

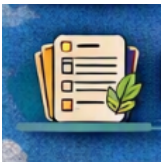
If you object to Bellways **Lower Wyburns Farm** Planning Application 26/00538/FUL and want your voice heard, having an evidence based objection is more successful.

1. Choose which area you are most concerned about



Effects On The Local Area

If you live in and around Rayleigh, [read this section](#)



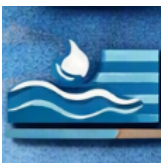
Planning Policy Compliance

If you want to know if the planning rules are being followed, [read this section](#)



Site Access And Community Disruption

If you live in, near, or on route to Daws Heath Road and Lower Wyburns Farm, [read this section](#)



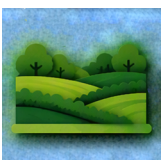
Flooding And Drainage Concerns

If you live close to Lower Wyburns Farm, [read this section](#)



Eastwood Brook (Locals Footing The Bill)

If you live near Eastwood Brook, or it runs through your property, [definitely read this section](#)



Grey Belt Assessment

If you don't want to lose our Green Belt, [read this section](#)

2. Once you have read and choose one or more objection paragraphs that most suits your concerns

Use the information to create your objection through the planning portal. [Link](#)

Or

Write your email or use the template below. Copy and paste the section/s you want to use into the content area.

Send planning application objection emails to planning.applications@rochford.gov.uk

Title: Object to Planning Application 26/00538/FUL

Dear Rochford Planning Office

I object to the planning application 26/00538/FUL for the following reasons:

Paste Content Here

Regards

Name:

Address:



Effects on the local area

1. Traffic Bottlenecks on Daws Heath Road

The Developer's Claim: The developer's traffic models claim that the extra traffic from the 94 homes will be "immaterial" and "cannot be considered severe" during peak rush hours. They argue that local roads can easily absorb the extra vehicles.

The Reality: The developer's own environmental and noise reports reveal that the project will add an extra 794 daily car journeys (AADT) to local roads. Most of this traffic—537 vehicle trips per day—will head north directly into Rayleigh. Specifically, during busy periods, daily traffic on the northern stretch of Daws Heath Road is projected to jump from 1,334 to 1,881 vehicles. This represents a 41% increase in traffic on a narrow road that local residents already flag as heavily congested.

Why it matters to local residents: Adding nearly 800 daily car journeys to Daws Heath Road will create permanent bumper-to-back traffic, extend the morning school run, and increase vehicle fumes outside local front doors.

Documents to cite in your letter:

Air Quality Assessment, Section 2.10 and Section 5.13 (Page 31).

Noise Assessment Report, Section 5.3 (Table 5-1: Traffic Flows).

Statement of Community Involvement, Page 14 (Traffic Congestion Concerns).

2. School and Healthcare Capacity Pushed Beyond the Limit

The Developer's Claim: They claim there is plenty of space in local primary schools and that Rayleigh's doctors can easily absorb the estimated 226 new residents. They also state they are contributing financial payments through a Section 106 agreement to support local services.

The Reality: While primary schools currently have a small surplus, Rayleigh's secondary schools are already completely over-capacity. Local planning data shows that secondary schools within a 3-mile radius of the site are collectively over-subscribed by 29 pupils. Specifically, The Eastwood Academy is operating at a staggering 173 pupils over its physical capacity limit. Furthermore, the developer contacted *only one* local GP surgery (Audley Mills) and completely ignored or received no response from other local practices (Grace House Surgery, Rayleigh Clinic, and William Harvey Surgery). No new school places or doctor's surgeries are being built on-site.

Why it matters to local residents: Rayleigh's public services are already at a breaking point. Flooding the town with more families without building new secondary school classrooms or physical GP surgeries will lengthen doctor waiting times and force local children to commute miles away for their education.

Documents to cite in your letter:

Supporting Document - Social Infrastructure Audit, Section 5.9 (Table 5.3: Secondary School Over-Capacity) and Section 6.2.

Supporting Document - Health Impact Assessment, Section 6.1 (Neutral Educational Impact) and Section 7.6 (No On-Site Health Facilities).

Statement of Community Involvement, Page 12 (Consultation Gaps).

