



To the Planning Inspectorate (by email only)

11th January 2024 (re-issued 19 February 2024)

Dear Sirs/Mesdames

Planning representation - S62A/2023/0028 Outline application for construction of up to 50 dwellings (Use Class C3) and associated access and bus stops with all matters reserved apart from access ('the Application') RE: Land off Chelmsford Road, Hartford End CM3 1JY

My wife and I write to OBJECT to the above application – I write on both our behalf.

I understand that I have to put forward my objection under certain planning criteria, and will, as a lay person, do my best to stay within these.

I write as one of 3 existing house owners arguably most affected by this proposal. The reasons for our objections are set out below.

For us and neighbours, this is a major application for some 50 plus dwellings, doubling the size and occupancy of an historically formed rural hamlet, in a sensitive rural location, outside the development boundary.

Furthermore this is the 3rd application for planning on this land (by the same developer) since we have lived here, and we feel this latest application should again be refused. This for the reasons, of planning policy and planning history of the site. For the same previous reason's applications were refused, together with new site specific's, appertaining to this application.

We believe the application should be refused for the following indexed reasons;

- Section 1: Local and national planning Policy.
- *Section 2: [retracted].*
- Section 3: Long term engineered/phased development.
- Section 4: Green Belt Development
- Section 5: Historical hamlet disruption.
- Section 6: Highways and access.
- Section 7: Flood risk and contamination.
- Section 8: Amenities

We further believe and would ask that any final decision on this application, should be open to a local Public Hearing, whereby specific local and environmental issues can be debated in an open verbal forum. We are advised a Hearing is necessary to fully and properly test the planning merits of the application and ask the Inspector/Inspectorate to approve the hearing process.ry.

Within the following submission I will argue various logistical and practical points to support my wife and my objection. These I feel very qualified to make, as initially I was/am indentured tradesman, a site manager at 22 years old, and the MD/Proprietor of my own construction business for 40plus years. Managing and completing over 1000 building contracts in that time.

I have vast experience of the construction and development industry, and will use this to I hope, strengthen and support my objection.

Section 1; Local & National Planning Policy.

We are part of a group of local residents, “Original Hartford End Owners Group” who have employed the services of Holmes & Hills Solicitors to represent the group and submit the relevant and specialist information under this heading.

We therefore ask the Inspectorate to refer to and consider the points made under this heading in addition to the aforementioned submission; “Original Hartford End Owners Group”. My wife and I would like to attend, and potentially speak at, any Hearing.

We refer you to this submission for the specific challenges under such policies referenced as follows;

UDC Local Plan 2005 (‘the LP’) but also the Felsted Neighbourhood Plan 2018-2033.

National Planning Policy Framework (December 2023)(‘the NPPF’) and the relevant planning history of the application site (in whole or part).

The NPPF its central aim, to achieve sustainable development – social, economic and environmental – an important material consideration in the determination of the Application.

Part of the Application site has been the subject of three previous applications – under references 20/3323/OP, 20/3368/OP and 21/3088/OP (‘the Earlier Applications’) – all of which for ‘ribbon’/‘infill’ development. All of the Earlier Applications have been refused; each time reasons for refusal included conflict with policy S7 of the LP and policies CW1 And HN5 of the NP.

The Applicant does refer to development of land to the south and under application reference 16/2149/FUL – however, that application can be readily distinguished as it concerned the redevelopment of previously used/brownfield land (~5350 sqm of industrial buildings), not virgin/greenfield agricultural land as is the case here.

LP policy S7 serves to protect or enhance the character of the countryside. Policy S7 specifies that there will be strict control on new building development in the countryside, which applies outside settlement limits. Permission will only be granted for development that needs to take place there and if its appearance protects or enhances the character of the part of the countryside within which it is set.

3 LP policy GEN1 concerns securing suitable access for new development. It prescribed five criteria all of which must be met. Summarising, the criteria to be met are that traffic from the development can be accommodated safely, the road network must have enough capacity, design must not compromise road safety (of all users), access must meet the needs of all

people (including those with disabilities) and the development encourages movement by means other than private motor car.

LP policy GEN3 concerns flood protection including the requirement that development should not increase the risk of flooding within the Site but also elsewhere (i.e., not cause problems “downstream” or “downhill” which has not been considered.

