical Guidance - Flood risk, Sequential and Exceptional Tests & Flood Risk Assessment (pages 2 to 8).

Government Portals in respect of identified **Brown Field Land** use in preference to **Green Belt**.

The **Consultation Procedures** laid down in the Core Strategy & Site Allocation Documents, The allocation DPD Document (Feb 2010)- Discussion & Consultative Document on page 1 (introduction) that the Council Statement of Community Involvement (SCI) is committed to **Regulation 25 Public Participation** in the preparation of Planning for the District.

The outline planning application has not adhered to the Rules and Regulations stated in Planning Law and the National Planning Policy Framework.

We therefore consider the rules for **Consultation** and the **Statement of Community Involvement (SCI)** take precedence over the CS because the OPA has fallen outside these rules and we, the community, are free to apply the rules as though they were new.

The Hullbridge Residents Association, have prepared this document with all the evidence required to allow the Rochford District Council, to reject the OPA. Serious anomalies affect the whole plan, we advise the RDC to consult with Hullbridge Residents Association, being the Representative and Stakeholder for Hullbridge.

The Hullbridge Residents Association set out our statements in our 'Consultative Objections' to this Outline Planning Application (OPA) as **EXHIBITS** on pages 9 onwards.

A REMINDER

We refer to the **LDF, Allocations DPD, Discussion and Consultative Document Regulation 25** (Feb 2010)- page 1- that the Council, as set out in its **Statement of Community Involvement (SCI)**, is committed to public participation in the preparation of planning policy for the District. As such this document has been prepared for consultation in accordance with **Regulations 25** of the Town & Country Planning (Local Development) (England) (Amendment) Regulations 2008.

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The OPA document divided into 23 sections as listed below.

OPA

Sect	Description	Exhibit	Item	
1	Access and Movement - Drawing No. 351	1-7	to 1.32	9
2	Applications Boundary - Plan 101	8-10	to 2.11	13
3	Application Form	11-14	to 3.39	15
4	Arboriculture Constraint Report			19
5	Archaeological Desk Base assessment	15-20	to 5.10	20
6	Bat Emergence			22
7	Biodiversity Survey			22
8	Concept master Plan 201	21-25	to 8.31	23
9	Density/ Height Parameter Plan 361	26	to 9.2	27
10	Design and Access Statement and Health and Safety.	27-28	to 10.7	28
11	Flood Risk	29-31	to 11.17	30
12	Great Crested Newt Survey			34
13	Land Use. Plan 321	32-35	to 13.5	35
14	Contamination land Study	36	to 14.5	36
15	Planning Statement	37	to 15.6	37
16	Proposed Access – Malyons lane	38	to 16.1	38
17	Proposed Access – Lower Road <i>site scale is an error</i>	39	to 17.1	39
18	Reptile Survey			40
19	Services Appraisal	40-42	to 19.10	41
20	Statement of Community Involvement	43	to 20.2	42
21	Transport Assessment	44	to 21.2	44
22	<i>Preplanning Assessment</i>	45	to 22.1	45
23	<i>Groundsure environment.</i>	46-47	to 23.2	45

ABBREVIATIONS

ASD	Allocations Submission Document
CS	Core Strategy
DPD	Allocations Development Plan Document
HRA	Hullbridge Residents Association
H & S	Health and Safety
LC	Landhold Capital
NPPF	National Planning Policy Framework
OPA	Outline Planning Application
RDC	Rochford District Council
S & RDL	Southern & Regional Developments Ltd.
SCI	Statement of Community Involvement.

HRA STATEMENTS

RDC requested 'comments only' within 21 days (during the Christmas holidays) our letter dated 17 December stated that this was totally unacceptable and RDC allowed an extension of time to 30 January 2015, had this protest not been made we believe the RDC would have expected responses by 30 December 2014, to appease the developer. This attitude has brought the RDC into disrepute to the whole Rochford community.

This document points out many RDC Rules & Regulations have been breached.

If our Queen makes a point to respond to her subjects' correspondence, we wonder if the RDC have been appointed as above the Queen and Government in their attitude not to respond and observe the procedures set out in all the documents that "Consultation" applies to both parties.

By the RDC ignoring the community it will result in some 12 years of our lives being disrupted by this proposed development.

Please remember the Hullbridge Residents Association represents 98.5% of the community and are able to 'consult' on their behalf. The committee of Professional people are very able to discuss the anomalies pointed out in this document. And we are committed to seeking the best for the community in a non-political and conciliatory atmosphere.

We must protest that RDC has not applied the normal flexibility in the planning laws to allow sufficient time to have consultation on a **Major Project** of this size. We did request a further extension to end of February.

Please consider clause **NPPF 188 Decision taking & Pre-application engagement** allows the community early engagement between RDC and HRA and the opportunity to examine the effectiveness of the planning application.

Meaning of "Consultative Objections": The Hullbridge Residents Association wish to be consulted on all the issues raised in this document.

We have applied the clauses which allows the community to invoke the **LOCALISM ACT 2011 chapter 20. Item 2.1 (5th bullet point)**

This act stipulates that the Local community has: the 'right to challenge' (**Part 5, Chapter 2, Clauses 81 to 86.**)

Plans and Strategies – Part 6, Chapter 1, clauses 109 to 113, Neighbourhood Planning – Part 6, chapter 3, clauses 116 to 121, and gives them the right to Consultation – Part 6, chapter 4, clause 122.

This implies that the application should be:

- **Positively prepared.**

It is our observation that insufficient forward planning has been done towards the core strategy in view of the aforementioned exhibits.

- **Justified.**

In view of the aforesaid we do not believe there is any justification to provide 500 dwellings on this Green belt land particularly as the Core Strategy expressly stipulates that Green belt land should only be used as a last resort, many issues which we have demonstrated have not been addressed sufficiently.

According to the Localism Act 2011, we have demonstrated that transparency and consultation with the community were lacking.

- **Effective**

The conditions for the development of the Hullbridge site SER6 have not been satisfied therefore we ask for the complete withdrawal of this proposed development.

- **Consistent with National Planning Policy Framework.**

National policy insists that all the policies stated should be transparent and proper consultation pursued in relation to all the development criteria. We do not believe that proper feasibility studies and risk analysis have been conducted in order to satisfy the requirements of the National Planning Policy Framework. Most subjects referred to in this presentation will imply reasons for withdrawal, in view of new Government legislation which was not available at the time of formulation, i.e. the Localism Act 2011 Chapter 20.

We refer to the **LDF, Allocations DPD, Discussion and Consultative Document Regulation 25** (Feb 2010)- page 1- that the Council, as set out in its **Statement of Community Involvement (SCI)**, is committed to public participation in the preparation of planning policy for the District. As such this document has been prepared for consultation in accordance with Regulations 25 of the Town & Country Planning (Local Development) (England) (Amendment) Regulations 2008.

HRA Statements (cont)

The Chairman of the Hullbridge Parish Council stated that this was only an Outline Application, without realising that once approved there is no going back during the 3 year time period allowed before reapplication. Further opportunities will be available at the "Reserved matters" consultation period and the Full Application stage to raise objections, but only if proper 'Consultation' has taken place between the RDC and the community.

In majority of cases the LA advises the developer to make an appeal which may delay the development for up to 9 months and subject to the case officer recommendations.

However the whole projected time programme depends on the objections being countermanded.

With reference to the S & RDL Local Planning Policy Statements we consider that privacy will be a big issue with overlooking from the 3-story dwellings and overlooking by pedestrians to the rear of the properties. We think this will lead to neighbourhood issues and will not assist cohesion between the new and the existing residents.

Density scale and form: The dwellings now presented on the drawings and plans are totally unacceptable in that it contravenes the basic principles of the CS /LDF and NPPF that no more than 35% of the development should comprise 'affordable' dwellings of 3-storey height but is now calculated to be 92% of the development.

These 3-story dwellings will cause disharmony between the existing and newcomers, bearing in mind that in 2013 our survey suggested that only 41 dwellings would be required for the expansion of the families who require homes, we could imagine perhaps up to 75 dwellings required since the survey but where and how RDC evaluated 524 dwellings just beggars belief.

Village Design Statement: The word 'village' is a mockery in terms to Hullbridge, as no consideration is given to the fact that if this development is approved the increased population will render Hullbridge to become a town, losing it's village status.

With respect to the mention of a village plan, the Hullbridge Parish Plan does not exist and the Hullbridge Parish Council stated some time ago to the RDC that they are not equipped to draw up the necessary plans for a development of this size, quite understandably.

The HRA have applied to take responsibility for the Neighbourhood Planning Group, and as you are well aware, that we are equipped professionally to deal with this task for the foreseeable future, and hope that our request will be granted.

Please publish this Plea For Rejection on the Rochford District Council website

CASE LAW

To justify and amplify our **"Plea For Complete Rejection"** we have referred to a recent court case as stated below:

The Case Law referred to is:

Case No: CI/2014/2773,2756 & 2874

Royal Courts of justice, Strand London.

Date: 24/10/2014

Before: Lord Justice Sullivan, Lord Justice Tomlinson & Lord Justice Lewison

Between: 1) Secretary of State 2) Reigate & Banstead Borough Council and 3) Tandridge District Council

Respondent: Redhill Aerodrome Ltd.

In considering the general impact on the population, traffic access and ingress, existing road network with flood impacting on Watery lane, the inadequacy of the existing infrastructure.

We have referred to a recent High Court case which cites the following NPPF clauses which closely resemble our arguments against the proposed development of Site SER6a and SER6b.

All the NPPF clauses referred to in this case is also mentioned in our submission herewith.

PPG2 Para 3.2- This is within the section of the PPG entitled "Control over development" and, within that part, sub-headed "Presumptions against inappropriate development" is generally dealing with what is required to make inappropriate development acceptable in the green belt. That means considering the development as a whole to evaluate the harm that may flow from it being inappropriate, together with any other harm that the development may cause, to enable a clear identification of harm against which the benefits of the development can be weighed, so as to be able to conclude whether very special circumstances exist so as to warrant a grant of planning permission.

Our reasons for this development being inappropriate are numerous as indicated in the majority of the issues in this submission and can name a few- Infrastructure, housing congestion, traffic congestion in a self-contained area with insufficient access and ingress to satisfy the increased population and vehicles. A disproportional increase in the affordable homes now increased to 92% of the original capacity mentioned in the CS and the LDF of 35%. No statements are made to eradicate our annual flood problems. No plans to improve Watery Lane which will only exacerbate this long running issue.

NPPF Cl. 17. 12 Core Planning Principles

NPPF 4.32 – Transport – Developments generating significant amounts of movement should be supported by a transport statement/ Assessment taking into account sustainable opportunities for modes of transport and corresponding infrastructure. Safe and suitable access to the site. Improve the existing transport network that cost effectively limit the significant impacts of the development.

Our statements in Section 8 particularly where we have calculated the unwarranted explosion in our population by approximately 92%, with the reciprocating increase in traffic over a 12 year period calculated to be 92% x say 6200 existing vehicles will undoubtedly have an impact on the congestion on roads, already congested and will also affect the surrounding areas such as Rayleigh and Rawreth.

RDC and the developers have not taken into account that we are a self-contained village bounded by a river to the north and only one way of ingress and access (Ferry Road and Lower road).

NPPF 9.80 – Green belt serves 5 purposes: 1) To check the unrestricted sprawl of large built up areas. 2) To prevent neighbouring towns merging with one another. 3) To assist in safeguarding the countryside from encroachment. 4) To preserve the setting and special character of historic towns. 5) To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

We hope the RDC and the developer will acknowledge that this clause, with its 5 purposes, provides us with ample opportunity to have confidence that the whole plan should be rejected.