3. No Assessment of the Local Recycling Centre

The Developer's Claim: The developer argues that the site is highly sustainable and has assessed all key social infrastructure in the area to ensure local facilities can cope.

The Reality: The developer's reports completely omit any assessment of Rayleigh's local waste infrastructure. In their site search, the developer actually listed the Castle Road Recycling Centre (Site BF05) as an alternative plot of land they could build housing on. They failed to analyze how adding 94 households—which will generate tonnes of extra household waste—will impact the capacity of the already congested Castle Road tip, which the Council's New Local Plan lists as a vital community asset.

Why it matters to local residents: Neglecting to assess waste capacity means residents will face longer queues, traffic gridlock, and increased pressure on Rayleigh's only recycling centre.

Documents to cite in your letter:

Planning Statement, Appendix Table C.1 (Site BF05: Castle Road Recycling Centre).

Rochford New Local Plan - Spatial Options Consultation Paper, Section "Community and Other Facilities" (Waste and Recycling).

4. Hidden Financial Costs Dumped on Taxpayers and Homeowners

The Developer's Claim: The developer claims the project is economically beneficial and will bring £250,000 in local spending per year.

The Reality: The technical utility and legal reports reveal several hidden financial penalties that will be dumped directly on local residents and new buyers:

1. Private Management Fees: Because Rochford Council and Anglian Water may refuse to adopt the estate's complex underground drainage crates, private roads, and sewage pumping station, these systems will be handed over to a private Management Company. Future homeowners will be locked into paying high, uncapped annual service fees to maintain these systems.
2. Ditch Clearing Bills for Neighbors: The flood authority warned that the roadside ditches on Daws Heath Road must be cleared to prevent the highway from flooding. However, the developer's consultant explicitly stated that clearing these is the riparian responsibility of the neighboring private residents, effectively forcing existing homeowners to pay out of their own pockets to clear ditches blocked by the developer's runoff.

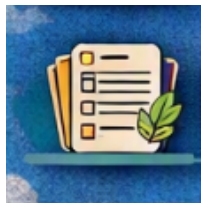
3. Direct Administrative Fees: Anglian Water's pre-planning report sets out high developer sewerage infrastructure charges of £403.00 per home, plus a £84.00 audit charge per premises under their new incentive scheme. Crucially, they note that any neighboring resident wishing to request maps of the new sewers being dug near their land will be billed an administrative charge.

Why it matters to local residents: Rayleigh residents are expected to carry the physical and financial risks of this development—whether through paying private estate fees, funding highway drainage clearance on their own boundaries, or paying administrative utility bills.

Documents to cite in your letter:

- a. *Flood Risk Assessment and Drainage Strategy*, Section 9.34 (Management Company SuDS), Section 11.9 (Foul Pumping Station), and Appendix H (LLFA Minutes, Item 2.1.10).
- b. *Supporting Document - Utilities Statement Appendices Part 1*, Page 2 (Anglian Water Fees) and Page 3 (EIS Audit Charges & Public Map Charges).

[Back to Top](#)



Planning Policy Compliance

1. Excessive Garden Noise Levels

The Developer's Claim: The developer says the homes will be quiet, comfortable, and designed to shield gardens from traffic noise.

The Reality: The developer's own noise report admits that one in four private gardens (25%) on the site - especially those near the busy A127 road - will suffer from noise levels that exceed the maximum public health safety limit of 55 decibels. To try and mask this, they want to put up giant 3-metre (10-foot) tall acoustic barriers and 2.4-metre (8-foot) fences. This will block natural light and make these gardens feel like walled enclosures, and yet the noise will *still* be too loud.

Why it matters to residents: Families and children shouldn't be forced to play in gardens with noise levels that exceed safety guidelines, nor should the neighborhood be dominated by unsightly 10-foot boundary walls.

Reference to cite: *Noise Assessment Report*, Section 7.22–7.23, Section 8.8–8.10, and Figure 7-3 (Pages 18, 21, & 19).

2. Danger for Pedestrians, Children, and Cyclists

The Developer's Claim: They claim they are providing safe, attractive walking and cycling routes that connect smoothly with local paths.