LP policy GEN4 strives to ensure “good neighbourliness” in all forms of development, to include the construction phase, and GEN2 secures good design by prescribing various criterion to be met, to include that the development should not have a materially adverse effect on the reasonable occupation and enjoyment of a residential property/residential occupiers.

LP policy ENV2 is engaged for reason of the enlarged site being closer to listed buildings at Camsix Farm and Hartford End Mill.

LP policy GEN7 concerns the conservation of nature; preventing harmful development whilst also striving for the enhancement of biodiversity. LP policies with a ‘ENV’ designation all concern environment and nature conservation.

Section 2: [retracted].

Section 3; Long-term, Engineered & Phased Development.

It is my firm belief that this developer has always had a long-term overall plan for this site, and that he has carefully, gradually engineered himself into this current application. Using the previous applications and development to “wriggle” through the planning processes.

Initially he purchased the original brewery site and somehow managed to achieve approval for domestic dwellings only. This after years of previous developers, applying for domestic housing only, without success. It was locally well known at the time, that Uttlesford DC wanted to maintain a commercial activity on the site. This developer was granted permission to build domestic units only.

Previously the phase one, existing brewery site had become very run-down, and was an eyesore. Without question and to be fair, the sympathetic conversion of the existing malting’s building, chimney, brickwork, joinery and glazing details etc maintained, balanced in our view with the new additional houses. It was and has been a big improvement to the appearance and condition of a very old and rundown commercial site, and the hamlet.

The site had fallen into disrepair. For this reason alone, I can understand how and why Uttlesford DC, Parish Councils etc, granted permission for these dwellings. To be fair and I confirm, at no point did we object to the phase one proposals, because we felt it was a much-needed upgrade of the area and site, at the time, whilst being a balanced and acceptable small-scale scheme.

I ask the inspectorate to bear this in mind when considering this application.

Section 4; Green Field Development

My point here is:

The original brewery site was a commercial site. Not brown field, not green belt but an existing, again commercial premises.

It is my view, and I trust the inspectorate will agree, there is no comparisons when considering, a "change of use" site (original brewery), to a green belt development proposal as in this instance.

In summary; I see this as comparing a Commercial site, changed to a small domestic development, verses a Green Belt site, engineered into an INFILL development.

Again I ask the inspectors to take this into account when looking at this application on a fair and reasonable basis.

interestingly only a few weeks ago, I listern to our PM: Richie Sinaks, quoting government policy or intention as follows:

Quote"

It was and never will be or intension to concrete over green fields, but to achieve housing targets within existing developed communities"

My point here is that were this site to gain approval, surely this would make a fallacy of this statement.

I hope it can be taken into consideration again on these matters.

Section 5; Historical Hamlet Disruption.

I have included this section, as we firmly believe it to be very important.

This hamlet has evolved due to the 5, maybe 10 generations of the Ridley family initiating, developing and running a brewery from here. Building and expanding a business that eventually included 100 pubs, along with the original Hartford End Brewery, servicing the community, whilst providing employment to locals, and housing for its workforce, in somewhat deprived times.

The layout of the hamlet shows the progressive stature and sadly class, by the grandeur of the houses the brewery built. By all accounts the larger and nearer your house was to the brewery itself, the likelihood was that you were of superior status within the business.

Visually every day you can see and appreciate this historic development and story.

Possibly it could be argued that the original brewery redevelopment took away, maybe a small part of this story due to the demolition of outbuildings and stores. However, the general sympathetic refurbishment of the malting's buildings, chimney, glazing etc. certainly, in my view maintained the aesthetics and history of both the original site and the hamlet.

However we sincerely believe that this current application will eliminate this visual story. There will be an infill of new dwellings and a road junction, between the refurbished malting's building and the

period, previously tied houses, built and provided to the employees, along what was a tract to all intents and purposes, now the B1417.

I suggest and as the inspectors to consider this history, before turning the area into again another housing estate.

Surely this is not right or necessary, there has to be alternative options/sites that are far superior in their sustainability, facilities, infrastructure, intrusive nature, and are of far less historic value.

Section 6; Highways and Access.

Highways:

I confirm my opinion of the B1417 road as follows: because I consider it very important that the density of traffic and the high use of this road on a daily, weekly, monthly basis is understood.

