

From: Paul Kimber [REDACTED]
Sent: 15 December 2023 20:47
To: Section 62A Applications <section62a@planninginspectorate.gov.uk>
Cc: [REDACTED]
Subject: S62A/2023/0027

Response to Planning Application: S62A/2023/0027

To whom it may concern.

Please find attached my comments and observations in respect of the above. I would note that the planning application in question has essentially the same content as one that was previously rejected, with a number of largely cosmetic changes, but not addressing / changing the basic premise of the development. In particular, the prospective developer has made little effort to address the major concerns which were been previously raised with the previous application.

Indeed, it can be argued that the 'cosmetic changes' that have now been made now within the revised application make the revised application more socially and environmentally detrimental (e.g adding artificial lighting to a perfectly serviceable natural byway) and thus provide even stronger reasons for rejecting it. As a consequence, I have updated my original comments to cover and address the increased environmental/social impacts and implications of the revised application.

This application is

Paul Kimber

Dear Sirs,

Please see below my representations, observations and comments on the application by Weston Homes to build 40 properties on the 'Jacks Green' site in Takeley.

As per the associated email, this is an updated response.

My continuing and overarching concern about the Jacks Green site application is predominantly that it is the very thin end of a very thick wedge to provide ongoing commercial/financial viability to a small property development company, something that is specifically not within the remit of any planning approval process. It is now abundantly clear that for financial viability reasons Weston Homes intends to push very hard at every boundary to fully develop the entire area that it has acquired and it will continue

to submit applications until it achieves it. The local CPZ will at that stage have been eroded to the point of non-existence (as usual!)

The area in question is currently agricultural and has been for many centuries, probably a thousand years least and given the ongoing socio-economic and environmental need for the UK to increase rather than decrease the agricultural capacity of the UK to make it more self-sufficient in the production of food and other agricultural produce, there would need to be an overriding requirement to change the current status of the land involved – more housing on proven productive land **definitely is not** such a requirement. Additionally, given the need to protect the natural environment as part of a UK government commitments under various COPs and more specifically UK government policies' stated support to actions to address global requirements to undertake measures that reduce carbon dioxide and methane emissions to mitigate the adverse effects of climate change, from both perspectives **individually**, let alone together, there are good and overriding grounds for refusing this planning application.

This is at least the second time that this developer has submitted what is essentially the same proposals that have previously been rejected and as such I would strongly suggest that Weston Homes need to be formally and legally notified that further planning applications without substantive and responsive change for this area will be considered as vexatious. One possible way to prevent this sort of approach of repeated submission of the same baseline proposal would be for the authorities to require for each submission an upfront non-refundable fee representing 10% of the expected total sale value of the development. That way the cost of **reprocessing** the submission would be borne by the developer and not by the local authority and community – arguably all the costs associated with processing planning submissions from developers, (particularly re-submissions for previously rejected ones) should be borne 'in toto' by the developers, as it is a legitimate part of 'doing business'. For the avoidance of doubt as to what that means, it includes the re-imbursing the time/effort costs associated with the time/effort by the people who are required to respond to the application -clearly an unknown to the proposing developer, but one that represents a legitimate 'cost to the community at an individual level - at a personal level, my 'UK government employment' is at circa 70GBP/hour and I have spent in excess of 40 hours addressing the issues involved, so this application has already "cost" me in excess of £2800 in responding - this should be a repayable by Weston Homes, either directly or via the local authority.

Calling the proposed development Jacks Green is cynical (and almost certainly a contrived 'marketing ploy' to make it seem like it is 'adding community value')– the proposed site currently is green as it is an agricultural field; but once it has been desecrated by having bricks and concrete thrown at it, it will clearly not be green. Having lived in the village for many years, there is 'local historical knowledge that contrary to what is claimed in the application documentation, development of "Jacks Green" will have potentially severe ramifications for water run-off including impact on Jacks Lane and adjoining properties particularly during periods of heavy rainfall or snowmelt. The application acknowledges that the paths and by-ways through the surrounding area (across Bulls Field and along the side of Priors Wood) are already not easily passable during wet and inclement weather – removing yet more agricultural land that currently serves as soakaway/storage and slow release for accumulated rainfall, in order to facilitate the proposed development, will clearly make that worse, not better, as the ditches bordering the area do already overflow after heavy rain. Weston Homes suggests it will take this into consideration and improve the position, but there is no detailed quantitative plan of what would be needed and how it would be done and/or the implications for existing bordering areas and properties. This sounds more like a threat than a promise and leaves open the 'opportunity' that further development will be

suggested ostensibly to improve "amenity " of the countryside by making it more traversable, whatever that actually means. The amenity is fine as it is, and there is no merit in allowing an **unquantified risk** of making it worse for existing residents.