The Reality: An official, independent Road Safety Audit raised severe warnings about the layout:

1. Blind Crossing: The visibility line for the uncontrolled pedestrian crossing (which connects the southern homes to the northern play areas) is drawn incorrectly. Drivers won't be able to see pedestrians properly as they approach the bend on Daws Heath Road.
2. Blocked Pavements: A physical telegraph pole sits directly in the middle of the new pavement they want to build along Daws Heath Road, blocking wheelchairs and pushchairs.
3. Unsafe Cycle Route: The developer claims cyclists can ride safely onto the A127 path. However, the safety auditor confirmed that this path is legally restricted to pedestrians only. Cyclists will either be forced onto a footpath illegally or dumped directly onto the fast-moving A127 dual carriageway.

Why it matters to residents: This is a major safety risk. Children crossing the road to go to the play areas will be put in direct danger because of poor visibility, and cycle pathways are legally non-existent.

Reference to cite: *Transport Assessment Appendices Part 2 – Stage 1 Road Safety Audit* (Page 8, Problems 4.1, 4.2 & Observations).

3. Affordable Homes Do Not Match What Local People Need

The Developer's Claim: They say they are providing 50% affordable housing to help local people.

The Reality: The Council's official Housing Officer has formally objected to this scheme because the types of affordable homes do not match what local people on the waiting list actually need. The Council's register shows an acute demand for 1-bedroom starter homes (31%). However, the developer is only allocating 17% of their affordable homes to 1-beds. Conversely, they are over-providing larger 2-bedroom homes (40% of their mix vs. the local need of 29%).

Why it matters to residents: Affordable housing is useless if it is the wrong type. By building fewer 1-bedroom starter homes, the developer is failing young local residents and low-income individuals trying to get onto the housing ladder.

Reference to cite: *RDC Housing Officer Consultation Response*, cross-referenced with *Planning Statement*, Table 4.2 (Page 12).

4. Flight Path Safety Concerns (Airport Holding Objection)

The Developer's Claim: The developer suggests the nearby airport is not an issue.

The Reality: London Southend Airport (LSA) has issued a formal holding objection to block this development. They state that the developer has completely omitted critical safety information required to protect flight paths. Specifically, the developer has failed to provide:

- a. An Instrument Flight Procedure Assessment to prove the houses won't interfere with airport radar and flight procedures.
- b. A solar glare assessment to prove that reflections from the proposed rooftop solar panels won't blind pilots during takeoff and landing.
- c. A lighting assessment to prove street lights won't distract pilots at night.

Why it matters to residents: Air safety is non-negotiable. Building homes under or near airport flight paths without completing mandatory aviation safety clearances is a massive public safety risk.

Reference to cite: *Consultation Response* – London Southend Airport (Pages 1 & 2).

5. The Fossil Fuel Connection Contradiction

The Developer's Claim: The developer's environmental and health reports proudly boast that this development will be "completely gas-free" to protect the environment and combat climate change.

The Reality: If you open the actual detailed house blueprints submitted by the developer, the ground floor plans for house types (such as 'The Philosopher') explicitly show utility connections labeled "Elec Gas" and outline on-plot gas meter boxes.

Why it matters to residents: This is a major contradiction. The developer is trying to win green credentials and approval from the council by claiming the site is gas-free, while their actual building plans show they may still be hooking up fossil fuel gas lines.

Reference to cite: *Health Impact Assessment* (Page 3) & *Utilities Statement* (Executive Summary) vs. *Design and Access Statement Part 2* ('The Philosopher' House Type Plan).

6. Giant Noise Walls Will Kill Mature Trees

The Developer's Claim: They claim they will protect the mature tree lines and hedgerows along the southern boundary as they act as a natural screen.

The Reality: To make the gardens quiet enough to meet regulations, the developer must build a heavy 3-metre-high acoustic wall along this exact southern boundary. However, the tree protection report completely ignores the physical damage this wall will cause. Digging deep foundations and erecting heavy fence posts directly inside the root protection zones of these mature trees will severely damage or kill them.

Why it matters to residents: These trees are a vital habitat for local wildlife and help shield Daws Heath Road from A127 pollution and noise. Losing this green buffer because of uncoordinated planning reports is unacceptable.

