

**The Secretary of State
The Planning Inspectorate
Inquiries and Major Casework Team
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30 May 2023

**From:
Stephen Jolly**

**[REDACTED]
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Dear Secretary of State,

Your Application Reference Number S62A/2023/0016

Town and Country Planning Act 1990 (As Amended) Town and Country Planning (Development Management Procedure) (England) Order 2015 - Notice of Planning Application

Proposal: Consultation on S62A/2023/0016 - Full Planning Application for erection of 40 no. dwellings, including open space landscaping and associated infrastructure.

Location: Land at Warish Hall Farm North of Jacks Lane Smiths Green Lane Takeley

A. Notice of withdrawal of Consent and Notice of Rejection of Planning Application S62A/2023/0016 :

With this Notice I hereby withdraw my consent regarding Planning Application S62A/2023/0016. I am a Man and friend of the ancient hamlet of Smiths Green and the village of Takeley. The family has remained here for a period of 66 years.

With this Notice I hereby reject Planning Application S62A/2023/0016 unequivocally and irrevocably. The Men and Women of the local community have rejected this application for the reasons contained in their many letters. That is the end of the matter.

The local community has rejected this application to the Secretary of State and the Planning Inspectorate and 'our wish is your command'. You must take notice as public servants and obey the wishes of your creators.

Members of Uttlesford District Council govern by consent. Uttlesford District Council has rejected two previous planning applications submitted by Weston Homes Plc for this rural field to be developed and has followed the local democratic processes in doing so. Consultation has taken place and a verdict has been concluded.

Reasons for Withdrawal of Consent and Rejection of Planning Application S62A/2023/0016:-

1. This site formed part of a previous planning application (UTT/21/1987/FUL) submitted by Weston Homes Plc dated 9.6.2021 for 38 dwellings on land north of Jack's Lane, East of Smith's Green, Takeley that was rightly refused by Uttlesford District Council (LPA) on 20.12.2021 and subject of an appeal by the proposed developer.

1a. An Inquiry was held on 21.6.2022 to 6.7.2022 by the Planning Inspectorate under consideration of Richard McCoy Bsc MSc DipTP MRTPI IHBC, an Inspector appointed by The Secretary of State for Communities and Local Government. The appeal was dismissed on 9.8.2022 (Appeal Decision APP/C1570/W/22/3291524). The developer, Local Planning Authority and the Secretary of State should abide by the Inquiry decision made on his behalf by Richard McCoy, whom he appointed from The Planning Inspectorate to act on his behalf.

1b. Weston Homes Plc are fully aware that this site has been the subject of a failed planning application, appeal and full public Inquiry already by The Planning Inspectorate. The Planning Inspectorate's decision to reject this site as suitable for consent for an application to erect 38 dwellings, is not void if the proposed developer attempts to bypass the LPA and request an application for two additional dwellings under a new banner via an alternative route to the same authority (Planning Inspectorate).

1c. This site has already been considered by The Planning Inspectorate, and therefore the Secretary of State, and as has been adjudged as unsuitable for any such development. How much public money has to be wasted fighting this again and again? No should mean No.

2. Essex County Council Highways Department has previously rejected the proposal for access to the proposed site to be allowed via the very narrow Jack's Lane due to safety concerns to pedestrians and motorists alike. It is simply unsuitable for additional traffic.

3. The applicant has proposed a new vehicular and pedestrian access and right of way from the public highway (Smith Green Lane) over common land not owned by the applicant. The applicant has failed to mention this fact.

4. The Lord of the Manor is entrusted with the manorial rights of the commons of Smiths Green and Bambers Green and the grass verges adjoining them via the ancient protected lane referred to as 'Smiths Green Lane'. The Kennedy Family once owned Warish Hall Farm which I believe included the proposed site and hold the 'Lord of the Manor' title.

5. Weston Homes Plc does not own or possess access rights across the common land verges to 'Smiths Green Lane' for vehicular or other access from the proposed development site for anything other than for agricultural activities. As 'Commoners' none of the residents or property owners on Smiths Green or along 'Smiths Green Lane' have permission to lay a concrete or tarmac drive to access their properties across Smiths Green or the verges of Smith's Green Lane. The developer is prohibited by the same restrictions and cannot trample on the Manorial Rights of the Commons.