While there may have been some changes in the Green belt Policy in the framework, protecting the Green Belt remains one of the **Core planning principles** and the fundamental aim of Green Belt Policy to prevent urban sprawl by keeping land open, the essential characteristics of Green Belts, and the five purposes that they serve, all remains unchanged. By contrast with NPPF 9.86 of the Framework, which does change the policy approach to the inclusion of villages, within the Green Belt, and policy NPPF 9. 87 emphasises the continuation of the Green Belt policy in respect of inappropriate development.

CASE LAW (cont

NPPF 9.87- Inappropriate development is by definition harmful to the Green Belt policy, and should not be approved except in very special circumstances. The harm to the green belt by reason of openness and the encroachment into the countryside has substantial weight.

This clause further emphasises the importance of NPPF 9.80, 9.87 and 9.88

NPPF 9.88 – When considering any planning application consideration, the LA should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. This is classified as a central Government policy.

This clause further emphasises the importance of NPPF 9.80, 9.87 and 9.88

The impact assessment in respect of the Framework published by the DCLG that the Government strongly supports the Green Belt and does not intend to change the central policy that inappropriate development in the Green Belt should not be allowed under the sub-heading “Policy Changes” the Impact Assessment said that “Core Green Belt protection will remain in place”, minor technical issues have been resolved in changes to the detail current policy but does not harm the key purpose of the Green Belt and the openness and purposes of including land in the Green Belt will be maintained with NPPF 87 and 88 of the Framework which appears to constitute the central Policy which the Government did not intend to change.

As mentioned in previous statements the Government Portals have firmly set their policy of Green Belt being used as “a last resort”. Particularly while there are 11 ‘Brownfield’ sites which will adequately fulfil the demand for homes to satisfy the indigenous population.

Therefore, applicants must consider all negative impacts of the proposed development and the effect that they may have on decisions in the context of the Green Belt, by virtue of being ‘any other harm’. By way of example this might include minor increases in traffic movement, impacts to a heritage asset or increases in noise pollution.

In weighing up whether very special circumstances exist, an authority can consider these cumulative effects of individual impacts. This is regardless of whether or not they are considered harmful to the Green Belt as individual considerations.

The NPPF does not affect a fundamental shift in policy governing the Green Belt, at least not to make development easier.

The presumption against inappropriate development in the Green Belt remains unaltered and is not diluted by the NPPF’s attempt to simplify and clarify planning policy through a single document.

The following NPPF clauses are mentioned in this Court Case and are also mentioned in appropriate ‘Exhibits’ in this document:

NPPF 12.133- to Safeguard against the heritage asset being destroyed.

NPPF 11- Conserving and enhancing the natural environment.

NPPF 12 - Conserving and enhancing the historic environment.

NPPF 6.47- Delivering a wide choice of high quality homes.

OPA SECTION 1. ACCESS & MOVEMENT – Drawing 351 Note: North Point & Bar Scale are missing on drawing.**EXHIBIT 1****NPPF 1. Introduction.**

1.1 This provides a framework within which local people can produce their own distinctive local and neighbourhood plans which reflect the needs and priorities of their communities. We request RDC honour this clause in its entirety.

NPPF 7.56 and 11.109 & 111 – Requiring good design.

1.2 Land shown 'white' (North West corner) on the Master Plan is excluded from the previous development area for building purposes (23.4 hectares), we believe the owner will not allow this land to be developed. We have calculated that this area (0.757 hectares) would provide 19 dwellings using the figures provided by the applicant. This omission along with other areas reduces the site area to 21.79 Hectares. We are surprised that this omission was not indicated in the Local Development Framework document when the RDC had sufficient time to make this known.

The HRA place on record that items 1.1 to 1.2 are our '**Consultative Objections**' - **Exhibit No. 1**

EXHIBIT 2**NPPF 14 Plan making & NPPF 17 & NPPF 9. 79-92 – Protecting the Green Belt.**

1.3 **Site Allocation Policy SER6a & 6b** is not defined in the OPA Master Plan (section 8) and these two areas are distinctly indicated in the Core Strategy and the LDF but have been omitted without any explanation.

The areas stated are SER6a = 13.6 hectares and SER6b = 9.8 hectares.

We refer to the Allocation Submission Document Clause 3.159 which states that area SER6b (9.8 hectares) should be 'safeguarded from development' till 2021 unless required to maintain a 5 year supply of land. We submit that the omission of the area SER6a & 6b on the Master Plan is in contravention of this clause

1.4 One area marked 'white' presumed to be the bungalow to remain on site but not described in the OPA documents. The area bounded by the property has been accounted for in our Table 1.

We are concerned that this was not known at the time of producing the Core Strategy documents, will you clarify?

1.5 In the Design and Access statement 'Key Site Features' the map shows the extent of the planning application, but wrongly does not remove the existing farmhouse and surrounding area which are to remain as per Master Plan. This reduces the hectares of the site which in turn impacts on the density.

NPPF 4/5. 42-43 Existing buildings on site

1.6 Remove areas of 2 buildings which remain on site.

We, the HRA place on record that items 1.3 to 1.6 are our '**Consultative Objections**' - **Exhibit No. 2**

EXHIBIT 3**NPPF 9.79 to 82 apply – Protecting Green belt land.**

1.7 Particularly clause 80 'Green belt serves 5 purposes.

- 1) To check the unrestricted sprawl of large built up areas.
- 2) To prevent neighbouring towns merging into one another (Rawreth and Hullbridge mentioned elsewhere)
- 3) To assist in safeguarding the countryside from encroachment.
- 4) To preserve the setting and special character of historic towns.
- 5) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

NPPF – Plan Making NPPF 14 & 17 & NPPF 9**1.8 Create a Green Buffer Zone 0.4 Ha. SER6a Page 158 CI 3.168**

A buffer zone dividing the old and new part of the Village, will not foster greater Community Cohesion in this Community. This will be a divisive form of demarcation in this village.

1.9 No buffer zone shown affecting the back gardens of Harrison Gardens, Ambleside Gardens, Elm Grove and Malyons lane (some 41 existing properties). The rear of the properties in The Priors and Abbey Road do have the buffer zone shown. We are not satisfied that proper assessments were made.

We, the HRA place on record that items 1.7 to 1.9 are our '**Consultative Objections**' - **Exhibit No. 3**

OPA 1 (cont

EXHIBIT 4 Boundary Line**NPPF 14, 17, 9.79-85, 178 & 179- Plan making 150-157. Boundary line separating Hullbridge and Rawreth.**

1.10 The long established existing **boundary line** between Hullbridge and Rawreth has been ignored. It is for the Boundary Commission to decide about boundary line. Land divided by a **boundary line** between Rawreth is clearly indicated on the Ordnance Survey Plans. Our calculations suggest that the areas are 30.5% and 69.5% respectively of a total area of 23.4 Hectares. No explanation given for the encroachment of the boundary line separating Hullbridge from Rawreth. We understand that the two parish Councils have been in discussions about the boundary line but the community are not privileged to the information from either Parish Council.

1.11 Mr. Marsden-Carleton, the HRA Chairman, had a meeting with Mr. S. Scrutton in September 2013, witnessed by Mr. Barry Mears, when questioned about the **breach of the boundary line** stated that he did not recognise this boundary line. Our objection is that the RDC have ignored the clauses in the **Core Strategy** and the **Local Development Framework Documents**, that **boundaries** under the auspices of the boundary commission should not be disturbed without the authority of the Commission. Furthermore, how were the residents involved in the **consultation document** in respect of green belt erosion (page 34 – Option SWH1). How is the green belt protected, if being built upon?

Option SWH2 page 36 mentions that the site currently suffers from congestion, but this is not mentioned in SWH1- as being a strong defensible greenbelt boundary.

The **boundary line** has clearly been breached but there is no explanation as to why the RDC are able to ignore this boundary line which puts a large proportion of the land within Rawreth (30.50%). According to the Boundary Commission legislation there should be at least a ten metre distance on each side of the boundary line.

Moreover, in several letters written to all concerned by HRA, the Government had consistently advised the Local Authorities, via their Planning Portals, that the use of green belt land **should be a last resort**, are completely ignored.

We are not provided with the opportunity to discuss the removal of the **boundary line** and by what authority is the RDC allowed to do this. Rawreth and Hullbridge Parish Council may have held discussions on this subject but we are not given this information. We therefore have the right to ask for all necessary information under **The Laws Empowering the Community to use the Freedom of Information Act** appertaining to this issue, and request all necessary information justifying the breach of this boundary line.

NPPF 12.128-141

1.12 OPA Section 6 item 6.3.3 page 22. Review of potential development upon Heritage Assets. ECC Archaeological advisor at Essex County Council will require mitigation measures in advance of any development impacts occurring. No assurance has been given. Also it is noted that the historic field boundaries within the site comprise undesignated heritage assets of local significance and it is recommended that the orientation and preservation of these historic boundaries should be encouraged within the detail of the development proposals, this does not appear to have been incorporated within this scheme especially the Ward Boundary between Rawreth and Hullbridge. There are issues of Duty of care and the question of what mitigation factors have been taken into account?

NPPF 9. 84 & 85

1.13 Figure 12 2013 Ordnance Survey indicates different coloured areas but not distinguishing the boundary line as the previous plans, The references to **LDF/ASD clauses 3.12 and 3.187** above applies and the NPPF clauses listed below.

NPPF11 & 12 & 178

1.14 Item 6.3.4 Highlighted – ‘that the orientation and preservation of **historic boundaries** should be encouraged within the detail of the development proposals. Expansion of the mitigating circumstances required.

1.15 Figure 6. 1873 Ordnance Survey indicates a boundary between Hullbridge and Rawreth but not identified. Refer to **LDF/Allocation Submission document- Clause 3.12** states that the **Green belt Boundary** must be defended. Refer to page **61 clause 3.187** which describes the terms of design and visual impact of the site. A harsh demarcation of the Green belt Boundary to the west of the site should be avoided and appropriate landscaping should be implemented along the western boundary.

The above statements include the following:

1.16 Figure 7 1921 Ordnance Survey.

1.17 Figure 8 1937 Ordnance Survey

1.18 Figure 9 1956 Ordnance Survey

1.19 Figure 10 1961- 1974 Ordnance Survey

We, the HRA place on record items 1.10 to 1.19 are our ‘**Consultative Objections**’ - **Exhibit No. 4**

OPA 1 (cont)**EXHIBIT 5****NPPF 4.32 Access Points and Parking**

1.20 There are six green arrows highlighted on the plan, indicating access points, very similar to the access points made in Mr. B. Marsden-Carleton's submission in July 2013 on a 'street map' forecast in the submission, as possible vehicular movement points.

Caveat. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community.

1.21 It is noted that although not shown, the access from Windermere Avenue, Harrison Gardens and The Priors will be used for vehicular traffic, probably as a temporary access road to start off with then become permanent exactly as predicted in the street plan submitted in September 2013.

What guarantees are given that this will not be the case? We are unable to find any assessment on this issue.

1.22 OPA Chapter 5 page 67 – Access & Movement. Feeder (spine) road and Minor access road described on plan.

1.23 LC assured us there would be no additional **vehicular access** onto the site, but the detail drawings show extensions of existing roads onto the site from Windermere Avenue, Harrison Gardens and The Priors. We have also found that the proposed Malyons Lane access does not comply with the Essex Design Guide Type 3 Feeder Access Road being required to be 5.5m wide (not 4.5m as shown) together with the required suitable speed restraint measures and 2.0m wide footpaths each side of the carriageway.