Reference to cite: *Noise Assessment Report*, Section 8.8 vs. *Tree Report-Plan - Arboricultural Impact Assessment*.

7. The Fake "Net-Zero" Green Energy Claim

The Developer's Claim: The developer boasts that this is a highly sustainable, green development built to meet the upcoming "Future Homes Standard". They claim that they will drastically cut carbon emissions by using modern air source heat pumps and rooftop solar panels.

The Reality: Rochford Council's climate policies are very strict: emerging rules state that all new-build homes must be 100% "Net-Zero" in operation. This means the solar panels on the roofs must generate enough clean electricity to match or exceed the homes' total energy use over the year. However, the developer's own reports admit that their proposed solar panels will only generate 76% of the site-wide energy demand. This leaves a 24% clean energy shortfall. Even worse, they have completely omitted the detailed calculations required to prove the houses meet the council's strict limits on heat loss and overall energy usage.

Why it matters to residents: The developer is trying to score "green points" with the planning committee by branding this as an eco-friendly estate, but they are failing to actually meet local Net-Zero standards. If they are allowed to cut corners on solar panels now, future homeowners will be left paying higher energy bills, and Rayleigh will miss out on the vital environmental protections the council promised.

Documents to cite in your letter:

AES Energy & Sustainability Statement, Section 7.3 (Table 12, Page 28), Section 7.7–7.8 (Page 30), and Section 10 (Conclusions, Pages 33–34).

Rochford Emerging Local Plan, Policy SC2 (Operational Energy and Carbon).

[Back to Top](#)



Site Access and Community Disruption

1. Blind Pedestrian Crossing (Dangerous Route to Play Areas)

The Developer's Claim: They are building safe, attractive walking paths that connect the new housing estate on the south side of Daws Heath Road to the public open space and children's play area on the north side.

The Reality: The independent Road Safety Audit revealed that the visibility splay (the line of sight a driver has to see someone waiting to cross) for the uncontrolled crossing point is drawn incorrectly. It does not align with the natural curve of the road kerb. Because of this error, drivers rounding the bend on Daws Heath Road will have a severely restricted view of pedestrians.

Why it matters to residents: Children and parents walking from their new homes to the play area opposite will be forced to cross a busy road at a point where oncoming drivers cannot see them properly, creating an immediate risk of serious accidents.

Document to cite in your letter: *Transport Assessment Appendices Part 2 (Stage 1 Road Safety Audit)*, Section 4.1 (Observation 4.1).

2. Pitch-Black Main Junction and Crossing

The Developer's Claim: The new main entrance road and pedestrian crossing on Daws Heath Road are perfectly designed to be safe for all road users.

The Reality: Safety auditors warned that the existing streetlights on Daws Heath Road stop completely outside house number 202. This means the entire crossing area, the primary road junction, and the footpaths will be left in total darkness at night. This danger is made even worse by the dense, overhanging tree canopy in the area. The developer simply "acknowledged" this but has put forward no design to fix or fund new street lighting.

Why it matters to residents: A major new residential junction and pedestrian crossing left completely unlit on an active road is an extreme hazard for evening drivers, school children, and dog walkers during the winter months.

Document to cite in your letter: *Transport Assessment Appendices Part 2 (Stage 1 Road Safety Audit)*, Section 3.1 (Problem 3.1).

3. The Blocked Pavement (Wheelchair and Pushchair Obstruction)

The Developer's Claim: They are extending and widening the pavements along Daws Heath Road to make walking to school and local bus stops easy and accessible for everyone.

The Reality: The architectural plans show that a heavy wooden telegraph pole sits directly inside the physical space where the developer wants to tie in the new pavement. The safety audit flags this as a direct obstruction.

Why it matters to residents: If built as planned, the new pavement will be physically blocked by a massive utility pole. This will force wheelchair users, parents with double pushchairs, and disabled residents to step off the pavement and onto the live carriageway of Daws Heath Road to get around it.

Document to cite in your letter: *Transport Assessment Appendices Part 2 (Stage 1 Road Safety Audit)*, Section 4.2 (Observation 4.2).

4. Massive Construction Trucks on Quiet Rayleigh Streets

The Developer's Claim: Construction traffic will be tightly managed, and heavy goods vehicles (HGVs) will use strategic major roads to avoid disturbing the community.

