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Your ref 24/00864/FUL  
Our ref MJH/MC/R16 BRENTWOOD & PILGRIMS HATCH ACTION GROUP 276832.0001  
Date 18 September 2024

Dear Sirs/Mesdames

**Planning Reference:** 24/00864/FUL  
**Application:** Construction of 182 new homes, access from Doddinghurst Road, associated public open space, landscaping and other infrastructure  
**Site:** Land At Doddinghurst Road Doddinghurst Road Pilgrims Hatch Essex  
**Our Client:** R16 Brentwood and Pilgrims Hatch Action Group

We have been instructed by R16 Brentwood and Pilgrims Hatch Action Group ("the Action Group") to **OBJECT** to the abovementioned application. The reasons for our client's objection are set out below.

### Background

Site R16 comprises two parcels of land from Doddinghurst Road either side of the A12. The parcel of land to the North of the A12 (the Pilgrims Hatch side) is a field used for the keeping/grazing of horses, and the parcel of land to the South of the A12 (the Brentwood side) is a diverse woodland. Both parcels of land are home to many animals including; badgers, foxes, bats (which are European Protected Species), deer, horses and dormice. The wooded area has open glades, shrubs and a variety of trees including Oak, Ash, Birch, Hornbeam, Goat Willow and Poplar. These trees provide both a noise and air quality buffer. Site R16 also directly abuts the boundary of the Green Belt to the East.



## **Planning Policy**

The Application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. On behalf of our client, we say that when that exercise is undertaken it is clear that the Application should be refused.

The Development Plan comprises the Brentwood Local Plan 2016-2033. The Local Plan does allocate the Site for residential development (R16 on the Policies Map – hatched red). However, whilst allocated sites provide guidance for planning decisions, it does not mean that planning permission is guaranteed nor should planning permission be granted if the proposed development is not suitable in accordance with the Local Plan.

### Arboriculture / Landscaping

Policy NE03 (Trees, Woodlands, Hedgerows) serves to ensure that development proposals, so far as possible, seek to retain existing trees, woodland and hedgerows where they make a positive contribution to the local landscape. Wherever possible and appropriate, landscaping schemes should take account of and incorporate these existing features in the scheme and where any loss is unavoidable, incorporate measures to compensate for their loss.

### Wildlife and Habitat Protection / Protected Species

Policy NE01 (Protecting and Enhancing the Natural Environment) states that the Council will require development proposals to use natural resources prudently and protect and enhance the quality of the natural environment. It requires that all proposals should, wherever possible incorporate measures to secure a net gain in biodiversity, protect and enhance the network of habitats and species.

### Health

Policy MG04 concerns ensuring that new development is designed to promote good health. It requires a Health Impact Assessment (“HIA”) to be undertaken for applications that concern residential proposals of 50 or more. This policy requirement is engaged. The HIA should be prepared in accordance with the advice and best practice as published by Public Health England. The purpose of the HIA is to identify opportunities of positive health impacts and potential negative impacts and how they might be mitigated.

Where significant impacts are identified, planning permission will be refused unless reasonable mitigation or planning controls can be secured.

### Transport / Infrastructure

Policy BE12 (Mitigating the Transport Impacts of Development) provides that developments must not have an unacceptable impact on the transport network in terms of highways safety, capacity and congestion. New development proposals must be supported by travel plans, transport assessments, and must engage in an appropriate assessment process with National Highways where development has a likelihood to have a material impact on the Strategic Road Network.

Policy BE08 (Strategic Transport Infrastructure) provides that, in order to support and address the cumulative impacts of planned and other incremental growth, allocated development within the Local Plan and any other development proposals shall provide reasonable and proportionate contributions to required mitigations

measures to strategic transport infrastructure. This can include improvements to the highway network as deemed necessary by transport evidence or as agreed by National Highways and Essex County Council.

Policy BE14 (Creating Successful Places) provides that proposals will be required to meet high design standards and deliver safe, inclusive, attractive and accessible places. Policy BE14(l) specifically requires that proposals mitigate the impact of air, noise, vibration and light pollution from internal and external sources, especially in intrinsically dark landscapes and residential areas.