NPPF 4 & 5 New Roundabouts and Access

1.24 The position and type of site access is too near the bend at the junction with Watery Lane especially with a proposed new mini roundabout at this junction with Lower Road which is approximately 95m from the proposed new large main roundabout which is only 250m from the existing mini roundabout at the junction with Ferry Road. We were informed by LC that Lower Road would have priority, but this will not be the case now especially with the probability of 1000 vehicles trying to egress onto Lower Road from the new site. It is also obvious that with 3 roundabouts, 4 pedestrian crossings and a bus stop this will cause greater congestion than we have now on these roads.

The traffic study used is 5 years old and out of date, stating that an average of 11 vehicles queue on Lower Road to access into Watery Lane and a similar number queuing at the existing mini roundabout on Lower Road/Ferry from the east, our survey shows that there are regularly 30 cars queuing during rush hours and school runs making residents late for work and school. We fail to see the logic of 2 new roundabouts together with 4 pedestrian crossings on Lower/Hullbridge Road.

1.25 There is no doubt these new roundabouts etc, will cause congestion generally by increased traffic, adding to the present congestion. Remember we will have to put up with this upheaval for about 12 years. Please supply the assessment made to justify this extraordinary plan.

NPPF 6

1.26 Master plan shows – additional roads and hammerheads that disagree with master plan, A4 plans hidden at the end of the documents. Refer to my 'roads plan' submitted to the hearing in Sept. 2013.

My prophesy of builders using the access points located at 5 points on the road plan looks like being used after all in spite of LC denial – check A4 plans.

1.27 These other access points will become apparent if development begins, and are very conveniently identified by gates erected at (as identified in our Road/street map, included within the submission in September 2013).

2) Gate at The Priors (facing north at the north end of this street).

4) Gate at the south end Harrison Gardens.

5) Gate at the south side of Windermere Ave.

6) Gate at the south end of West Ave.

7) Gate at the west end of Grasmere Ave.

8) Gate at the west end of River view Gardens.

Gates 2&4 are in development area SER 6a and gates 7-8 are outside the development area.

OPA 1 (cont
EXHIBIT 5 (cont

NPPF 4.29-41 Vehicular movement

1.28 With new areas vehicular movement should be convenient, safe and pleasant. Through traffic must be excluded from new residential areas and layout & attractiveness of the environment should be such as to discourage the use of cars for local trips, encourage walking & cycling. All new roads in residential areas containing a road over 100m length to be served by roads designed for a speed of 20mph.

We, the HRA place on record that items 1.20 to 1.28 are our 'Consultative Objections' - Exhibit No. 5

EXHIBIT 6

1.29 Car parking – car parking should be provide for both residents & visitors at an adequate level & in such locations as to be reasonably convenient, visually inconspicuous & limit opportunities for car crimes.

1.30 Page 66 Secondary Access – Green arrows Indicates access points from the following roads – 1) Windermere Ave. 2) Harrison Gardens, 3) Malyons Lane, 4) Main spine road leading from Lower Road to Malyons Lane, 5) The Pories and 6) Lower Road, and 7) an arrow leading into rawreth area.

NPPF Miscellaneous. Guarantees

1.31 No guarantees have been provided by the developer that these access points will not be used for site vehicular traffic and eventual access to the proposed new road layout.

We, the HRA place on record that items 1.29 to 1.31 are our 'Consultative Objections' - Exhibit No. 6

EXHIBIT 7

NPPF 8.69-70 NPPF 9.86 NPPF 11.109 – Conserving & Enhancing Natural Environment.

1.32 By the character change to the aesthetics of the proposed 3-storey buildings will separate the old from the new Hullbridge with integration being difficult to ascertain in the fullness of time.

Due diligence has been abandoned by no consideration given to congestion of the properties, and this will be evident from any sight from Lower Road, Malyons Lane, Elm Grove, Ambleside Gardens and Harrison Gardens and Windermere Avenue but the statement made by S & RDL state that the new proposed properties will not be seen from lower road. The visibility can be proven by taking photographs at the height of the 3-storey buildings, ie top of barn, telecommunications mast or scaffolding

We, the HRA place on record that item 1.32 is our 'Consultative Objection' - Exhibit No. 7

OPA SECTION 2. APPLICATION BOUNDARY Plan 101. Note: North Point & Bar Scale missing on plan.**Exhibit 8****NPPF 8.73 Open Space**

2.1 The large public open space in the Rawreth area in the extreme north east of the site are likely to be 'football pitches' (as indicated by Mr. R. Taylor of Landhold Capital at the exhibition) providing youth facilities. The majority of the planned open spaces will only benefit the new development. We are unable to find the assessment made on this issue.

Where will the car parking, changing rooms, toilets & youth facilities be located?

This will not only reduce the amount of Green Infrastructure but add to impermeable areas.

NPPF 12 & 17 150-157 Open Space and Youth facilities

2.2 Pages 58. and 59. Clauses 3.167, 3.169 and 3.173 prescribe a total of 3.72 Ha for Green space and Youth facilities in area SER6a. After deductions, we are left with 17.36 ha divided by 500 homes = 0.0346 ha per dwelling or 347 square metres approximately including external space.

2.3 To the right of the proposed junction of the Site Access and Lower Road is a proposed **Local Play Area** right next to the highly congested Lower Road, possibly highly accident prone. An assessment on this issue is not found.

We, the HRA place on record that items 2.1 to 2.3 are our 'Consultative Objections' - **Exhibit No. 8**

EXHIBIT 9**NPPF 7.57-59. 9.82**

2.4 Two properties- one bordered in red (0.12 hectares), although not defined, we assume will remain in position on site. The other building shown in white is similarly placed (0.012 hectares), although not defined, we assume will remain on site. It is worth noting that both these buildings will remain on site and will be surrounded by 3-storey buildings.

NPPF 6.47 Delivering a wide choice of high quality homes.

2.5 The OPA is not presenting any choice with the majority of the dwellings being proposed to be 3-storey high as indicated on plan No. 361

NPPF 7.56-58 Requiring good design.

2.6 We believe this design is in contravention of these clauses as they will be in uniform style, with inadequate opportunity to provide the wide choice anticipated.

We, the HRA place on record that items 2.4 to 2.6 are our 'Consultative Objections' - **Exhibit No. 9**

EXHIBIT 10**NPPF 9.86 Preserving the character of the village.**

2.7 The OPA shows no sign of preserving the character of the village. This is an important clause proving the OPA have not considered the implications of the non-cohesive aspects of this development with 3-storey buildings becoming the dominant view and feature, of the whole site under the pretext of developing the need for 'affordable housing'

NPPF 9. 86 –to The need preserve the character of the village.

5.12 This is an important clause proving the OPA has not considered the implications of the non-cohesion aspects of this proposed development with 3-storey buildings becoming the dominant view and feature of the whole site under the pretext of developing the need for 'affordable housing'.

We (The Hullbridge Residents Association) reject the complete OPA as it does not conform to the NPPF clauses stated above and has abandoned the requirements of the CS and the LDF.

5.13 This development, if given approval, will be out of keeping with the existing character of the village.

NPPF 9. 87- 89 Inappropriate development should not be allowed.

2.8 The items stated above indicate that this is an inappropriate development and is not in accordance with the NPPF clauses.

2.9 We (The Hullbridge Residents Association) completely reject the OPA as it does not conform to the NPPF clauses stated above, and has abandoned the requirements of the CS and the LDF.

NPPF 10. 97 Carbon Emissions.

OPA 2 (cont
EXHIBIT 10 (CONT

2.10 Suggests community-led initiatives form renewable and low carbon energy including the development outside such areas being taken forward through Neighbourhood Planning (the **Hullbridge Residents Association** have requested to take on this responsibility as the Parish Council have stated that they are not able).

NPPF 10. 93- 94. Meeting the challenge of climate change, flooding and coastal change.

2.11 Suggests that, to support a **low carbon future**, the LA should deal sensibly with items stated and we are not sure how the developer is going to meet the Government target for moving to zero carbon housing from 2016 onwards by reducing the carbon emissions (ie no burning of fossil fuels), especially as they have already obtained quotations for new Gas and Electricity mains supplies for the development. Local authorities are supposed to have responsibility in leading their communities in dealing with climate change therefore the subject of housing supply should have been looked at alongside the reduction of carbon emissions.

We, the HRA place on record that items 2.7 to 2.11 are our '**Consultative Objections**' - **Exhibit No. 10**

OPA SECTION 3. The APPLICATION FORM

Note: We inform the RDC that the only conversation we had was with Landhold Capital. With the new developer (S & RDL) being received by the RDC in the way of the OPA, we submit that **fresh consultation is required**.

EXHIBIT 11

NPPF188-195. NPPF 198-202 Decision taking – Pre-application engagement and front loading. NPPF 203-207 Planning Conditions and obligations.

3.1. There was no early engagement with RDC thus not allowing us an opportunity to examine the effectiveness of the planning application. The Developer has not adequately assessed the pre-planning or development aspects which make it detrimental to the enhancement of the village.

3.2 The application form was completed by an unknown developer (applicant) namely **Southern & Regional Developments Ltd of Gibraltar**. We are only aware of Landhold Capital Ltd of London.

3.3 The question we ask is why the community were not informed of S & RDL interest in this development like all the other prospective developers.

3.4 By invoking the Freedom of Information Act, we, the community, have the right to have sight of the prequalification details provided by S&RDL prior to being invited to 'compete' for the development opportunities and what criteria allowed them to take precedence over the competing companies.

3.5 Section 1 and 2 – What is the relationship between the following Companies who have an interest in the proposed development of this site, namely:

- Broadway Malyan – Architecture Urbanism Design of 3 Weybridge Business park, Addlestone Road, Weybridge Surrey KT15 2BW
- Landhold Capital of 28-32 Wellington Road, St. Johns Wood, London NW8 9SP.
- Phase 2 Planning & Developments Ltd, Majesty House, 200 Avenue West, Great Notley, Braintree Essex. CM77 7AA
- Southern & Regional Developments Ltd of 124 Irish Town, Gibraltar.

3.6 The Website, www.Landhold Capital/business opportunities watch/current projects/identify. The Company is noted as acquiring & promoting strategic land.

3.7 A questionnaire sent by HRA to Landhold Capital (Mr. Robert Taylor & a copy to Mr. Dodkins) remains unanswered with a verbal reply from Mr. Taylor that all questions remain in the domain of RDC, but Phase 2 Planning are named as the Agent for Southern & Regional Developments. We are not sure if this is a typical ploy to pass the buck.

3.8 We made an investigation on the Landhold Capital Website and uncovered many issues that Mr. R. Taylor refused to answer by the two Questionnaires 11/6/14 and 1/7/14, letters dated 29/8/14, 2/9/14, 12/9/14, and 30/9/14. A conversation with Robert Taylor of Landhold Capital revealed he denied any knowledge of the website (www.Landhold Capital and the contents).

3.9 What guarantees are being offered in case of default or bankruptcy or any undertakings agreed to by the developer?

We, the HRA place on record that items 3.1 to 3.9 are our '**Consultative Objections**' - **Exhibit No. 11**

EXHIBIT 12**NPPF 173 Planning obligations – Draft Head(s) of Terms**

3.10 A) - Validation Planning Applications – Planning Validation (Local list & explanatory notes).

Planning obligations (section 106 agreements) are intended to make acceptable development which would otherwise be unacceptable in planning terms.

Proposed Heads of terms should be submitted with the application. Model templates should be supplied by the developer.

Please provide these details under the terms of 'Freedom of Information Laws.

B) Application for outline Planning Application with some matters reserved:

National requirements – all the plans submitted should have the **North direction** but this is not shown on the drawings- Drawings 101, 201, 321, 351 and 361.

The **Bar scale** should be 1:100 or 1:200 but is 1:1250 @A1.