The Reality: The developer's Construction Management Plan reveals a highly disruptive "Western Routing Plan". This plan directs heavy, noisy construction trucks off the busy Rayleigh Weir junction, straight up High Road, across Castle Road, and down Daws Heath Road. Furthermore, the report admits that for the largest trucks, they might try to create a temporary access point directly off the high-speed A127 dual carriageway—yet they have submitted absolutely no safety designs, traffic assessments, or official approvals to prove this is even legally possible.

Why it matters to residents: Quiet, residential streets like Castle Road and Daws Heath Road—which are structurally narrow and lined with houses—will be subject to a constant stream of multi-ton construction vehicles. This will cause noise, structural vibrations, and traffic gridlock.

Document to cite in your letter: *Supporting Document - Construction Management Plan*, Chapter 4, Section 4.3 and Figure 4.2 (Western Routing Plan).

5. Zero Construction Worker Parking (Street Parking Chaos)

The Developer's Claim: They will discourage workers from driving to the site to prevent parking problems on local streets.

The Reality: The construction plan states that there will be "limited separate parking provided for construction workers on the Site". Instead, they claim workers will simply walk, cycle, or catch the train.

Why it matters to residents: Realistically, construction workers carrying heavy tools, machinery, and equipment cannot commute by public transport. With almost no parking allowed on the secure site, dozens of workers' private cars, vans, and utility vehicles will be forced to park on Daws Heath Road and surrounding residential streets daily, turning local roads into a single-lane bottleneck.

Document to cite in your letter: *Supporting Document - Construction Management Plan*, Chapter 4, Section 4.15 (Worker Access).

6. Dust, Clay, and Air Pollution Risk

The Developer's Claim: Dust and air pollution during the construction of the houses will be "not significant".

The Reality: The developer's official Air Quality Assessment grades the unmitigated risk of dust and soil tracking during earthworks and construction as "Medium to High". The site sits on a heavy clay-based soil. Clay is highly prone to breaking down into microscopic dust particles when dry and windy, which easily hang in the air and travel long distances.

Why it matters to residents: Wyburns Primary School and Toad Hall Day Nursery sit directly adjacent to the site boundary. A "Medium to High" risk of dust tracking means that toxic clay dust and PM10 soot particles could blow directly onto school playing fields, classroom windows, and local residential gardens, presenting a major respiratory hazard for young children and elderly residents.

Document to cite in your letter: *Air Quality Assessment-Report*, Section 5.11 (Table 5-7: Summary of Potential Unmitigated Dust Risks) and Section 8.1 (Table 8-1: Soil Type).



Flooding and Drainage Concerns

1. Located in a High-Risk "Critical Drainage Area"

The Developer's Claim: The developer claims that because the houses are located on the southern parcel (which is technically in "Flood Zone 1"), the risk of flooding is very low and they do not need to perform a Sequential Test to find a safer site.

The Reality: The entire development site is located within a designated Critical Drainage Area. This means Rayleigh's local drainage network is already at a breaking point and cannot handle extra stormwater. In fact, during pre-application meetings, the Lead Local Flood Authority (LLFA) had to step in and block the developer's initial, less restrictive plan ("flow matching") because it would have severely worsened the flooding risk downstream. The developer is now forced to meet a highly restrictive limit of releasing only 7.4 litres of water per second from the site during storms.

Why it matters to residents: Adding 94 homes, roads, driveways, and pavements will permanently replace open fields with impermeable concrete, creating massive amounts of surface water runoff in a zone that is already officially classified as critically vulnerable to flooding.

Documents to cite in your letter:

Flood Risk Assessment and Drainage Strategy (April 2026), Sections 1.3, 5.25, and Appendix H (LLFA Minutes, Items 2.1.12–2.1.13).

Rochford Core Strategy Policy ENV4 (Sustainable Drainage Systems) and *NPPF Policy F4 (Assessing Flood Risk)*.

2. Existing Highway Flooding on Daws Heath Road Left Unsolved

The Developer's Claim: The proposed new entrance road on Daws Heath Road is designed to be safe, and they have agreed with the flood authority on how to handle stormwater.