#### Air Quality

Policy NE08 (Air Quality) provides that development is required to meet national air quality standards and identify opportunities to improve air quality or mitigate local exceedances and impacts to an acceptable, legal and safe level. Development proposals must demonstrate that they will not (1) compromise the achievement of compliance targets within Air Quality Management Areas (AQMAs), (2) create new exceedance areas and (3) create unacceptable risk of high levels of exposure to poor air quality, particularly where development is near to, or promotes land uses to be used by those particularly vulnerable to poor air quality (such as children and older adults).

#### Noise

Policy BE14 confirms that any development proposal should, amongst other things, mitigate the impact of noise pollution from internal and external sources, especially in intrinsically dark landscape and residential areas. Such being an element of meeting/securing high standards of design and to deliver safe, inclusive, attractive and accessible places. Likewise, the NPPF sets out the need to secure high-quality design and a good standards of amenity for existing and future occupants of land and buildings – this includes ensuring that air quality and noise are secured to appropriate standards so as to not unreasonably impact the physical, social and mental health and wellbeing of communities.

The issue of noise pollution is also relevant to a number of other planning policies. For example,

- Policy NE03 (Trees, Woodlands, Hedgerows): trees, woodlands, hedges and hedgerows provide important habitats for a range of species, provide shelter, help reduce noise and atmospheric pollution and also store carbon dioxide, helping to mitigate against climate change.
- Policy BE08 (Strategic Transport Infrastructure): Sustainable transport is a key component of sustainable development. It contributes to improving air and noise quality, helps improve public health, provides safer environments for children, increases social interaction in the neighbourhoods and can save travel time by reducing congestion.
- Policy HP06 (Standards for new housing): states that appropriate amenity space should be provided which should be designed to allow effective and practical use of, and level access to, the space by (occupying) residents.

#### Drainage

Policy BE05 (Sustainable Drainage) requires all developments to incorporate appropriate Sustainable Drainage Systems (“SuDS”) for the disposal of surface water, flood risk or any adverse impact on water quality.

Development within areas identified as a Critical Drainage Area (“CDA”) on the policies map, should optimise the use of Sustainable Drainage Systems by providing an individually designed mitigation scheme to address

the site specific issues and risk, as informed by a site specific Flood Risk Assessment. Notably, Site R16 is identified as a CDA on the policies map.

Policy NE09 (Flood Risk) states that new development will be required to avoid areas of flood risk by applying the Sequential and, where necessary, the Exception Tests in accordance with national policy and guidance. Further, a site specific Flood Risk Assessment must assess all sources of flooding and demonstrate how flood risk will be managed over the development's lifetime.

#### Site R16

Policy R16 (Land off Doddinghurst Road) deals with the Site as an allocated site for "around 200 new homes". Its states that proposals should:-

- Provide vehicular access via Doddinghurst Road.
- Provide public open space as required by Policy NE05.
- Provide good pedestrian and cycle connections to routes identified in the Brentwood Cycle Action Plan or other relevant evidence.
- Provide appropriate landscaping and buffers along sensitive boundary adjoining the A12; and
- Provide improved bus service.

As the site is located within a CDA, it is required by Policy R16 that development should minimise and mitigate surface water run-off in line with Policy BE05 (Sustainable Drainage).

Policy R16 also provides that applicants will be required to make necessary financial contributions via planning obligations towards:-

- Off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with Policies MG05 and BE08 (such planning obligation will determine the level and timing of payments for these purposes); and
- "quietway" cycle routes connecting transfer hubs to schools in Brentwood Town Centre.

### **Representations / Objections**

Our client wishes to make the following representations in respect of the Application. They outline their concerns as to the Application and set out why, in their view, the Application should be refused.

#### Arboriculture

The Applicant has submitted an Arboricultural Impact Assessment Report ("the Arboricultural Report"). The Arboricultural Report was submitted with a view to providing sufficient information for the Local Planning Authority to consider the effect of the proposed development on local character from a tree perspective.

The report details that there are 44 trees and 8 groups of trees within or immediately adjacent to the Site. Most of the larger tree population located within the centre of the northern segment are categorised at moderate value.

Whilst it is accepted that, from the landscaping plan (drawing no. E8001\_L\_XX\_PL\_001 Rev PL2), the Applicant retains existing trees and strives to incorporate them into the scheme on the northern parcel of land, it is

unclear from the application how the applicant will protect the existing trees from damage through the duration of the development (if planning permission is obtained).

Our client therefore asserts that Policy NE03 is not met.