EXHIBIT 12 (cont)**NPPF 173 (cont) Planning obligations – Draft Head(s) of Terms (cont)**

3.10 (cont) No Ownership Certificates are included in the Application. As required by Article 7 of the Town and Country Planning (General development Procedure) Order 1995, Agricultural Holding Certificate and Ownership Certificates B,C or D in accordance with Article 6 of the TCP Order 1995.

We, the HRA, place on record that item 3.29 is our '**Consultative Objections**' - Exhibit No 12

EXHIBIT 13

The Application Form has been completed as follows:

3.10 Description of the proposal: Why is "Layout and Scale" classified as 'reserved matters' ?

3.11 Section 4 – If part of site identified to be in Rawreth area, what will the address be known as ?

3.12 Section 5 – **NPPF 188-195** Pre-Application Advice and Pre-qualification not provided.

No details of the advice given by the case officer at pre-application stage.

Is RDC negligent in its duties to the community as a response from Mr. S. Scrutton, Head of the Planning and Transport Department in Rochford District Council, stated that RDC did not have a duty to make prequalification enquiries?

3.13 Section 6 - 5th question = 'rights of way' – answer given is 'no', incorrect, there is a **right of way** through the site from Malyons Lane. There is a 'Public right of way' sign at the entrance of Malyons Lane, off Ferry Road, but this is not marked on the plans.

3.14 Section 11 – Foul Sewage - What assessments have been made in respect of the existing foul water drainage which falls short of existing standards?

The sewer plan as shown on the combined services layout drawing by Cannon has been checked. It does not appear to need diverting but we state the following: the invert of the existing foul sewer should be established to give the required protection of approximately 900-1200mm below the proposed new access road.

3.15 Section 12 – Flood assessment – 4th Q – 'will proposal increase flood risk elsewhere – answer should be 'yes' (not 'no') Possible additional minimum 275,000 gallons of water from impermeable surfaces. Where is the existing watercourse and will it be capable of additional water distribution?

We require an assessment report to clarify this statement.

3.16. Section 13 – Biodiversity & Geological Conservation – 3 answers given as 'No' – have surveys been carried out? bats, slow worms, badgers and foxes?

3.17 Section 14 – Existing use – Has survey been carried out to ascertain made up ground and infill ponds? Electric substation on site.

3.18 Section 17 – Residential units – Market housing proposed -where are the low, medium and high density dwelling calculations? Social Housing given as 140 units (unknown) ? Intermediate housing – proposed given as 35 (unknown) The plans state 3-storey buildings will be Medium and High density development, in contravention of the CS – Policy H2 and H3. Total proposed units mentioned as 500, we have calculated this now to be 524 units (including the area in the NW corner now excluded from this application).

3.19 Section 18 – 'All types of development' include additional shops etc mentioned in CS, but this is not mentioned in this section. What assessments have been made in respect of forecasting any trade effluent from restaurants etc ?

3.20 Section 21 – Site area. Original CS and LDF = 23.4 hectares but now stated as 21.79 ha.
Why can we not find any statement to ratify the reasons for this reduction?

3.21 Section 24 – Site visit – can site be seen from public road etc. stated as "NO" should be "YES".
The answer indicates lack of concentration on the questions given and seems that a couldn't care less attitude exists when making the plans and completing the form.

3.22 Section 25 – certificates 'B' No list given.
This section is signed by the agent with out the name of the owner stated.

OPA 3 (cont

EXHIBIT 13 (cont
Miscellaneous (cont

PRE-QUALIFICATION ENGAGEMENT (cont

3.23 Broadway Malyan, Architectural Urbanism Design. HRA (Mr. B. Marsden-Carleton) was informed by Mr R. Taylor, Landhold Capital Ltd Planning Director, that they are the advising Agents to Mr. Beckwith. Under the freedom of information Act we require details of the relationship between Broadway Malyan and the other Companies as indicated in our item 3.2 above.

3.24 The HRA insist there are too many errors in the Application Form and elsewhere and request answers to these important questions. Had RDC done a basic prequalification and validation check at time of enquiry made by Landhold Capital, the answer would have been stated on the form, this is a basic error on the part of Phase 2 Planning who are the Agents for the Applicant.

How come you will discuss all this with the developer but not with the community who will have to live with this proposed development for the rest of their lives.

3.25 In view of the above anomalies in completing the Application Form, we consider that Southern & Regional Developments Ltd should be required to assist RDC in their enquiries as to the adequacy to be the developer of this proposed site.

3.26 Can RDC advise HRA when they knew that S & RDL would be the designated 'development applicant'.

3.27 The Developer - Southern and Regional Developments Ltd - have ignored the guidelines submitted by the RDC in the documents stated above.

3.28 That the Developer has not provided the RDC with proper evidence of status to provide construction services, we demand that the business & financial status and operation from an off-shore base is thoroughly investigated, and to verify that proper safeguards are provided throughout the period of this proposed development and to provide adequate guarantees to safeguard its development operation on this important green belt site.

3.29 We are surprised that Mr. S. Scrutton has stated to our Chairman in writing on the 2/1/15 that the RDC have no responsibility to request and check all prequalification details that should have been submitted at the time of enquiry and to allow this off-shore developer to operate without the proper checks having been carried out.

3.30 Our Chairman asked the RDC why the name of the developer, Southern & Regional Developments Ltd had not been provided at the beginning of the enquiry stage in 2012.

The only Companies we are aware of are Landhold Capital of London who were the Company who held the exhibition at the Hullbridge School last June 2014. Broadway Malyan Architectural Urban Design of Weybridge, Surrey KT15 2BW, Phase 2 Planning Ltd of Braintree Essex.

3.31 The RDC must know that unrestricted planning applications bring the RDC into disrepute. Planning Law insists that all credentials must be submitted and properly scrutinised and not leave this duty to residents who happen to be in the industry and understand the Rules and regulations in this respect. HRA can argue that we have done a job which is the responsibility of the LA.

3.32 We provided the RDC Planning Department with details of the website which can be checked to ascertain the operations of Landhold Capital Ltd, via the internet (www.landholdcapital.com) also at www.sjl.co.za and another site at www.sjcapitalgroup.com and is promoted as "**an independent strategic land and planning promotion company**", which also explains the operations of the following Companies – UK Land Investment Group (review of) and of special interest is the report produced by Auditors Moore Stephens sounding a large warning bell when a number of Directors resigned and filed notice under section 392 of the Companies Act, and the way they buy and sell land to people through SJ Capital Group (a company designed by a South African Company). St. James's Land Ltd & part of the statements made referring to **planning laws being broken**. UK Property Fund Managers Ltd (UKPFM). A partnership between UKPFM and NHS Trust.

3.33 According to the website it is explained that Landhold Capital has bought and is selling at: Hedge End- Hampshire, Hullbridge- Essex, and 3 other sites.

When Mr. Marsden-Carleton sent a 'Questionnaire' to Robert Taylor, the Planning Director, requesting this information amongst other questions, of which Mr. Scrutton/ Hollingsworth have a copy, this was completely denied.

OPA 3 (cont)

EXHIBIT 13 (cont
Miscellaneous (cont

PRE-QUALIFICATION ENGAGEMENT (cont

3.34 We believe it is not too late to make this investigation of LHC & S & RDL to absolve yourselves of any blame, should that unfortunate occasion arise.

3.35 We must protest at the method adopted by RDC to invite such companies to take an interest in Green belt land before performing the normal prequalification enquiries which all Local Authorities are obliged to undertake.

3.36 With the above information being of immense importance in our view, we make no apologies for requesting that the RDC reject this application **OUT OF HAND** and conduct a thorough investigation into these companies' activities and the relationship between the Companies given above and the companies who are now identified within this application.

3.37 We therefore have the right to ask for all necessary information under **The Laws Empowering the Community to use the Freedom of Information Act** appertaining to this issue and request all necessary information should this site be brought into the proposed development phase.

We, the HRA place on record that items 3.27 to 3.37 are our '**Consultative Objections**' - **Exhibit No. 13**

EXHIBIT 14

NPPF 153-157 Plan making. NPPF 158-159 Using a proportionate evidence base.

3-38 This clause requires the RDC to provide up to date, annual surveys and annual evidence and updates on relevant economic, social and environmental characteristics & prospects of the area. The Local Authority should ensure that their assessment of, and strategies for housing, employment and other uses are integrated and that they take full account of relevant market and economic signals. The last time the assessments were made was in 2013, two years out of date. The policies identified here by default become the policies for the applicant to comply with.

An example given by a recent Estate Agent providing an evaluation of existing market price indicating a reduction in price of £15,000, which is likely to reduce further if building work commences.

3.39 Our examination of the RDC website does not provide the full information as required by the above NPPF clause to satisfy the criteria as set out above. The latest information is dated April 2013 in the LDF document (Development management Submission Document).

We, the HRA place on record that items 3.38 to 3.39 are our '**Consultative Objections**' - **Exhibit No. 14**

OPA 4. ARBORICULTURE CONSTRAINTS REPORT

No comment

OPA 5. ARCHAEOLOGICAL DESK BASED ASSESSMENT**EXHIBIT 15****NPPF 8.73 Open Space Ecology 11.117****5.1 Development Layout Plan.**

The development should be laid out in such a way as to safeguard the existing ecology, improve the natural habitat & minimise heat loss from buildings and limit overlooking.

Open space- if the number of family dwellings with less than 100sqm gardens, play spaces to be provided on the basis of 3sqm per child space resulting in 3-4% of site area.

NPPF 7.66, 8.69, 9.82, 9.86, 11.123 & 171

5.2 At the Exhibition Landhold Capital stated that all views of the existing dwellings will be respected. The proposed plans will not allow this to happen when a good proportion of new buildings (medium & high density) are to be 3-storey buildings. We also have the potential hazard of possible vandalism and security issues affecting the back gardens of Harrison Gardens, Ambleside Gardens, Elm Grove, Malyons Lane, Abbey Road and Abbey Close. We are not satisfied that proper assessments were made.

We, the HRA place on record that items 5.1 to 5.2 are our '**Consultative Objections**' - **Exhibit No. 15**

EXHIBIT 16**NPPF 9. Cl. 84 & 85 Boundary Line**

5.3 Figure 12 2013 Ordnance Survey indicates different coloured areas but not distinguishing the boundary line as the previous plans, The references to **LDF/ASD clauses 3.12 and 3.187** above applies and the NPPF clauses listed below.

NPPF11 & 12 & 178

5.4 Item 6.3.4 Highlighted – 'that the orientation and preservation of **historic boundaries** should be encouraged within the detail of the development proposals. Expansion of the mitigating circumstances required.

5.5 Figure 6. 1873 Ordnance Survey indicates a boundary between Hullbridge and Rawreth but not identified.

LDF/Allocation Submission document- Clause 3.12 states that the **Green belt Boundary** must be defended. Refer to page **61 clause 3.187** which describes the terms of design and visual impact of the site. A harsh demarcation of the Green belt Boundary to the west of the site should be avoided and appropriate landscaping should be implemented along the western boundary.

The above statements include the following: Figure 7 1921 Ordnance Survey, Figure 8 1937 Ordnance Survey, Figure 9 1956 Ordnance Survey and Figure 10 1961- 1974 Ordnance Survey

We, the HRA place on record items 5.3 to 5.5 are our '**Consultative Objections**' - **Exhibit No. 16**

EXHIBIT 17

NPPF 9, Cl. 87 to 89 – States that inappropriate development should not be allowed.

5.6 The HRA reserve the right to request why the **LDF/ASD clause 3.12** which states the green belt should be defended and **page 61 clause 3.187** describing the terms of design and visual impact of the site and a harsh demarcation of the green belt boundary to the west of the site should be avoided and appropriate landscaping should be implemented along the western boundary, these clauses have been ignored and we insist that proper consultation be conducted on this issue.