The Reality: The official meeting minutes reveal that Daws Heath Road already suffers from severe surface water flooding, and there are no drainage gullies or highway ditches along this stretch of road to carry water away. The flood authority asked the developer to clear the roadside ditches to help stop the road from drowning. However, the developer's consultant explicitly stated that this is the responsibility of neighboring residents ("riparian landowners") and has refused to take legal or financial responsibility for fixing this highway flooding as part of their application.

Why it matters to residents: Daws Heath Road will become even more dangerous. By adding a major new junction on a road that already regularly floods—without fixing the lack of street drainage—oncoming drivers and families walking to the northern park will be put in direct danger.

Documents to cite in your letter:

Flood Risk Assessment and Drainage Strategy (April 2026), Appendix H (LLFA Minutes, Items 2.1.7, 2.1.8, and 2.1.10).

Rochford Development Management Plan Policy DM28 (Sustainable Drainage Systems) and *NPPF Policy F7 (Ensuring Development is Safe)*.

3. Building on Untested Clay Soil

The Developer's Claim: Rainwater cannot soak naturally into the ground because the site sits on London Clay, so they must use heavy engineering to store the water in a basin and underground tanks instead.

The Reality: The developer's report admits that no physical soil or infiltration tests have actually been completed on-site. They have designed a massive stormwater network for 94 homes entirely on office-desk assumptions about the soil, without verifying the physical ground conditions.

Why it matters to residents: Designing a multi-million-pound drainage system for a critical flood area without drilling test holes to see how water actually behaves in the soil is extremely reckless. If their soil assumptions are wrong, the storage basins could fail, sending floodwater straight into adjacent properties.

Documents to cite in your letter:

Flood Risk Assessment and Drainage Strategy (April 2026), Section 4.4–4.6 and Section 9.4.

Rochford Development Management Plan Policy DM2 (Information Requirements) and *NPPF Policy P2 (Ground Conditions)*.

4. Heavy Reliance on Buried "Plastic Crate" Storage

The Developer's Claim: They are using a "landscape-led approach" with an attractive above-ground drainage basin to manage rainwater.

The Reality: Rochford Council and Essex County Council rules strictly demand that developers use green, above-ground natural features (like swales, wetlands, and open ponds) because they are reliable, support wildlife, and are easy to maintain. However, because the developer is cramming 94 homes onto the southern parcel, they do not have enough space for natural drainage. To bypass this, they are using a massive buried geocellular plastic tank (storage crates) to hold 123 cubic metres of water underground.

Why it matters to residents: Underground plastic storage crates are highly artificial, prone to clogging with silt, and expensive for management companies to maintain. When these buried plastic tanks block or fail, they offer no warning before surface water backs up and floods local streets.

Documents to cite in your letter:

Flood Risk Assessment and Drainage Strategy (April 2026), Section 9.7, Section 9.34, and Appendix F (Proposed Drainage Strategy Map Notes).

5. Threat of Toxic Runoff Polluting Eastwood Brook

The Developer's Claim: The sustainable drainage system (SuDS) will adequately filter any polluted water before it leaves the site.

The Reality: Eastwood Brook runs directly along the northern boundary of the site. Rainwater washing over the new housing estate's roads, roofs, and car parks will pick up toxic car oil, brake dust, heavy metals, and silt. The developer's plan is to dump this water directly into the Eastwood Brook. Because Eastwood Brook connects directly to the River Roach and the Essex Estuaries Special Area of Conservation (SAC), any failure in water treatment will wash toxic runoff straight into an internationally protected wildlife sanctuary.

Why it matters to residents: Any pollution or silt flowing into the Eastwood Brook directly threatens Rayleigh's local wildlife, kills aquatic habitats, and risks violating strict international laws protecting coastal estuaries.

Documents to cite in your letter:

Shadow Habitats Regulations Assessment (sHRA), Stage 1 / Stage 2 Appropriate Assessment and Section 4 (Water Quality).

Rochford Core Strategy Policy ENV1 (Protection of Ecological Sites) and *NPPF Policy P3 (Living Conditions and Pollution)*.