#### Wildlife and Habitat Protection / Protected Species

A Preliminary Ecological Appraisal dated May 2018 was submitted as part of the Application. This appraisal stated that a further survey for reptiles, foraging bats, breeding birds, invertebrates and badgers was recommended.

In the Ecological Impact Assessment dated 16 July 2024, it was noted that there are badgers within the Site boundary and that badgers are a legally protected animal under the Protection of Badgers Act. It was further noted that the Site is integral to the survival of two badger clans, the loss of which may be of importance to the borough.

It is noted in the Ecological Impact Assessment that, whilst no foraging habitat will be lost from the southern badger clan's territory, the separate badger clan in the northern parcel of the Site will permanently lose modified grassland, bramble scrub and neutral grassland which constitutes foraging habitat from within their territory.

In assessing the effect (disturbance or displacement) of the badgers in the northern part of the Site, the Ecological Impact Assessment notes that the badgers may be disturbed by noise, artificial lighting and vibration caused by construction activities.

It is not considered that the Ecological Impact Assessment provides adequate detail on what mitigation steps will be taken by the Applicant to avoid and/or mitigate the harm to the two badger clans on the Site but particularly, the badger clan on the northern part of the Site.

We understand that the Essex Badger Protection Group will be sending an objection letter to the Council in respect of this Application, and we ask that this letter is given due consideration.

It is also understood that there has been at least six bat species recorded within 2km of the Site within the past 10 years. Three of those species (soprano pipistrelle, brown long-eared bat and noctule) have been identified as potentially using the Site. British bats are legally protected by the Habitats Regulations and the Wildlife and Countryside Act 1981.

Whilst the Landscape Strategy provides for an enhanced habitat within the proposed development, it is noted in the Ecological Impact Assessment that, bat activity on the Site will likely reduce whilst habitat removal and construction work is underway.

Whilst the Council will undoubtedly acknowledge the presence of bats, it must also establish the extent to which those bats will, or might, be affected by the proposed development. There are a number of issues here.

Firstly, the loss of habitat will, of itself, have a permanent impact.

Secondly, any activity during breeding, rearing, hibernation and migration 'season' is more likely to constitute a material/considerable disturbance than at out times outside of those 'seasons'. It is acknowledged that any 'seasonal' impact will be greatest in its duration – i.e. during the relevant construction phase - but whilst that most significant impact will be temporary in nature (i.e. reduction in breeding pairs, birthing of 'pups' in that period) could have long-term and significant knock-on consequences.

Third, the proposed artificial lighting withing the northern part of the Site will result in a permanent negative effect on local bat populations. This will result in the exclusion of any light-averse species (the brown long-eared bat and myotis) that would usually use the Site. Additionally, even the species that are more tolerant to light will be negatively impacted by the artificial lighting at night – the artificial lighting around the residential development in the northern part of the Site has the potential to exclude bats from those habitats being retained or created for their benefit, and to result in the severance of habitat linkages with the wider landscape.

Similarly to the badgers, it is not considered that the Ecological Impact Assessment provides adequate detail as to any mitigation required and what steps will be taken by the Applicant to avoid and/or mitigate the harm to the bats on the Site.

The Ecological Impact Assessment notes that *“the desk study identified no records of dormouse occurring within 2km of the Site.* However, our clients asserts that there are dormice on the Site. A member of our clients Action Group contacted Mr Darren Tansey who is the Protected Species Manager at Essex Wildlife Trust and Chairman of the Essex and Suffolk Dormouse Group. It is our clients understanding that Mr Tansey placed the record of the dormice on the Site on the database at Essex Wildlife Trust which feeds into the National Biodiversity Network as well as to the County Mammal Recorder. We append email correspondence and photographic evidence in respect of the dormice to this letter.

The presence of dormice on the Site is a material issue for consideration as dormice are (1) rare and vulnerable to extinction and (2) dormice are protected under national and international legislation (namely, Schedule 5 of the Wildlife and Countryside Act 1981 and the European Protected Species under the Conservation of Habitats and Species Regulations 2010).

Dormice are a “Species of Principal Important for the conservation of biodiversity” listed under section 41 of the Natural Environment and Rural Communities Act 2006 (“the NERC”). Section 40 of the NERC places a duty to conserve and enhance biodiversity which includes consideration to the restoration and enhancement of species and habitat. Our client is concerned that, considering the Application does not even acknowledge that there are dormice living on the Site, that due consideration will not be given.