6. Warish Hall is on the historic site of the ancient Priory of St. Valery, one of a group of former English possessions of the Abbey of St. Valery in Picardy, of the Benedictine Order donated by Oath by William the Conqueror on 19th October 1068. The possessions included the farm land in question and the ancient woodland 'Priors Wood' opposite the proposed 'Jacks' site.

7. There will be harm to the listed and non listed heritage assets and their rural settings including a number on Smiths Green and Jacks Lane consisting Grade 1 (Warish Hall), a few hundred yards from the proposed site, and numerous Grade 2 buildings near the site. One is adjacent to the site.

All of these buildings are of historical importance. An estate of modern prefabricated dwellings has no place in such a rural and historical location. The proposed development would detract from the setting of our local heritage assets and historic open countryside. A rural agricultural field, even enclosed by natural boundaries of hedges and trees is still part of the overall natural rural countryside.

8. Smiths Green Lane is a very narrow and protected rural lane originally laid for use by the occupants and farm workers of small connected hamlets. Cars have to slow down to pass one another. Lorries or vans have greater difficulty, often causing damage to the verges. Since the expansion of Stansted Airport more traffic uses 'Smiths Green Lane' as a short cut to the airport which is increasingly more dangerous for local pedestrians and cyclists. There exists no street lighting or pavements on this narrow lane. It is not a suitable route for increased residential and commercial vehicle usage.

9. There is no main sewer connected to Smiths Green, Bambers Green or running along Smiths Green Lane. The two Rights of Way across Bull Field are used daily by walkers and dog owners all year round, even during winter and inclement weather. I see them every day from my kitchen window, so the applicant is mistaken to suggest otherwise. People don wellington boots in the countryside.

10. The proposed site is outside the accepted development limits of the village and has never formed part of any local development plan.

11. Not only would there be a loss of valuable agricultural land, but there would be a permanent adverse effect on the Countryside Protection Zone (CPZ) around Stansted Airport. The proposed site is within the CPZ under Uttlesford District Council Policy S8. This is a long standing and well established policy to maintain a local belt of green countryside around Stansted Airport that will not be eroded by coalescing development.

12. Smiths Green and Jacks Lane - the proposals will result in further coalescence with the Priors Green Urban development and further destroy this rural community and setting. The local residents are happy living in a rural and beautiful setting and do not wish to see the local rural environment destroyed further by speculative developers. The Priors Green site already overshadows and abuts the properties in Jacks Lane and Smiths Green. Such is the size of the development that the Parish and Ward boundaries had to be redrawn.

13. Takeley has already vastly exceeded the previous and current Local Plan allocation of 698 new dwellings. The village is being lost to unchecked urbanisation as are many other rural villages within the District. UDC's slogan of 'It's our Community' fails when the Council has lost control to developers, who pose as 'Brown site developers', intent on covering our rural green countryside with over development. It is not what the local inhabitants voted for. Uttlesford District Council's statutory failure to author and adopt a new Local Plan is directly causing harm and loss to our rural countryside and wellbeing.

14. UDC must consider the District as a whole and not support "random" and speculative planning applications in unsustainable locations in rural settings, in green field sites and a Countryside Protection Zone. The harm to the character of the local countryside outweighs the lack of land supply in the District. A number of national surveys have rated the Uttlesford District as one of the best places to live. Over development is destroying local rural communities, rural heritage and 'quality of life'.

15. Smiths Green is the most important historical part of the village of Takeley left underdeveloped. To develop this historic arable field and infringement onto the protected 'Smiths Green Lane' will be vandalism of the highest order and wilful destruction of the villages remaining countryside and heritage. The quality of life for local residents and nature would be diminished.

UDC Policy S7 specifically addresses the countryside by protecting and enhancing the natural environment as an important component of sustainable development as set out in the National Planning Policy framework (NPPF). The NPPF is clear that 'great weight' should be given to asset conservation.