Miscellaneous

5.7 OPA Page 23 Item 7.3 Presence of two undated banked enclosures within the site and a possible medieval moat on site of a world war 2 floodlight emplacement. What remedy is intended?

We, the HRA place on record that items 5.6 to 5.7 are our '**Consultative Objections**' - **Exhibit No. 17**

EXHIBIT 18**NPPF 8.75 Public Footpath**

5.8 Protect and enhance public right of way. It is not mentioned as to how this right of way will be protected, and how it will be identified for walkers who may wish to use it.

OPA 5 (cont)

EXHIBIT 18 (cont)

5.9 Figure 11. 1982 – 1989 Ordnance Survey indicates a broken line with a description of a public path (right of way) leading from the entrance of Malyons Lane across the whole site, the signpost is near the Co-operative store stating that this is a 'Public Footpath'. We are unable to find this information about the public right of way in the document, and if we have missed this information it needs to be highlighted with a description as to what will be done to protect this right of way if this development is approved.

We, the HRA place on record that items 5.8 to 5.9 are our '**Consultative Objections**' - **Exhibit No. 18**

EXHIBIT 19

NPPF 4.29-41

5.10 Transport Impact Assessment – to be provided prior to development .

The Developer is requested to include in their Tender and Outline Planning Application to allow for infrastructure works at their 'own costs'. We are concerned that there are no assessments or risk analysis of streets/roads in comparison to our own Survey mentioned above. The economic viability becomes a risk for any developer.

At times of flood (very frequent), in Watery Lane, as a result of flood and or accidents, this causes 'gridlock' to the whole local traffic system in Hullbridge with catastrophic results.

5.11 Heavy weather will cause additional **congestion that** will affect some 5500 vehicles etc. HRA survey for traffic accessing Hullbridge along Lower Road/ Hullbridge Road is some 1400 vehicles per hour (including vehicles in Hullbridge) etc. at peak times (7-9.00 am and 5-7.00 pm) of the year.

We are therefore concerned that a proper **Highways Risk Analysis** has not been done and that the Core Strategy has not provided satisfactory information and does not take into consideration 'transparency' as stated in The Localism Act (2011).

We, the HRA place on record that items 5.10 to 5.11 are our '**Consultative Objections**' - **Exhibit No. 19**

OPA Section 6. Bat emergence. No comment

OPA Section 7. Biodiversity Survey. No comment

OPA SECTION 8. CONCEPT MASTER PLAN 201. Note: North Point & Bar Scale missing on plan.**EXHIBIT 21****NPPF 6 SITE CAPACITY** (Core Strategy Policy H2 & H3 Cl. 3.159)**NPPF 6.47-50 & NPPF 8.26 SITE AREA DISTRIBUTION**

8.1 To accommodate a minimum of 500 dwellings (ITEM 8.28) on **Green belt** land during a plan period of 2015 to 2026 (Site identified as Figure 12) at a density of 30 dwellings per hectare, plus a flexibility of 175 **'Tenure Blind'** affordable dwellings. (Cl. 3.162).

This site is classified as a 'sustainable development site' which implies that more **Green Belt** land will be sought. This is contradictory to the policy of maintaining the Green Belt as stipulated throughout the Core Strategy and by Government Portal statements. This proposed 500 home development will not promote 'Community Cohesion' and we are not convinced that this development will be for our indigenous population, but to accommodate the London 'overspill'.

8.2 The total area of the proposed development site as shown on Drawing 101 of Section 2 of the Outline Planning Application, is approximately 21.25 Hectares and is divided by a boundary separating Rawreth and Hullbridge. Rawreth = 6.953 hectares and Hullbridge 14.297 hectares equivalent to 30.50% and 69.5% consecutively.

Our objection is that the RDC have ignored the clauses in the Core Strategy and the Local Development Framework Documents that boundaries under the auspices of the boundary commission should not be disturbed without the authority of the Commission. Furthermore how were the residents involved in the consultation document in respect of green belt erosion? Page 34 – Option SWH1 – How is the green belt protected if being built upon? And Option SWH2 page 36 which mentions that the site currently suffers from congestion, but this phrase is not mentioned in SWH1- as being a strong defensible greenbelt boundary.

The boundary line has been breached but there is no explanation as to why the RDC are able to ignore this boundary line in which a fair proportion of the land is within Rawreth (30.50%).

Moreover in several letters written to all concerned that the Government had consistently advised the Local Authorities that the use of green belt land should be a last resort, this is completely against the Planning Portals recently referred to. We wonder if the RDC are above the laws of the directives introduced by the Government.

8.3 Identifiable areas SER 6a suggests that 13.60 Hectares can accommodate 250 dwellings and SER 6b suggests that 9.80 hectares can accommodate a further 250 dwellings, a total of 500 dwellings. **This is a misconception in density etc.**

8.4 HRA have analysed the **plan 201**, separating the site into A) SER 6a and 6b, but also separating the areas on each side of the boundary line which the Ordnance Survey plans indicate the area in Rawreth = 6.953 hectares (30.5%) approximately and the area in Hullbridge = 14.297 hectares (69.50%). Note the total area calculated 22.80 hectares (excludes pump house and rear gardens which were wrongly indicated on the plans issued by RDC.

NPPF 6**NPPF 150-156 Local Plans** Number of properties to be developed on site.

8.5 For the purposes of calculating the number of properties we have separated the areas of development as follows: Each area of the boundary line separation, SER 6a and 6b.

8.6 Further reductions in area includes north west corner of site = 0.94 ha, A bungalow which remains on site = 0.12 ha, A house which remains on site = 0.123 ha and a telecommunications mast = 0.48 ha. A total of 1.55 ha removed from the total area above = 22.80 – 1.55 = 21.25 hectares.

Area SER 6a = 312 dwellings and SER6b = 212 dwellings. Further division indicates that Rawreth = 121 units and Hullbridge = 403 dwellings

8.7 Why is No. 42 Malyons Lane marked with a blue border on drawing No. F221-102, Item 16 (ownership ?).

8.8 Note: Drawings produced by Cannon who are also piling contractors, are there any piling works contemplated. The reason we point this out is that we were informed by Mr. Taylor of Landhold Capital that piling construction is not necessary. Mr. Carleton's financial assessment included the cost of piling.

8.9 Note: Core Strategy states that SER6a and 6b will produce 250 dwellings in each section. Need to clarify which section will be commenced first. Why is remainder of site allocation (SER6b) not part of application. Are the areas in the north west corner classified as 'additional'.

8.10 Note: There is no mention of demolition of buildings on the site.

We, the HRA place on record items 8.1 to 8.10 are our '**Consultative Objections**' - **Exhibit No. 21**

OPA 8 (cont

EXHIBIT 22

AFFORDABLE HOMES

NPPF 6, 16 & NPPF 7.61 and NPPF 150, 153-156 and neighbourhood plans cl. 17 - Core planning S6. 47-54,

8.11 - We were informed that Affordable Homes will not be sited in one location but spread throughout the whole site. It appears that this will not happen and the central high Density area will be used only.

8.12 Page 12. 500 Dwellings, 175 'Tenure Blind' affordable units.

8.13 Our submission forecast a greater volume of affordable homes would be proposed and we are proved to be right.

8.14 Original CS & LDF state 35% affordable homes, now increased to possible 92% when the parcel of land excluded in the extreme northwest corner of the site. The concerning aspect of this is that there is no explanation for this exclusion. Except that we know this land is owned by A N Other and who does not wish to put it up for sale.

8.15 The original documents which still apply as to the quantity of proposed dwellings to be built is 500 of which 35% being 'Affordable' = 175 units.

The Plan considers building clusters of buildings- 27 in number. Refer to Master Plan No. 1 dividing the site into 'Density', 'Section' and 'Area' (Hectares).

8.16 The number of proposed properties total 524 units.

The properties are described as Low, Medium and High density development. Refer to Drawing No 361 (OPA Section 9) which indicates these properties to be 2 and 3-storey in height with average density of 25, 35 and 45 dph.

One area in the extreme north west of the site is outside the boundary marked in a red boundary, and is identified as "Remainder of site allocation land Policy SER6", this was not explained in the LDF document and we consider is highly unusual. An explanation is required as to the status of this parcel of land which will potentially allow some 19 units to be built Has this quantity of units been excluded from the total number proposed.

We note with interest that these are the only 2-storey units proposed to be built on the site. The CS and LDF gives the impression that the whole site would be for sale, but this parcel of land was not explained. It is also unusual that when a site is described in the CS and LDF as to be for mixed residential units but is segregated to show generally 3-storey dwellings.

8.17 We find this plan totally unacceptable and object to the developer's total disregard of the stated requirements of the CS and the LDF, which state that 175 (35%) of the properties should be allocated throughout the development area so as not to encroach on the character of the existing village as a whole.

8.18 The total number of properties per Concept Master Plan 201 are divided as follows:

<u>SER</u>	<u>Rawreth</u>		<u>Hullbridge</u>		<u>Notes</u>
	<u>6A</u>	<u>6B</u>	<u>6A</u>	<u>6B</u>	
<u>Low (2 St)</u>		<u>19</u>			<u>Not included in development</u>
Low (2 St)			3		
Low (2 St)			23		
Medium (3 St)	17	82	287		
High (3 St)			93		
Totals	<u>17</u>	<u>82 + 19</u>	<u>406</u>		<u>= 524</u>

The above dwelling distribution is summed up as follows:

<u>SER 6b – Rawreth- Low density</u>	<u>(2 Storey) =</u>	<u>19</u>	<u>Owner not to allow development= 76</u>
SER 6a - Rawreth- Medium density	(3 storey) =	17	may be flats x3 flrs x 4 = 204 population
SER 6b – Hullbridge- Low density	(2 Storey)=	26	dwellings x 4 = 104
SER 6b – Rawreth – Medium Density	(3 storey) =	82	may be flats x3 flrs x 4 = 984
SER 6b – Hullbridge – Medium Density	(3 Storey) =	287	may be flats x 3 flrs x 4 = 3444
SER 6a - Hullbridge – High Density	(3 Storey) =	93	will be flats x 3 flrs x4 = 1116
Total		<u>505 (524)</u>	5852 population

OPA 8 (cont**EXHIBIT 22 (Cont****8.18 (cont**

Total units in Rawreth Parish (SER6b) = 99 (121 excludes 19 No. owner not included in development)

Total units in Hullbridge Parish (SER6a) = 406
505

Total dwellings in area SER 6a = 352

Total dwellings in area SER 6b = 153
505

8.19 Population

Existing population = 2011 census = 6586

Original estimate for increase of 500 dwellings x 4 persons 2000 persons = 30% increase.

Hullbridge will change to Town status if proposal approved - 8586

After development the population may increase to 6586 + 6036 = 12622 (91.65%) classified as over populated.

8.20 This proposed development would increase the population possibly by 92%, and will constitute over population. We are concerned that, the remaining part of Hullbridge (East) will be impacted by the congestion caused by the west.

NPPF

8.21 page 6. item 2.7 to 2.9 – Population profile.

The ONS information given is to 2008 giving a reading of approximately 6200. The Hullbridge Residents Association provided information from the 2011 census indicating approximately 6586.

This population growth shows a growth of 2.5% over the period 2001 to 2011.

The expected population growth, on the original estimate given in our submission in July and September 2013 suggests some 30% increase in population.

However should the OPA be approved by RDC the population will be increased in excess of some 92%. The general principles of the Planning laws, Localism Act and the NPPF suggests there are breaches of the laws and we suggest that the whole OPA is unacceptable and should be rejected “Out of Hand.