[Back to Top](#)



Eastwood Brook (Locals Footing The Bill)

1. Shifting the Cost and Liability of Highway Flooding onto Private Homeowners

The Technical Flaw: Daws Heath Road suffers from severe surface water flooding because there are no council drainage gullies or highway ditches on this stretch of road. To try and resolve this, the Lead Local Flood Authority (LLFA) asked the developer to clear the roadside ditches. However, because those roadside ditches are on private land, they legally fall under the riparian responsibility of the neighboring property owners, not the council or the developer. The developer has refused to take responsibility for clearing these off-site ditches, leaving the entire physical and financial burden on local residents.

Why it matters to local residents (in plain English): The developer is building a major new junction and entrance road that will dump dozens of cars daily onto a flooded stretch of Daws Heath Road. Instead of paying to upgrade the road's drainage, the developer is exploiting a legal loophole: since neighboring residents technically "own" the roadside ditches under riparian law, the developer is

leaving the ditches choked. If the road floods or if the increased traffic damages the banks of the ditch, local property owners—not the developer—could face costly enforcement action from the council to clear the blockages or repair the road.

Documents to cite in your letter: *Flood Risk Assessment and Drainage Strategy*, Section 2.1.8, Section 2.1.10, and Section 2.1.11 (Appendix H: LLFA Minutes).

2. Construction Pollution Washing Onto Downstream Private Properties

The Technical Flaw: Eastwood Brook runs along the northern edge of the site. Because the development site sits on highly unstable clay soils, the risk of clay silt, wet concrete washings, fuel spills, and sewage washing off the construction site is graded as "Medium to High". While the developer is supposed to follow a "Pollution Prevention" safeguard (known as MC5) to keep chemicals and refuelling stations at least 10 metres away from the water, any failure during construction will wash directly into the brook.

Why it matters to local residents (in plain English): If Eastwood Brook runs through or behind your garden, you are legally responsible for the ecological health of that stretch of the river. If the developer suffers a spill (and the area has a history of minor sewage and oil discharges), the toxic runoff will wash straight onto your property. Not only could this poison your garden, lawn, and local wildlife, but as the riparian owner, you could find yourself caught up in complex, stressful Environment Agency investigations to prove you weren't the source of the pollution.

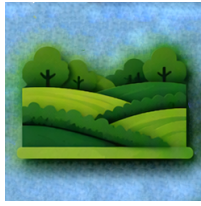
Documents to cite in your letter: *Preliminary Ecological Appraisal*, Section 6.1.10 (Safeguard MC5 - Pollution Prevention) and *Supporting Document - Shadow HRA*, Section 3 (Water Quality).

3. Running a Sewage Pipe and Building a Bridge Over/Under the Brook

The Technical Flaw: To deal with the estate's sewage, the developer wants to pump foul water to the northwest. Their utility map notes a "proposed rising main potentially going over or under the main river [Eastwood Brook]". They also plan to build a foot/cycle bridge over the brook, which requires digging foundations and sinking 300mm support posts directly into the river banks.

Why it matters to local residents (in plain English): Sinking heavy concrete bridge supports and tunneling high-pressure sewage pipes under or over Eastwood Brook can structurally weaken the river banks. If the banks erode, collapse, or if the sewage pipe bursts, raw sewage will flood the brook and wash directly onto your private land downstream. Because the developer plans to hand these systems over to a private management company rather than the local council, residents may face a logistical nightmare trying to get a private firm to pay for clean-up and bank repairs on their land.

Documents to cite in your letter: *Flood Risk Assessment and Drainage Strategy*, Appendix F (Proposed Drainage Strategy Map Notes, Item 2), *Preliminary Ecological Appraisal*, Section 4.7 (Page 20), and *Tree Report-Plan (Arboricultural Impact Assessment)*, Appendix 4 (TPP).



Grey Belt Assessment

1. Direct Contradiction of the Council's Own Green Belt Evidence

The Developer's Claim: The applicant's consultant argues that the site has a "weak" contribution to preventing urban sprawl (Purpose A) and preventing Rayleigh and Southend-on-Sea from merging (Purpose B). Based on this, they label the land as "grey belt".