16. At a recent past Conservative Party Conference the former Prime Minister clearly stated that 'Brown Field' is the first approach to new building, not 'Green Field'! A commitment was also made to 'levelling up the Country' which should direct speculative developers to look away from the over burdened South East of England countryside when contemplating such future schemes. There are plenty of 'Brown Field Sites' in other parts of the country awaiting development and investment.

According to an investigation by openDemocracy, the Conservative Party has received more than £11 million in donations from some of the richest property developers and construction businesses since July 2019. It is entirely wrong that those with money can gain access to politicians that put their interests above the rest of us. The Government should be advising their donors to help 'level up the country' away from the South East and develop the many brown sites that need regeneration elsewhere.

17. The proposals are at a variance with 'A Green Future : Our 25 year Plan to Improve the Environment 2018', which sets out the Government's plan to improve the health of the environment by using natural resources more sustainably and efficiently by protecting the best agricultural land, putting a value on soils as part of the natural capital and managing soils in a sustainable way by 2030.

'Net environmental gain' cannot be achieved by placing much needed arable farm land under concrete to satisfy the financial greed of speculative developers, no matter what form the commercial relationship that exists between Uttlesford District Council and Weston Homes Plc.

It should be noted that the applicant has failed to disclose that the Weston Homes Plc headquarters buildings were purchased by Uttlesford District Council (LPA) as part of the Council's property portfolio, and that they are in a 'Tenant' and 'Landlord' commercial relationship.

18. It should also be noted that the applicant owner of the sites of the previous planning application (UTT/21/1987/FUL) has not planted any crops in either Bull Field or 'Jacks' (Site) since the decision by the Planning Inspectorate to dismiss the appeal. This site is historic arable farm land, farmed for approximately 600-1000 years, recently left to pasture by the applicant. The proposed development would result in the loss of valuable future crops and food sources, having a negative impact on local wildlife and their natural habitat. A herd of deer frequents a small nature conserve (held in trust) adjacent to the proposed site that use 'Jacks' field as a corridor to other locations. This development would result in the loss of protection of the deer who provide a great deal of enjoyment to the local residents and children in this rural area.

19. The effect of building new homes in the countryside will have a negative impact on climate change and reduce the nation's ability to feed it's inhabitants without the negative impact of increased food importation, as will not making the best use of arable farm land available by not planting crops.

20. The proposed development will lead to an unacceptable increase in traffic movement on narrow 'Smiths Green Lane' and within the village and not least the Four Ashes Crossroads causing congestion and additional pollution. 40 properties with 106 parking spaces proposed could result in an additional 106-180 additional cars accessing 'Smiths Green Lane', plus additional service vans and lorries.

21. I was dismayed at the previous views of Peter Lock (FCIH), Housing Strategy, Enabling and Development Officer at the LPA who stated " It is encouraging to note that the application proposes each of the properties to have an EV charging point".

Electric Vehicles are not zero emission vehicles. It is not practicle to go 'all electric' by 2035. There is no such thing as a zero emission vehicle, you do not eliminate emissions, you export them somewhere else on Earth. You have to dig up about 500,000 lbs of minerals to make a 1,000 llb battery. It takes 100 to 300 barrels of oil to manufacture a battery that can hold one barrel of oil equivalent of energy. Just manufacturing the battery can have a carbon debt rate ranging from 10 tons to 40 tons of CO2. And the plans that are in place to increase the use of batteries will require an increase in production of minerals like Lithium, Cobalt, and Zinc. Demand for those minerals will increase between 400 to 4,000 per cent. There isn't enough mining in the World to make enough batteries for that many people for their cars. And we have not included the costs associated with the disposal of said batteries or the loss of life that foreign registered corporations (Governments) will cause whilst instigating forced regime changes and wars (e.g. Ukraine) to gain control of the minerals desired.

40 properties with just a single EV car each, containing a single 1,000 llb battery produces a carbon debt of between 400-1600 tons of CO2. Why are the LPA officers seemingly promoting the inclusion of EV charging points for vehicles that involve such a high carbon debt elsewhere on Earth? Not very encouraging, is it?

Stephen Jolly