- It is not a 'normal' B-road, as would be expected, i.e. with low-density traffic usage.
- It is not as has been described previously, a country lane.
- It is an old lane/track historically, that has evolved into what I will describe as a high usage arterial B-road.
- It has to be one of the busiest B-roads I know of.
- It is a road used by commuter traffic traveling from Felsted, Causeway End, Flich Green, Banister Green and numerous other local areas villages and hamlets.
- The obvious road/route to the nearest railway station- Chelmsford, nearest hospital – Broomfield Chelmsford,
- The obvious access route to the M25 ring road around London, lending further access to Gatwick & Heathrow airports, onto the south east, south west and west of the country.

It is my understanding that one of the reasons for the last 4-unit application being refused, was due to my eastern hedge, obstructing the "sight line" from the proposed access road. I have paced this out and believe it still to be an issue with this current application access point. (see ATH plan 1 & 3) attached.

Comparing the two sets of drawings I believe there is very little, if any, significant difference between the current access point and that of the 4 Unit application of the past.

Furthermore, this will now be further confused/obstructed by the proposed if approved new/relocated bus stop.

It is also noted from our group submission, that the access is directly at the point of a previous and recorded accident in 2017, on a "crash map".

Additionally, I point you to the attached (ATH Plan 3) and draw your attention to the following: -

1. The plan shows the sight lines from the previous application from the entrance north, still obstructed by my [REDACTED] hedge.
2. I have added Littley Park Rd to my plan, as this was blocked on the application documents, by the drawing title block. This clearly shows and I can certainly confirm a sight line obstruction, looking north when leaving Littley Park Rd. (Ref BS1 on plan).

3. After a visual appraisal today, (walk around) I have to conclude that it will be impossible to see any traffic movement's to or from the new site when leaving Littley Park Rd. Further risk. (Ref BS1).
4. Adding a third intersection, (ref PE1), so close to the two existing intersections, on this B1417, 40mph thoroughfare, has to be inconceivable from a traffic safety perspective. Specifically, when there are clear and obvious sight line issues, blind spots, as proved.
5. Not forgetting adding/relocating a bus stop to further confuse matters.
6. Not forgetting adding/doubling traffic movements onto and off of the B1417, from the new site, in the hamlet.

I point you to the attached (ATH Plan 1) and draw your attention to the following: -

7. Ref BS4, shows approximately the point where the balance of the highway, starts to come back into view, when exiting the blind bend driving south from Felsted. I confirm I walked this to prove to myself this situation.
8. Not until you are approximately 80-90% of the way around the bend, does the balance of the highway heading south, come back into view. Only when fully around the bend, does the proposed footpath access to and from the development site come into view, along with the proposed bus stop relocation on the left.
9. I submit that in the event of added traffic obstructions i.e. pedestrians crossing, backed up traffic behind a slowing or stopped bus, this is yet another potential accident black spot, likely in my view to become another addition to the "crash map".
10. N.B: I have lived here 16 years. The proposed public footpath access point is immediately adjacent to my drive. I have witnessed near misses in this location numerous times over the 16 years. To add additional pedestrian movements, bus stops and alike to this location would be lethal in my experience of these locations.
11. I repeat, the thought of, the elderly, children, disabled persons etc, using the proposed new footpath entrance/exit from the new site, to access a bus, could be fatal or have very serious consequences.
12. We have witnessed a number of near misses over the years when simply manoeuvring cars or deliveries onto and off our drive, south of the footpath, (further away) and a less risky location. I have to conclude again, this has to be another serious contender for a recording on a "crash map" if approved.
13. It is not unusual at any time, when manoeuvring on and off our drive, for speeding vehicle's, 50/60mph plus, from either direction, to again have to perform an "emergency stop" due to the limited sight lines. That's currently!
14. More than doubling the occupancy of the hamlet, by effect, more than doubles the exposure of the public to these aforementioned dangers.

Again surely, this has to be an unacceptable and unnecessary additional risk. One that individually or collectively with others, is enough to refuse this application.

New Bus Stop: -

The application includes a proposal for a new south bound Bus Stop.