8.22 The dwellings now presented on the drawings and plans are totally unacceptable in that it contravenes the basic principles of the CS /LDF and NPPF that 92% of 3-story dwellings will become an eye sore in the village, when only 35% were meant to be ‘affordable’ dwellings. This development has shown a congestion just to satisfy the 500 dwellings required under the RDC dictatorship, which the RDC and Landhold have obviously held discussions excluding the Consultation that is necessary in the SCI.

We, the HRA place on record that items 8.11 to 8.22 are our ‘Consultative Objections’ - Exhibit No. 22

EXHIBIT 23

8.23 No garages are indicated for the 2 and 3-storey units.

8.24 Summary of Proposed Development

a) Rawreth area = 118 units. This division not indicated in the OPA, CS or LDF.

b) Hullbridge area = 406 units. This issue is not mentioned in the OPA, CS or the LDF.

c) The CS and LDF indicate two areas consisting of 250 properties each in SER6a and SER6b. Our calculations as measured on the drawing 201 show that the Rawreth area will produce 118 dwellings in area SER 6B and 406 dwellings in area SER 6A.

8.25 Our submission forecast a greater volume of affordable homes would be proposed and we are proved to be right.

We, the HRA place on record items 8.23 to 8.25 are our ‘Consultative Objections’ - Exhibit No. 23

EXHIBIT 24**NPPF Miscellaneous – Principles of Spatial organisation.**

8.26 The aim of fitting in with the character of traditional towns & villages requires for its fulfilment the enclosure of space (by bldg or landscape) ie organising space & buildings in landscaped areas.

Site appraisal must precede or accompany the planning application – where is it?

Sustainability- development should have a mix of residential & employment uses, tenures and dwellings sizes in order to reduce the need to travel. Any residential development around 500 dwellings must incorporate some mixed use development of an employment and/or retail; nature. Sustainability issues must be addressed for developments larger than 1 ha.

OPA 8(cont

EXHIBIT 24 (cont

8.27 Continuity of frontages - In order to enclose spaces & create continuous pedestrian routes, as much continuity of built frontages as possible to be achieved.

Daylight – Housing layouts should be designed to give maximum daylight & sunlight to dwellings, including existing dwellings but not to the exclusion of privacy or the achievement of attractive tree-scape.

8.28 Rear privacy – Where new housing backs onto rear of existing, existing residents are entitled to a greater degree of privacy to their rear garden boundary and where the rear faces of the new housing are approx. parallel to the existing, the rear of the new homes may not encroach any closer than 15m to an existing rear boundary.

We, the HRA place on record that item 8.26-8.28 are our 'Consultative Objection' - Exhibit No. 24

EXHIBIT 25

NPPF 173. Planning Validation.

8.29 Refer to Validation Planning Applications – Planning Validation (Local list & explanatory notes).

NPPF 4.39

8.30 Parking Provision.

Applicants are required to provide details of existing and proposed parking provision including cycle storage and provision and the details shown on a site layout plan.

NPPF 173

Planning Applications – Planning Validation (Local list & explanatory notes). Page 7

8.31 Applications may need to be supported by a statement setting out details of how the applicant has complied with the requirements for pre-application consultation set out in RDC adopted statement of community involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

We, the HRA place on record that items 8.29 to 8.31 are our 'Consultative Objections' - Exhibit No. 25

OPA SECTION 9. **DENSITY/ HIGH PARAMETERS Plan 361**
Note: North Point & Bar Scale missing on plan.

EXHIBIT 26

NPPF 6 – Core Planning Principles.

9.1 The Landhold Capital Ltd informed the people at the exhibition that Affordable Homes would not be sited in one location but spread through the site. According to Plan 361, the 3-storey dwellings are all located together and not in accordance with Core Planning Principles given in clause 17.

9.2 We were given to understand that the 'Affordable Homes' (35% as indicated in the Core Strategy and the Land Development Framework), would be 3–Storey units spread throughout evenly amongst traditional 2-storey units. The items above are in breach of the LDF and are totally unacceptable.

We, the HRA place on record that items 9.1 to 9.2 are our '**Consultative Objections**' - **Exhibit No. 26**

OPA SECTION 10. DESIGN AND ACCESS STATEMENT - Introduction**EXHIBIT 27 HEALTH & SAFETY****NPPF 8.69-71 Promoting Healthy Communities.**

10.1 The character change to the aesthetics of the proposed 3-storey buildings will separate the old from the new Hullbridge and integration will be difficult to achieve.

Due diligence has been abandoned by no consideration being given to eventual congestion of the properties and corresponding vehicular traffic, not to mention the two-fold increase in the population.

The proposed development if approved will have a distinctive non-cohesive separation of the village and this will be evident from the 3-storey development at entry point of the village from Rayleigh. The view from Lower Road and all the existing properties adjoining the proposed new site will be obvious and create a division in the village. If approved we will lose our Village status to become a Town. If that happened what arrangements will be made for increased services such as Doctors, schools, police, Fire, security etc.

The **LPA should take a positive and collaborative approach to development under a Community Right to Build Order**, including working with communities to identify and resolve key issues **before** applications are submitted. This has not happened and we find that '**Consultation**' has not taken place, although the RDC have the knowledge of the Hullbridge Residents Association having 98.5% support in this village but we were ignored.

10.2 This and subsequent clauses provides for the **Local Planning Authority (LPA)** to take a positive and collaborative approach to development under a Community Right to Build Order, including working with communities to identify and resolve key issues **before** applications are submitted.

There has been no statement from RDC that the 5 year supply cannot be met.

We, the HRA place on record that items 10.1 to 10.5 is our '**Consultative Objections**' - **Exhibit No. 27**

NPPF 5.44-46 Telecommunications Mast

10.3 Telecommunications Mast not mentioned in supporting documents, although located on plan plus 2 more 'masts'.

With reference from the internet - From the **Mast Sanity – Masts Guide** the statement reads: Cancer clusters have been found around mobile phone masts up to 400 meters from a mast. This has been the case in Devon, Lincolnshire and Staffordshire.

Our objections are that this may be a health hazard to any households within the given distance, there is no mention of this in the OPA document.

Our objections are that the developer had a duty of care to inform the RDC and the Owner of the land, along with the community who would be affected by the radiation from the Telecommunications Mast. We are aware that there are debates going on about the validity of the hazards, but to keep within the Health and Safety regulations it is advisable to remove the hazard until the final assessments are made to keep the environment safe for the community.

This effectively reduces the number of dwelling that can be built to 33 dwellings in the southeast corner of the site.

According to the guide to mobile Phone Masts, independent scientists and doctors, these are major health hazards. Cancer clusters have been found around Mobile Phone Masts up to 400m from the mast which would encompass the majority of the proposed dwellings. People in close proximity to the mast have received treatment for rare cancers at the same time as each other.

NPPF 8.69 Health Impact assessment. Refer to LDF CI 3.186

10.4 Enquiries at our Riverside Health Centre suggested that the Practice did not have any advance information about this development. The implications can be profound. An increase in the population will mean a proportional increase in Doctors per 1000 patients.

A conversation between LHC and Riverside Clinic revealed that a HUB was offered on the site but without a location. The Practice rejected this offer.

NPPF 8.69 Health Impact assessment. Refer to LDF CI 3.186

10.5 Enquiries at our Riverside Health Centre suggested that the Practice did not have any advance information about this development. The implications can be profound. An increase in the population will mean a proportional increase in Doctors per 1000 patients.

A conversation between LHC and Riverside Clinic revealed that a HUB was offered on the site but without a location. The Practice rejected this offer.

We, the HRA place on record that items 10.1 to 10.5 is our '**Consultative Objections**' - **Exhibit No. 27**

OPA 10 (cont

EXHIBIT 28 HEALTH & SAFETY

NPPF 41. 172

10.6 Public safety from major accidents – close proximity to the village with contractor/ subcontractor vehicles and plant is a fear to the residents, with the possibility of accidents waiting to happen. What guarantees can the Developer give to mitigate such incidents. No such guarantees are stated in the document.

Miscellaneous

10.7 Schools. Although LC seems to explain that their enquiries led them to believe there would not be the necessity for further school places for children as the present school is under capacity, we do not believe the accuracy of their statement and are informed that the present school is full to capacity. We are not certain that the information given top LC is sound. There will be say 10% of the new entrants to the village may have children of school age and assuming there will be an increase in the population of the basic 500 x 4 per family which equated to some 2000, the additional requirement for school places will be 200. We are confident that the school will be unable to sustain that level of increase.

We, the HRA place on record that items 10.6 to 10.7 are our 'Consultative Objections' - Exhibit No. 28

OPA SECTION 11. FLOOD RISK ASSESSMENT.**EXHIBIT 29****NPPF 10.100-103, Tech Guide 2.2-19**

11.1 Area of flood agreed by our submissions – 150 homes reduced from 500, but the density increased by 3-storey buildings to take into consideration number of homes lost due to our objections to build on flood plain but density being increased to high level to take account of the loss of 150 homes as mentioned above.

Attenuation Tanks

11.2 Where Attenuation tanks are provided in areas shown, ground water will tend to back up and increase flood zone which will inevitably require all development to have piled foundations.

11.3 In the centre of the site there is shown a proposed attenuation basin next to a proposed local equipped area of play for children (accident prone). These basins will no doubt be full for the majority of time especially when calculated for a 1:1 year annual probability storm, together with the amount of additional surface water run-off due to extra impermeable surfaces from the development which would also add to the volume of water in these basins etc. especially as DEFRA have now opted out of introducing Sustainable Drainage Systems SuDS compulsory legislation.

11.4 Underground attenuation tanks are proposed by the developer – calculations suggest that the impervious areas from the new proposed development will generate some 1250 cu. m (minimum) which equates to 1,250,000 litres (275,000 gallons) and could be up to 3000 cu. m or 3,000,000 litres (660,000 gallons) of water which the applicant state will discharge into an existing watercourse, this will cause further flooding.
The underground tanks being approximately 1000mm below ground will also cause the existing ground water to 'back up' into the site causing further flooding.

11.5 Please provide us with your success in building this elsewhere.

NPPF 2.2-19- Flood Risk. 10.101-104 Technical Guidance.

11.6 Inappropriate development in areas at risk of flooding should be avoided. We suspect that the assessments made of flood susceptibility are inadequate and we are adequately capable of entering into debate on this question with both the RDC and the developer to ascertain the viability of the statements made.

Per application form

11.7 Section 12 – Flood assessment – 4th Q – 'will proposal increase flood risk elsewhere – answer should be 'yes' (not 'no') Possible additional minimum 275,000 gallons of water from impermeable surfaces. Where is the existing watercourse and will it be capable of additional water distribution?

An assessment report will be useful to clarify this statement.

NPPF Tech. Guide 2.2-19

11.8 **Page 13 Clauses 3.4.10 and 3.4.11** Surface Water flood risk is clearly a concern in the District and there is an increasing need to consider the impact of rising sea levels as a result of climate change on the discharge of surface water runoff to tidal systems.

The use of the environment Agency 'edition' of the Areas Susceptible to Surface Water Flooding dataset called the 'Flood Map for Surface Water' was recommended

NPPF2.2-19

11.9 This 'site' is classified as 'sustainable Development' over a period of 12 'disruptive' years, as presumed under clauses 1.30 to 1.32, there is no proper description of a **Risk Analysis** in respect of **flood**, refer to National Planning Policy Framework (page 12).

11.10 A document set out by Aviva describes the site as being partially susceptible to flood, but the threat of flood changes annually. The Core Strategy does not indicate the regularity of monitoring or **Risk Analysis**.