The Policy Reality: The National Planning Policy Framework (NPPF) defines grey belt as land that *"does not strongly contribute"* to checking sprawl, preventing towns from merging, or preserving the setting of historic towns. However, Rochford Council's official Joint Green Belt Study (2020)—which forms the statutory evidence base for the Local Plan—concludes the exact opposite for this specific site (referred to as Sites 68 and 69):

- a. It states that the site makes a "strong contribution to preventing sprawl from the large built-up area".
- b. It concludes that the site makes a "moderate contribution to preventing the merging of towns".
- c. It warns that releasing any land within this site from the Green Belt would result in "Moderate-High Harm".

Why it's a fatal flaw: Under the strict NPPF definition, because the Council's official baseline study rates this land as a "strong contributor" to Green Belt purposes, it is legally disqualified from being designated as grey belt. The developer is attempting to override the Council's independent strategic evidence with a self-serving, privately commissioned assessment.

2. Developing Greenfield Open Countryside Under a "Brownfield" Narrative

The Developer's Claim: The developer relies heavily on the presence of a few existing farm sheds, stables, and areas of hardstanding to argue that the site contains a "significant quantum of previously developed land" (brownfield), making it an ideal candidate for grey belt development.

The Policy Reality: The independent Agricultural Land Classification (ALC) Assessment submitted with the application reveals that 69% of the site (3.18 Hectares) is open greenfield agricultural land (Grade 3b paddocks and fields). Only 31% is occupied by farm buildings, caravans, or urban hardstanding.

Why it's a fatal flaw: The developer is using the "previously developed land" (PDL) label as a Trojan horse. While they use the farmyard buildings to justify the grey belt label, their actual master plan

builds 94 houses directly over the semi-rural greenfield paddocks on the eastern side of the southern parcel, where currently there is no development. This de facto eradication of open countryside violates Core Strategy objectives to preserve Green Belt openness.

3. Failure to Satisfy Footnote 7 Safeguards (Environmental Losses)

The Developer's Claim: The applicant asserts that there are no "Footnote 7" constraints (such as flood risk, heritage issues, or ecological threats) that would block the site from being classed as grey belt.

The Policy Reality: The NPPF explicitly states that grey belt excludes any land where the application of policies protecting assets of particular importance (Footnote 7) provides a strong reason for refusing development. The developer's own technical reports trigger severe Footnote 7 conflicts:

- a. **Microscopic Biodiversity Loss:** The developer's Preliminary Biodiversity Net Gain (BNG) Assessment admits that the physical construction on-site will result in a staggering -42.70% net loss of on-site habitats (-12.96 habitat units). Because they are destroying so much natural habitat, they fail the mandatory statutory BNG trading rules.
- b. **Threat to Protected Estuaries:** The Shadow Habitats Regulations Assessment (sHRA) admits that, without complex mitigation, the development is predicted to cause *"likely significant in-combination effects"* regarding water pollution and recreational disturbance on internationally protected coastal habitats (the Essex Estuaries Special Area of Conservation).

Why it's a fatal flaw: A site that causes a 42% collapse in local biodiversity and poses a verified threat to protected European marine habitats does not meet the high environmental thresholds required to qualify as "not inappropriate" grey belt development.

4. Breach of the Golden Rules (Unsafe, Non-Adjoining Green Space)

The Developer's Claim: The developer claims they are meeting the Green Belt "Golden Rules" by providing public green space (a park and children's play area).

The Policy Reality: Under NPPF Policy GB8 (The Golden Rules), major housing developments on grey belt land must provide *new good quality green space accessible to the public where new residents are able to access it within a short, safe walk of their homes*.

The Design Flaw: The developer has crammed all 94 homes onto the Southern Parcel, while locating the main public green space and play area (LEAP) entirely on the Northern Parcel. These two parcels are physically bisected by Daws Heath Road.

Why it's a fatal flaw: To access their "accessible" park, children and parents must cross Daws Heath Road. The official Stage 1 Road Safety Audit warns that this uncontrolled crossing point is highly dangerous: it has an incorrectly constructed visibility splay and is left in complete darkness at night because streetlights terminate before the crossing. Forcing families to cross a dark, high-risk arterial road to access their designated green space directly breaches the Golden Rule requiring a safe, short, and accessible walk to community space.

[Back to Top](#)