1. I believe this is a "dressing up" of the application, because the applicates know they have an issue with public transport and pedestrian's in the locality.
2. I can only conclude they are moving the bus stop so it cannot be argued that new residents, again infants, elderly etc, have to "run the gauntlet" of walking in the road to access the current bus stop approximately 400/500 meters north.

3. All that says for me, is you look after the new residents on the site, and ignore the existing residents. I cannot foresee any bus company or highways authority, agreeing to a second bus stop inside of 400/500 meters of each other.

4. Therefore, I think it is safe to assume the original bus stop will be "out of use", closed if this scheme as applied for is approved.

5. If the bus stop is relocated, this would leave existing residents (that may have moved to suit the current bus stop location), to "run the gauntlet" of the highway in a southerly direction, in lieu of new residents running the same gauntlet, in a northerly direction. I rest my case a "dressing up" exercise.

6. Notwithstanding that presumably the highways authority has assessed at some point in the past, the current bus stop location. Presumably concluded it is at its optimum location, to serve the hamlet. Where it has been for many years.

7. The formation of such new a stop, can only have a detrimental environmental effect. Presumably once detailed the existing ditch, will need to be piped, head walls formed, under the proposed patch of paving/lay-by (unclear). If this is a patch of paving, not a "pull off layby"? Unnecessarily and further adding to the ever increasing, detrimental effect on the environment, of this application.

Pedestrian Dangers.

Again, estimating the 52 units to generate an average of 4 new residents per unit. Again, potentially exposing an additional, circa, 200 residents to the following dangers.

I believe that currently it cannot be argued that us existing residents are exposed to the following dangers and that any new residents will be similarly exposed.

8. Highway Safety Points.

a. There are no foot paths for the entire length of the hamlet, both sides.

b. There are no kerbs, defining the highway from the verge.

c. **The only place to safely walk is on highway.**

d. The verges are often obstructed by hedges, vegetation, scrubs, banks and have very limited width, in places only 300/400mm.

e. The very uneven, hazardous step onto or off of a verge, is seriously risky and can easily false you to lose balance, to fall or slip towards the highway, potentially into the path of oncoming traffic.

f. There is always a high chance of pedestrians, falling into/onto into the road, from the raised and uneven verges.

g. People generally wear Hi Visibility clothing to simply walk their dogs!!

h. People constantly have to walk into driveways to get off the road out of the line of traffic.

i. Nearly everyone, children, the elderly, parents with prams, walk in Hi-visibility clothes, head touches, flash lights.

j. When traffic goes past, if you can't get off the road, you hold the torch in the direction of the oncoming cars, hoping to be noticed, and turn sideways to give maximum passing space. It can be that close, it can be lethal.

k. The worst is when two oncoming vehicles arrive opposite the pedestrians, all trying to pass at the same point, i.e. no vacant lane. The margins between the cars and the pedestrians is further and seriously reduced, frighteningly dangerous.

l. Often oncoming vehicles realize at the last minute, there is insufficient space for 2 vehicles and a pedestrian or pedestrians (children, dogs, prams etc again) to pass. They brake very hard, "emergency stop" to all instance and purpose. It is at this point generally that the braking vehicle will take last minute/second action to swerve to the left verge and create a last-minute increase to the width available.

m. Very luckily in my view, at the emergency braking stage, to date, no vehicle has lost control, thus far accidents have been avoided, to the best of my knowledge? How this hasn't happened, I have no idea. How a catastrophic accident has been avoided to date is hard to believe and, in my view, more luck than judgement.

n. All of the above potentially taking place at speeds exceeding 40mph, the speed limit. Realistically I'd say, speeds of 50mph plus are the norm through the Hamlet.

o. All of the above dangers and risk, enhanced considerably when taking place at night, dark mornings or evenings in the winter months, In pouring rain, icy conditions, fog and other hazardous weather conditions.

p. All of the above taking place on, a busy stretch of road without any street lighting.

All of the above risks heightened to extreme levels, if a further circa 200no residents are added and exposed to these situations. Only of course if this application is approved.

I attach photographs of the road – including at night – to demonstrate how unsafe it is.

Section 7; Flood Risk and Contamination.

THIS AREA IS A FLOOD PLAIN, I FAIL TO SEE HOW THIS COULD BE QUESTIONED. Photographic evidence submitted proves this issue

1. There is a 19-page document in the application, which somehow tries to argue that the percolation/soakaway effect of the arable ploughed field, is the same as the proposed developments finished hard surfaces.