Moving on from concerns of too much water in times of heavy rainfall, the adjoining properties already suffer from insufficient water for domestic use. The area is flat and the water pressure is at best variable and sometimes virtually non-existent so it is not possible to irrigate the end of our garden using a hosepipe, as mains pressure simply doesn't push it that far. This is particularly noticeable during periods of drought – something that is likely to be increasingly common in the future due the impacts of climate change . Low water pressure is already a known concern across the whole of Takeley village and from a personal perspective we are already considering the purchase of a private water pressure improvement system. Consequently, from the water supply perspective alone, this proposal should be refused, or at least put on hold until the water supply has been satisfactorily upgraded across the village

Mains drainage for waste water and sewage is typically not available across the existing properties on Smiths Green and in Jacks Lane – most use some form of on-site 'water treatment plant' and at our property, at significant expense, we have already invested in a water treatment plant. This became necessary when the additional demand from previous large scale housing developments in the surrounding/adjacent area meant that the prior water drainage system ceased to be able to support our previous cesspit system. It is unclear where or how the new development will tap into an existing mains drainage connection. Clearly there is significant potential for the proposed development to further adversely affect existing watercourses and adjacent properties. As evidenced by flooding of parts of the local road system due to recent heavy sustained rainfall, the current watercourses are already 'at capacity', further development which reduces the available 'soak capture' provided by open fields will exacerbate this problem, noting that as global temperatures rise over the coming years the prediction of climate scientists is for more 'intensive and sustained' rainfall events in the UK.

In terms of transportation and access implications of the proposal Warish Hall Lane (or Smiths Green Lane as the documentation inaccurately has it) which currently has ancient lane status would need to be drastically changed in order to provide safe access for pedestrians cyclists and vehicles. An additional 40 properties implies that some 80+ additional vehicles will be requiring to use that lane, particularly at peak times, and that addition would be a significant increase over the existing traffic. Furthermore, the proposed development would generate additional ongoing commercial traffic in order to 'service' the needs of the properties and householders Consequently, in my view such an increase in traffic would jeopardise any potential for retaining its "Ancient Lane" status going forward simply because it would no longer look any different to any other country road that has had numerous housing estates built along their curtilage. The increase in traffic density would therefore significantly reduce the amenity value not only to the existing residents of Takeley village, but also to the residents and businesses in Bambers Green and Warish Hall who rely on and use the lane to access the B1256. It would also proportionately increase the risk of accidents along that stretch of road, which, given the number of children from the existing developments in the village that now cycle along it, would be at best 'something that should be avoided'. **I would point out that there have been two significant vehicle accidents along that stretch of the road in the last 12 months or so, so there is real world evidence to support this view.**

It is noted that the site proposed for this development is currently and historically agricultural land on the edge of the village and overlooks/links into open fields, It must

be remembered in a planning context that biodiversity lives in a 24/7/365 environment – not just the hours of daylight. Allowing development will undoubtedly adversely and irrevocably impact the natural ecosystem which supports a wide range of biodiversity, both plants, insects, birds and animals including deer which use the site as a 'transit route' (day and night) between an adjacent wooded 'safe' area in Jacks Lane, and their wider territory. (Indeed, over the last few weeks I have personally observed a group of deer (about fifteen to twenty in number) which have regularly transited the land in question between the byway adjoining the land and the small wood in Jacks Lane). Some other local animals such as foxes and bats are largely nocturnal, and we get the occasional owl 'prowling' the area at dusk. There is no doubt that this development would squeeze the existing and historical biodiversity out of the area, and would clearly destroy it within the area in question. When the deer and other species such as bats and birds butt up against the edge of residential developments their existing habitats are directly and adversely affected, such that they are often no longer viable, and as a direct result of development the biodiversity is lost. Similarly for the other fauna species that currently call the proposed developments area 'home'. They do still have places to roam but those places are being pushed more and more into smaller areas, which artificially increases other environmental pressures, inter-species competition, and habitat destruction. Having the ability to see and appreciate local wildlife 'in situ' is undoubtedly a social and environmental benefit and amenity for the community and the local people, and that will certainly be destroyed if this development is permitted. Biodiversity is the legacy that we pass on to future generations, and maintaining and preserving it should be an absolute priority. Indeed, there is a strong argument that as a country we should only allow the development and building of new housing on brown field sites, where the biodiversity of the local environment has already been compromised, unless there is an agreed and overriding national security need to do otherwise – green field development should be by specific exception, not the rule.