We, the HRA place on record that items 11.1 to 11.10 are our 'Consultative Objections' - Exhibit No. 29

OPA 11 (cont.**EXHIBIT 30****NPPF Miscellaneous Property Insurance**

11.11 The potential **Property Insurance** costs against 'flood risk' and 'subsidence' in this area, can range from £2500 to £5000 per household

An exercise on Post Codes SS5 reveals that using the 'Hawkeye' system determining the level of associated risks such as flood, subsidence etc., the combined results show that in both instances, Subsidence is Red, meaning these are perils which will either be excluded or a large excess applied in respect of subsidence – usually £2,500.00 (£1000.00 being 'Standard').

And for any areas susceptible to flood, no protection barriers or flood defences will increase the Cost Risk to £5,000.00 per property making 'flood excess' a priority and no claims accepted by the Insurance Companies if this criteria is applied to development in flood areas.

Both results also show that these areas are at risk of flood – the analysis indicator said '**Yes**' to '**Flood Proximity Risk**'. We are warned of '**exceptional costs**' of developments, without the inclusion of 'Flood Defences', will prohibit the selling prices and letting prices generally, making the Development **financially nonviable**.

Insurance Companies are doubtful that flood would be excluded altogether, but this could change in the future, and they have already seen certain areas go from 'green' to 'red' within 1 to 2 years.

11.12 A document produced by **Scott Wilson of 6-8 Greycoat Place, London SW1P 1PL** for Rochford District Council labelled "Strategic Flood Risk Assessment", levels 1 & 2, on page 12, clause 3.4.9, when mapped against the national property database Defra, reports that 50 properties are estimated to be susceptible to surface water and pluvial flooding in Hullbridge Table 3-4.(Defra 2009).

We are also concerned that not enough consultation has taken place with the Fire Service regards flood or emergency services in respect of this village.

NPPF Home Insurance

11.13 A memorandum of understanding is under review with the aim of entering into an agreement in principle between UK Insurers and the Government to develop a not for profit fund known as Flood Re to ensure that flood insurance remains affordable and available to home owners at a high risk of flood, with a target date of summer 2015. However homes built after 1st January 2009 will not be covered (as applied under the old Flood Insurance Statement of Principles), this is to avoid encouraging unwise building in flood risk areas. In addition the agreement would also exclude buy to let landlords or holiday lets and leasehold properties, of which there are currently 840,000 deemed at a risk of flooding. If flood insurance is not available or becomes prohibitively expensive it could result in mortgages not being available with a consequential difficulty in buying or selling property.

NPPF 11.123 Noise Assessment

11.14 If this proposed development is approved it will raise issues on noise and disturbance.

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings and for developments that are considered to be noise sensitive and which are close to existing sources of noise, should be supported by a noise assessment prepared by a suitable qualified acoustician. (Refer to Planning policy Guidance 24; Planning & Noise (September 1994).

We, the HRA place on record that item 11. 11 to 11.14 is our '**Consultative Objection**' - **Exhibit No. 30**

EXHIBIT 31**11.15 Extracts from letters received from residents.****Flood defences. (By Pat Moore)**

A newspaper article suggested £1bn annually to stop flooding.

Flood defences need £1bn annual budget till 2025 to prevent a repeat of last winter's flood chaos.

The Association of British Insurers is leading the group's call for "Zero Tolerance Approach" to stop building on flood plain

A £2.3 Bn six year programme announced by the government is aimed at protecting 300,000 homes.

N.B. Watery Lane was closed on 19th August for 3 months and the repercussions were obvious with traffic congestion affecting Rayleigh and Rawreth trailing back into Hullbridge.

OPA 11 (cont)
EXHIBIT 31 (cont)

11.16

Watery Lane (Excerpt from Peter Moore)

Driving through Watery Lane there was water in many places (15 January).

In the last year Watery Lane has been closed quite frequently, the question is did the respective agencies or the developer do any assessments or reports.

How can anyone build homes on a flood plain, it beggars belief, obviously by political dictates!

A report suggested that engineers had done some bore holes on the site and found water only 100mm below the surface.

It will be interesting to see the assessments made via the Flood Forum and the environment agency.

The Councillors or developers will not have to live there so why should they care.

The traffic problems just exacerbate the situation as reported elsewhere in this document.

The southern end of the site is advised as flood plain therefore no developments should take place in this area.

11.17 Watery Lane. (By Jeffery Attfield)

Hullbridge being some 200 ft. below Rayleigh and set in tide-locked River Crouch valley, Watery Lane receives violent surges of water runoff distributed and aided by local ancient watercourses. When this takes place the lane is flooded from surrounding water courses to a depth of 300 to 1200mm along a stretch of 2 to 300 yards completely cutting this route off. This happened 25 times in the last 5 years (Essex Constabulary Data). It is ancient flood plain. On one occasion it was closed for 10 weeks without any statutory authority solving the problems it causes. Watery Lane is used as a major short cut for this south east area large volume of traffic and causes overload and major gridlock in the Hullbridge/Rawreth/Rayleigh unclassified country road network. These roads are still primary farm roads and not designed to take large volumes of traffic and certainly not large articulated lorries, which have had to be rescued from time to time. Various half hearted attempts have been made to rid the Lane of floodwater but have failed miserably over the years and without any long term solution.

As there is no mention of any works to Watery Lane and if this development is approved Hullbridge will suffer greatly. Watery Lane has been mentioned many times in the media and in the submissions and asked for the Road to be classified as at least a 'B' road and the Planning Inspector did recommend that the Lane be considered for improvement, but there is no word from Essex County Council /Highways in this respect.

Watery Lane is the only logistical local route connecting to the North of Essex road network and is used by most of the villages in the east of Hullbridge, due to congestion on the major roads from Southend. It seems the Local Authorities seem to deny the problem exists as they do not live here.

The Environment is in control of us, not the other way around affecting all aspects of life, so much for the strong words used in the Core Strategy and Local Development Framework, that the ecological aspects of life **MUST** be given priority of thought at preplanning stages, and indicated in all the documents. We have not seen any "Pollution Assessments" or predictions that this must be looked at in earnest as we are a self contained village with only one way for access and ingress.

The Southend Airport, although good for the local economy also has a big traffic problem to contend with and Hullbridge is an obvious relief for traffic movement.

The Essex Constabulary neighbourhood police office has recorded, over a 5 year period (1/1/09 to 15/3/14) 256 incidents in Watery Lane which equates to an average of 51 per annum, the cost of this to the Constabulary would be interesting to note, now extend this situation over a 12 year programme of development work, you will visualise the impact this proposed development will have on Hullbridge.

We, the HRA place on record that item 11. 15 to 11.16 is our '**Consultative Objection**' - **Exhibit No. 31**

OPA 11 (cont

EXHIBIT 32

11.18

As stated many times before there are 11 'Brownfield sites' very capable of providing the accommodation needs of the village without affecting the ecology of this area.

RDC need to consider the local environment including Hockley, Rayleigh, Rawreth and Hullbridge, as combined, have a traffic problem now which will only get worse during and when the proposed development works are complete in 12 years time. Our calculations suggest that the 3 areas mentioned above equate to some 38% volume of dwellings proposed to be built (some 1800 of 4700 number dwellings in the whole District) and as mentioned before Hullbridge will lose its village status and become a town.

There is the question of 'pothole repairs' to be considered and we suspect only a fraction of the road tax is spent on roads (perhaps forgotten by the local authorities and Government. We read all sorts of stories on potholes in the media but perhaps the authorities should ask China and India to return a couple of Billions of Pounds (probably a small percentage of tax payers money) to be returned to fill this 'gap' in our economy.

We, the HRA place on record that item 11.18 is our '**Consultative Objection**' - **Exhibit No. 32**

Stakeholder Reference CP15678E.

Representor No. 29007

OPA SECTION 12. Great crested newt survey.
No comment.

OPA SECTION 13 LAND USE Drawing 321. North Point and Bar Scale missing.**EXHIBIT 33****NPPF 6**

13.1 We note that this plan No. 321 is a revision H, we have not had the opportunity to view the previous revisions, therefore are unable to make comments, which goes against the principles of **Statement of Community Involvement (CSI)**.

13.2 The extent of the planning application has changed from the original stated in the CS or LDF, therefore understandably the site area has diminished from 23.4 Hectares to 21.79 hectares, but the diminishing area has not been explained or discussed in the OPA document.

13.3 The Remainder of site allocation land (policy SER6) – The excluded area is also mentioned in our clause 1.2 to 1.4, 1.2.4 (reference drawing No. 351- Section No. 1, Plan No. 101- Section No. 2, concept Master Plan 201).

This part of the drawing does not show the split of the site as SER6a and 6b. As the chairman had made a submission in September 2013, this was on the basis that the two areas would be developed to provide 250 dwellings per area. There is no mention that the area had been re-designated to provide the 500 dwellings without discrimination of the area SER6a and 6b and also the area which is adjoining Rawreth area.

We, the HRA place on record that item 13.1 to 13.3 is our '**Consultative Objections**' - **Exhibit No. 33**

EXHIBIT 34**NPPF 4 HIGHWAYS**

13.4 The plan shows the spine road exit towards Malyons Lane is much wider at the joint entry to the site than the existing Malyons Lane, this will have some implications on access and ingress to the site, we maintain this will cause congestion in this lane and possibly tensions between the existing and new householders.

The OPA does not provide an explanation as to how the developer can minimise the problems that are bound to be prominent. In contravention of the Essex Design Guide.

We, the HRA place on record that item 13.4 is our '**Consultative Objection**' - **Exhibit No. 34**

EXHIBIT 35**NPPF 99-103 and ENV 9.6**

13.5 Landscape and open space including SuDS. We refer to our statement made in our letter to RDC and Landhold Capital that the area closest to the Hullbridge Road/ Lower Road, coloured green and grey was an area within the whole area of the site designated to be developed within an area of 23.4 Hectares. Our statement was made after the exhibition presented by Landhold Capital, when our Chairman Mr. B. Marsden-Carleton spoke with Mr. Robert Taylor, the Planning Director of Landhold Capital, in front of witnesses (part of the HRA committee), that in view of the area designated as stipulated above will mean that approximately 150 dwellings would be removed from the number (500) of dwellings to be built. Mr. Taylor agreed. Which means that the number would be reduced to 350 dwellings. However some time later, we read in the Echo newspaper that Mr. Scrutton (Head of Planning and Transportation) stated that the number of homes would remain as 500. What is now obviously clear is that the developer, without consultation, decided to plan for a majority of 3-storey dwellings, in contravention of the restrictions placed on the development by the CS/LDF and the NPPF.

We, the HRA place on record that item 13.5 is our '**Consultative Objection**' - **Exhibit No. 35**

OPA SECTION 14. Phase 1 CONTAMINATED LAND STUDY.

Note: Phase 1 ? Is phase 2 missing?

EXHIBIT 36**NPPF 11.121**

14.1 Our examination of this section leads us to section OPA 4 of this report – **Geology, Hydrology and Hydrogeology**, particularly item Page 5. 4.1 data – Closest Surface waters – A primary river has been identified approximately 30m to the south and south west of the site, part of the River Crouch Network.

We are unable to identify this on the plan therefore have no opportunity to establish fact.

14.2 As above but for the following item – Surface water Abstractions within 1000m- 1. 921m SW: point source used for top up purposes – usage not known. If a survey was conducted why is this information unknown.

14.3 As above but the next item. Ground water abstraction within 1000m. No groundwater abstractions have been identified within 1000m. This area is in regular flood, if the survey/abstractions had been conducted the developer would have had a result.

14.4 Page 5 following from above. **Mining extractions and natural cavities- Table 5 – Summary of activities.** At a distance of 900m north a Hullbridge Brick and Tile Works was evident. Although it is mentioned as 'ceased', a survey, if conducted, may have found a section of 'made up ground'.

14.5 Item 5.3 Table 9 page 6- Pollution incidents summary.

A statement made that 120m West. Sewage impact to watercourse in 2002 and 345m North East. Fuel leakage in 2001. We wish to question how this was dealt with to at least provide a remedy to safeguard the area from pollution.