I find this astounding and believe it to be false information. I attach recent photographs of the river having burst its banks.

How can it be possibly argued, that a permeable surface such as this field, has the same properties as a non- permeable hard surface, concrete? Is beyond me. How can this in anyway comparable? This is simply common sense; junior school science would have told us this.

I draw your attention to the attached drawing ATH Plan 1, to be read in conjunction to the following points: (See ATH Plan 1)

2. It is common knowledge, that the 1st phase development/site has had flood problems. Despite the same developer making numerous attempts to overcome the problems. There is a large grass mound, along north edge of the phase one site. The existing Ridley Green access road and boundary with the proposed site.

This mound/bank, serves as a dam, and has a surface water, "French drain" on the proposed site/field side, behind it. This mound is generally saturated during the non-summer months of the year, as is the immediate field area behind.

The application site layout plan shows 2no attenuation basins, which I understand to be collection "ponds"(in layman's terms) which will hold and store the surface water, delaying the outfall process direct into the river or ditch's. I question their ability and what effect they can have in this unique situation.

I fail to see how the larger easterly basin will ever collect water as it would have to run up-hill to do so. The access road will fall dramatically towards the B1417 taking away water from the 1st estate road on the right as you enter, directly into the existing overloaded land drains and ditches along the B1417. The balance of the water will run across and down the site into the westerly located smaller basin. Should as I believe is likely, this western basin overflow this will bring an enormous amount of stored water into the flood plain, at the end of the phase one access road. It has to be another major flood consideration.

Once again I believe this to be another "dressing up" exercise for the purposes of planning and is misleading fiction.

3. ATH plan 1, shows the natural gradient of the field, towards the south west corner of the proposed site, the north west corner of the phase one site.

This natural "fall", over such a large area, makes it obvious to me why the current "French drain" is inadequate and struggles to cope with the current water levels from the permeable ploughed field.

4. I was advised by operatives working on the "French drain". That the natural height differences between the existing field surface and the outlet/invert level of the drain when it reaches the open ditch, are insufficient and that the pipe is virtually level. Hence the water ponds and builds up behind the mounds.

5. Logic alone, tells anyone with any idea on these matters. That due to the natural south-west "fall" of the site, (No detail). The same open ditch, (west boundary) serving both sites, is the obvious and only viable, economic and eventual outlet for the new sites new surface water and treated sewage water overflow.

I understand regulations prevent sewage plant overflow from being directed into any pond/basin. So this major amount of additional water, generated by 52 units, will have to outfall directly into water courses missing the basins. This water is then obviously unmanaged.

All of the above adding unnecessary strain and risk to the environment and waterway.

6. The fact that the open ditch is already struggling to cope with its current demands, has to confirm that it will not cope with added demands of the new site. Adding considerable to risk of flooding to the houses and garages on Ridley Green.

7. Adding again to the already proven and I feel certain to be recorded high flood risk vicinity.

8. These rivers flood annually, sometimes 2,3, maybe 4 times a year, for the last 16 years I've lived adjacent to them.

9. It is common local knowledge, the close-by listed "Mill House" has flooded, and incurred extensive damage numerous times over the years. ██████████ told me on one occasion it had cost around 100k to repair.

10. The "Mill House" downstream, only a few hundred yards from the assumed (no detail) existing phase one surface water outlets into the river. The same outlets to be connected onto for the new site, or new similarly located outlets installed for the new site. Either way the increased water reaches the main river above/up river, from the Mill House.

11. Obviously, this will further increase the volumes of water into the weir and surrounding tributaries, around and under the "Mill House". Thus, increasing the risk of further damage to this historic listed building.

12. Drawing "ATH section" is my indicative and what I believe obvious detail for the existing phase one, and likely to be added phase two, water outlets into the river.

It shows and if correct proves that when the water is at its higher levels, it cannot escape, free flow into or down river. It shows the outlets from both sites (maybe one of the same) to be compromised. Once compromised by water levels, it means serious risk of "back up" in and around the phase one

balance pond, sewage treatment plant, adjacent open ditch, back towards the Attenuation basins, with the potential of finding an alternative route to the listed Mill House.