We are not talking about protecting species that are in danger but that seems to ignore the need to protect those that are NOT in danger so that they don't become endangered. It should come as no surprise that it is well documented that this country has significantly reduced its biodiversity over many centuries to a greater extent than almost all the rest of the western world. That is a trend that needs to be stopped and wherever possible reversed, refusing this application would be seen as beneficial in climate change, environmental, and biodiversity terms.

I would draw your attention to The Royal Commission's 26th report, The Urban Environment and the Royal Commission on Environmental Pollution report 'Artificial Light in the Environment' which identified artificial light pollution as a significant factor adversely shaping and reducing local environmental quality and it is increasingly clear from worldwide research that deleterious effects on photosensitive organisms and biodiversity are not the only issues raised by light pollution wherever artificial light floods into the natural world such as adjacent fields, ditches, woods and paths. Natural light intensity and spectral content varies during the day-night (diurnal) cycle, the lunar cycle and the seasonal cycle, and all organisms -plants, insects, animals including humans, have evolved to respond to these periodic changes in light levels. They control and affect life and its rhythms – migration, reproduction, feeding mating, emergence, seasonal breeding, migration, hibernation and dormancy, and in plants, flowering and vegetative growth. As the proposed development directly interfaces onto an existing rural environment any artificial lighting will directly and adversely impact the current biodiversity, flora and fauna that clearly have used the area for hundreds of years. In my view on these grounds the proposal should be refused as it will dramatically change the natural diurnal light cycle and visual amenity that the local residents (humans, animals and plants) have lived with for generations and currently enjoy. As an aside, I would

argue that no development should be allowed to install or use any form of artificial lighting on any building within 20m of an existing hedgerow, wood, or curtilage – we do not need artificial lighting in the countryside.

The plan itself appears to be incoherent in terms of design and diversification for a 40 property development. There appears to be no aesthetic balance with some very large and some very small residences, and it looks to have been designed on the basis of optimising the building footprint within the area. Looking at the pictures reinforces that from a visual perspective because although they may all look fine in their place, mixing them all together in that manner will, I fear, render the whole incongruous, incoherent and potentially lead to a small haphazard isolated model village'. Indeed, given the 'self contained' nature of the plot it is unlikely that there would be any tangible thread to the rest of even the existing properties in Smiths Green and Jacks Lane, let alone wider Takeley, to build any community spirit on, or integrate with the existing Smith Green / Takeley community. In essence it would be an isolated 'enclave' - potentially a recipe for disaster both at a human individual, social, and mental health level. Although the application talks up the need and the will to foster integration at the wider level, it does not address how that would be done/facilitated by Weston Homes, nor what mechanisms they would use to provide the long term support to developing it.

Overall, the proposed application fails to provide any overwhelming argument for approval, and there are clearly many and varied reasons as outlined above why it should be refused – but at a social and community amenity level the proposed development in and of itself will change the rural nature of the existing countryside environment, irreversibly, for both this and future generations, not only the humans but also for the native plants insects and other wildlife. The land in question has been agricultural / rural for centuries, supporting and enabling local farming, wildlife, fauna, and flora and there is no rationale reason to irretrievably change that status so that it is lost to future generations. That alone should be reason enough to refuse permission, over and above the concerns and issues raised above.

In the event that a hearing is scheduled in respect of the planning application, I would wish to speak.

Yours Sincerely

Paul K Kimber