Note: Phase 1 is mentioned but where is Phase 2?

We, the HRA place on record that items 14.1 to 14.5 are our '**Consultative Objections**' - **Exhibit No. 36**

OPA SECTION 15. PLANNING STATEMENT

On behalf of Southern & Regional Developments Ltd.

EXHIBIT 37

NPPF – Introduction page 1, Clauses 1 & 2. Core Planning Principles- Clause 17.

15.1 This document was produced by Phase 2 Planning- who has the ultimate responsibility?
What agreement has been struck between the principle ‘players’ in this development?

15.2 We want to know what the relationship is between the principle ‘players’ in this development

15.3 According to the Landhold Capital website we understand the site has been bought by Landhold Capital, we need confirmation or denial from all concerned.

NPPF 173 Plan Making- Viability and deliverability.

15.4 The Applicant has not provided proof of Viability and Deliverability- proof of costs and timescales as described in this section without proof that they can deliver within the deadline of 2021.

A necessary and proper prequalification would have provided evidence that the Company is viable to commit to a development of this scale.

Our prequalification letter bears witness that no answer means that they are unable to, and therefore are probably not adequate to provide the deliverability or viability to satisfy the rules and regulations which apply to this proposed development.

15.5 The Applicant has not provided proof of Viability and Deliverability- proof of costs and timescales as described in this section without proof that they can deliver within the deadline of 2021.

A necessary and proper prequalification would have provided evidence that the Company is viable to commit to a development of this scale.

15.6 Why has RDC been so reluctant to ask for proof of Viability and Deliverability- proof of costs and timescales as described in this section and without proof that they can deliver within the deadline of 2021.

We, the HRA place on record that items 15.1 to 15.6 are our ‘**Consultative Objections**’ - **Exhibit No. 37**

OPA SECTION 16 PROPOSED ACCESS – MALYONS LANE. Plan F221–102.

EXHIBIT 38

16.1 The Core Strategy indicates that the Watery Lane/Hullbridge Road junction and Malyons Lane will be access points to the proposed new development.

The core strategy does not state what infrastructure works will be done to alleviate the roads congestion problem. This questions whether any ‘Risk’ analysis and traffic count has taken place

The writer produced a Road/Street ‘Risk Survey’ (see Addendum 2) indicating the potential **risk to 26 Streets**, all being directly affected by the development.

We, the HRA place on record that item 16.1 is our ‘**Consultative Objection**’ - **Exhibit No. 38**

OPA Section 17. PROPOSED SITE SCALE- LOWER ROAD *(should be proposed access Lower Road)*

EXHIBIT 39

17.1 Watery Lane – no proposals to make the necessary improvements – check highways plans. Bus stop near Watery Lane (coming in to Hullbridge) not shown on drawing, possible problems not discussed?

We, the HRA place on record that item 17.1 is our '**Consultative Objection**' - **Exhibit No. 39**

Stakeholder Reference CP15678E.

Representor No. 29007

OPA SECTION 18 REPTILE SURVEY

No comment

78OPA SECTION 19. SERVICES APPRAISAL

EXHIBIT 40

NPPF 8 99-103

DRAINS – NPPF 47 schedule 3

19.1 Surface Water – The Surface Water Easement shown off Malyons Lane parallel to Elm Grove needs to be minimum 6m wide and requires a larger buffer to give the required sensitive interface between existing gardens and the new properties.

We, the HRA place on record that item 19.1 is our 'Consultative Objection' - Exhibit No. 40

EXHIBIT 41

Sustainable drainage systems;

NPPF 99-103

19.2 The existing drainage system needs substantial improvements prior to any links being provided to the proposed new development and should be part of the necessary Infrastructure works.

We have received information from residents explaining drainage blockages due to lack of due maintenance at Keswick Avenue, The Drive, Monksford Drive, The Priors and Abbey Road to name a few.

19.3 Page 60. CI 3.185 Mains connection to the proposed new development is stipulated as funded by the developer. We believe that the developer will find a way to include it in his costs, this cost being reflected in the 'sale' value which the buyer will have to pay.

19.4 No buffer is shown between the existing properties in Harrison Gardens and the new development as stated in LHC exhibition would be the case in their vision and Design Principles

By Jeff

19.5 Foul Water Drainage

In 1968 Councillors stated that Hullbridge sewerage was only designed for 3000 property connections.

The 1970 era saw an embargo put in place by RDC to stop any further development in Hullbridge because the sewerage system could not cope, due to overloading.

1971 -1974 continual foul sewage flooding Keswick Avenue, Burnham Road and surrounding area (discharging into surface water open field boundary ditches) causing a health hazard due to the area being bounded by a public footpath leading to the River Crouch.

RDC later twinned the foul sewer where it ran across a field in an attempt to eradicate this problem. It was a short term solution. To date the storm cells have replicated the past with foul water sewer surcharges. It would indicate that the whole system needs redesigning to the north east of Hullbridge.

NPPF 47 schedule 3

19.6 To Date these problems still exist on the Hilltop Estate because of overloading, caused by recent storm cell surges of surface water rapid run off, (unmade roads surface water flooding in the locality which has found its way into the foul sewage system). The pumping station in Kendal Park, Hullbridge, situated at the lowest gravitational point on the south bank of the tidal river crouch is being overloaded once again with this extra surcharge and could not cope.

The recent explosion and fire at the attached power station may indicate that the power supply at the electrical substation was not sufficient for its loading. In 1977 the Southend Standard published an article on the public outcry of the stench of raw sewage emanating from cesspits in the north west of Hullbridge, including the Riverview Gardens (an extension of the Drive), Creek View Avenue, The Esplanade and Alfreda Avenue. This area had residents complaining of the smells. Untreated sewage was claimed to be running into the open ditches, gardens, roads and on to nearby fields.. This was evidently the higher ground properties causing discharge towards the river Crouch, flooding through the lower positioned properties.

The area has since been connected to main foul drainage helping to overload the existing system, flowing into the overloaded sewage pumping system as mentioned before.

19.7 Many people complain of neglect by the Councils for repairs and maintenance citing lack of funds.

We, the HRA place on record that items 19.2 to 19.7 are our 'Consultative Objections' - Exhibit No. 41

OPA SECTION 19 (cont

EXHIBIT 42

NPPF 10

19.8 Suggested standard planning conditions relating to design matters in addition to normal conditions which should be imposed even on Outline Approvals.

1. All electrical and telephone services to the development shall be run underground.
2. All services intakes to dwellings, apart from gas, shall be run internally and not visible on the interior.
3. All meter cupboards to be positioned in accordance with previously submitted details & approved by the local planning authority.
4. Satellite dishes shall not be fixed to the street elevations of building or to roofs.
5. The rights of utility companies to *demand* ?? consent under the General Permitted Development Order to construct electrical substations & gas governors within the development are withdrawn & planning consent required.
6. Details of street lighting lanterns & columns shall be submitted & approved by the local planning authority prior to their installation.

We, the HRA place on record that item 19.8 is our 'Consultative Objection' - Exhibit No. 42

EXHIBIT 43

NPPF Miscellaneous Preparatory and enabling works

19.9 We are convinced that the preparatory and enabling infrastructure works necessary prior to any new development should include the existing state of the infrastructure work and also include the necessary 'flood' defences and improvement of Watery Lane. To that extent we are not satisfied that enough consideration has been given to these issues.

19.10 We have un-adopted roads making access difficult for the Fire, Police, Ambulance services and general deliveries. The Community find it difficult to believe, that the Council or Developer will take this issue seriously although it is clearly mentioned that the Developer must take responsibility for the 'infrastructure'.

We have letters giving so many instances of neglect by the District Council and Parish Council for repairs and maintenance citing lack of funds.

We, the HRA place on record that items 19.9 to 19.10 are our 'Consultative Objections' - Exhibit No. 43

OPA SECTION 20. STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

EXHIBIT 44

NPPF – Introduction- P1, Cl. 1& 2- Core Planning Principles- Cl 17.

Refer Page 7.Clause 1.21 Allocations Submission Document – November 2012

20.1 The Community of Hullbridge is disillusioned that a proper explanation has not been provided by the District or Parish Councils to allow a dialogue between the whole community to distinguish between the advantages and disadvantages.

To this extent we suggest that this clause has been disregarded by the District Council for the reasons mentioned above.

20.2 We are now a Community of robust energy, the numbers on our “Resident List” demonstrates our determination to improve our village in a most accommodating manner to satisfy **all our Residents** requirements.

We, the HRA place on record that items 20.1 to 20.2 are our ‘**Consultative Objections**’ - **Exhibit No. 43**

OPA SECTION 21. TRANSPORT ASSESSMENT

EXHIBIT 44

NPPF 4

Transport Assessment

21.1 Planning policy Guidance 13 Transport (March 2001) that a TA be submitted as part of the planning Application where the proposed development has significant transport implications. The coverage and detail of the TA should reflect the scale of the Development and the extent of the Transport implications of the proposal.

21.2 The CDM Rules insist that this be administered by the Health & Safety Executive which means pre-notification and to develop a Traffic Management Plan for review and approval.

The plan should cover a traffic management method of access and egress including all limitations – deliveries (outside rush hours), This should include the site traffic being required to work outside the rush hours including numerous delivery lorries and muck-away lorries.. Not forgetting the cleaning equipment necessary to clean the roads after site traffic use..

The programme must include for **Community involvement in consultation** with the HSE.

We, the HRA place on record that items 21.1 to 21.2 are our '**Consultative Objections**' - **Exhibit No. 44**

OPA SECTION 22. PREPLANNING ASSESSMENT.

EXHIBIT 45

NPPF 3.28 Encourage Economic Development, skills, Employment and Enterprise.

22.1 This proposed development gives us short term economic advantages only. However there is the danger that inward employment will be insufficient to keep the economic interest sustainable.

Longer term, the nature of the development being only dwellings, we see a disadvantage after completion, the assumed high level of Economic development will disappear.

We, the HRA place on record that item 22.1 is our 'Consultative Objection' - Exhibit No. 45

OPA 23 – GROUNDSURE ENVIRONMENT

EXHIBIT 46

NPPF 150 Local Plans.

23.1 The poor quality of the OPA does not fill us with confidence that the developer will be able to deliver the development that reflects the vision and aspirations of the local communities. The principles of the NPPF are pertinent to the production of the policies therein and the above issues set out for your and the developer's attention would certainly not win a prize from the 'dragons den'. With all the anomalies found in the OPA we are sure you will agree that this OPA should be rejected 'out of hand'.

We, the HRA place on record that item 23.1 is our 'Consultative Objection' - Exhibit No. 46

EXHIBIT 47

NPPF 9 Housing Clusters

23.2 There are no policies set out that will restrain the number of separate developers or builders in the proposed development of the site.

Our investigation into the methods adopted by Landhold Capital and, by implication, the same may apply to the Developer namely Southern & Regional Developments Ltd show that the clusters may support several developers to construct the buildings consecutively for the purposes of speedy conclusions of completions to satisfy the incentives promised by the Government for each property will affect rental income.

Several clauses above will set up fear in our village, by impact of material deliveries, constant workmen traffic parking and consequential noise. The Core Strategy and the Local development framework suggest the duration will potentially be for 12 years.

The Hullbridge Residents professional expertise forecasts that with the aspects of the flood potential of the site we suspect there will be the need for piling.

Should you, in your wisdom consider that piling is not necessary we think that the final building certificates, if given by the RDC, and we have heard of stranger things happening, may present problems for Insurance purposes and will affect the sale or rent of the properties.

We, the HRA place on record that item 23.2 is our 'Consultative Objection' - Exhibit No. 47