Once again we are back to detail or a lack of detail, in respect of water control and management.

Please do not approve any planning, until a formal water management process is designed and approved by regulatory authorities. I suggest these to be Waterways, Environmental authorities, and or building regulators. I believe it would be a catastrophic error to allow this site to be approved with this indicative idea of water control.

13. I firmly believe that the attenuation basins (easterly basin already questioned for its practicality) will very quickly fill to capacity, at high water level periods. If this occurred it would almost certainly flood onto Ridley Green garages, and homes, due to their close proximity to the south west corner of the new site.

I consider these points as another reason or as p[art of any collective reason to refuse the application. I would ask that no approvals are granted until this very (in my view) dubious water management process is designed and approved by the appropriate authorities. Before any approvals are granted.

Mill Lane in Felsted,

Further downstream approximately 2Km. The river passes under another bridge, on the road between Felsted and North End. The river runs parallel to the road in part, whilst there is very little difference between the normal river levels and the road surface in places. Once the water reaches a maximum height, it naturally overflows onto the road surface, surrounding verges and fields, making the road impassable. Flood levels can reach 1mtr above the road surface, and spread up to 150/200mtrs along the road.

This low point, floods at more regularly intervals than those near the proposed site. When Mill lane floods, vehicles attempt to pass through, often getting stuck in the middle of a 100-200 meter stretch of water over the road.

Cars are usually water damaged, and can cause pollution, and environmental damage once stranded, as is often the case.

Emergency services, Fire, Ambulance, and Police are often needed to rescue people, cars, pets etc from these floods. Taking away their resource from other emergencies, whilst waters are causing considerable road surface, verge, services damage in the locality. Adding costs and time to the already overstretched local authorities and highways departments.

Research tells me and I am advised that a planning objection can be upheld, if there is an increased flood/damage risk, downstream. As a result of increased volumes of water or loads imposed on the waterways, as a result of a new development.

I fail to see how this can be disputed and, that this is another serious reason to refuse permission for this development. I hope and trust the inspectorate agree.

Section 8: Amenities.

Schools: - There is a significant shortage of school places available in the areas. There is no provision in this application to assist or improve this.

Therefore, it seems obvious to conclude that all this development will achieve, is a worsening of the demand for places. Further adding to the use of private vehicles to transfer children to or from schools further afield, if the application was approved.

School bus: - There is one such bus which transfers the children to and from the nearest Dunmow Comprehensive School, approx. 8-mile trip each way. But it is this same school that I understand to be oversubscribed, at its limits.

Public Transport; - There is only one very infrequent bus service, the 16.

It only passes in each direction twice daily. The service and times are not suited to serve people going to or from work normal times, nor to serve children school hours.

The north bound bus **only** serves the out-lying villages, returning back to Chelmsford when southbound, again twice daily only.

Furthermore, I must point out this is hardly a reason to move or build another bus stop and endorses my view that the bus stop exercise is again only a "dressing up" of the application.

Doctors Surgeries: -

There is a plan afoot, for a new Felsted surgery to be built to serve Felsted and its outlying communities, hamlets etc. this is planned and approved on a current new development under construction in Felsted itself.

I would hope and assume it to have spare capacity to serve new developments such as this proposal, due to it being a new surgery.

However, it is still in a planning/construction phase and could not serve additional residents until it is completed.

Presumably it would be fair to argue that this site should not be approved until the new surgery is operational and can confirm its ability to handle the additional circa 200 residents from this site.

The alternative would mean new residents would have to register further afield, Braintree, Chelmsford or Dunmow, again the only practical mode of transport to these facilities would be private car or Taxi. Not ideal in my view.

The word on the street is that there are problems with the proposed surgery in that the health authority have issues with its design and scale. I have it on good authority, this is the current situation.

This being the case, I believe there to be a further argument for this application to be refused, due to the lack of available local doctor's surgery places.

Section 9: Final conclusion:-

My wife and I believe this to be a poor proposal by reason of it being located in an unsustainable location, on a green field, with serious highways and flooding issues. For all the above reasons we believe that this application should be refused.

We thank the Inspector for their attention.

Yours sincerely

Mr Alan Hookway
For himself and on behalf of Mrs Wendy Hookway

Photographs of Road







Photographs re Flooding