The Council in this case should consider the requirements set out in paragraph 185 of the NPPF for local planning authorities to aim to conserve and enhance biodiversity requiring planning policies and applications to *“promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”.*

Our client thus asserts that there is significant (i.e. material) issues in respect of wildlife and habitat and, as such, there is conflict with Policy NE01.

### Health

A Health Impact Assessment dated July 2024 was submitted as part of the Application. A HIA must deal with a number of health determinants as listed by the Essex Health Impact Assessment Checklist. Our client is particularly concerned about the loss of open, green space on the northern part of the Site.

Our client has considerable concerns in respect of increased pollution and the effect this will have on the physical health of local residents. These are discussed further below in relation to transport, infrastructure, air quality and noise quality.

However, the resultant loss of access to open green space and the detrimental impacts that loss will have on local residents' mental health and wellbeing is a point that our client wishes to raise and trusts that these items will be properly considered with due weight given to that impact when determining this Application.

For the above reasons, whilst the requirement under Policy MG04 to provide a HIA has been compiled with, the submitted information does not evidence demonstrable compliance with Policy MG04 (see also below).

#### Transport / Infrastructure

Doddington Road is a single carriageway road that feeds into the A128 trunk road. It is common for this road to become gridlocked especially in during morning rush hour and when Brentwood Centre holds events.

The infrastructure is simply not adequate to accommodate (1) an additional vehicular junction to provide access to the Site or (2) the additional 1-2 vehicles per dwelling for a 182-home development. The lack of suitable infrastructure does not appear to be considered, in conjunction with the proposed additional 182 homes and the additional traffic that will occur as a result, in the Transport Assessment dated July 2024 or Residential Travel Plan dated July 2024 submitted with the Application.

The issue of traffic and infrastructure is raised by a number of people who are objected to the development on the Brentwood Planning Portal. It is clear that this is a big concern of many local residents, and a concern that is not suitably dealt with within the Application.

Our client thus asserts that Policies BE08, BE12 and BE14 are not met.

#### Air Quality

The issue of air quality and the affect that the proposed development will have on the same is of significant concern to our client. The Site is next to the A12, and National Highways have stated that there will be increased traffic of 1,500 vehicles (9,000 instead of 7,500 at peak times – i.e. a potential additional 1,500 vehicles at peak times) when the works at Brook Street Roundabout (Junction 28 of the M25) are completed – this is a 30% increase. The National Highways Website states as follows:-

*“The M25 junction 28 plays a huge role in connecting the A12 and the M25, as well as providing access to Brentwood via the A1023. Up to 7,500 vehicles pass through the junction roundabout at peak times.*

*As it is operating at capacity, vehicles using the junction face congestion and delays, which effects local air quality. Our research shows that traffic is expected to increase in the area by around 30% by 2037, which means that over 9,000 vehicles could be passing through it by this date.”*

This increase is not addressed in the Air Quality Assessment dated July 2024 commissioned by the Applicant ('the AQA'). In determining the Application the Council should take care to ensure that all necessary and up-to-date information/evidence is available to it prior to making its decision. The AQA is therefore not up-to-date (i.e. it is deficient) and the Applicant should be required to address the deficiencies in the AQA prior to a decision being made.

The land between Site R16 and Ongar Road is an Air Quality Management Area ("AQMA") - one of just three in the borough (AQMA No. 4: A12/ Warescot Road/Hurstwood Avenue/Ongar Road). If approved, the proposed development will undoubtedly have a negative impact on the AQMA.

It is understood that one of the main monitors of the A12 underpass (BRW 37 – Vicinity of A12 railings at Hurstwood Avenue) was removed in 2016 as it was not seen as relevant to Brentwood's air quality report.

However, the removal of this monitoring device did not take the pollution away, it simply stopped recording it. The lack of this monitoring device is increasingly relevant now as it would have been on the corner of the plot within a few metres of the proposed development. Again, this is further cause to doubt the robustness of the AQA or indeed the impact of the development more generally.

A material mistake of fact is sufficient to render any decision unreliable, potentially to the point of unlawfulness, and we repeat earlier comments that the Council should take care to ensure that the evidence/information before it is robust (i.e. accurate, reliable and up-to-date) before any decision is made.

Regardless The Air Quality Assessment dated July 2024 states that the following mitigation measures will be put in place:-

- Cycle parking spaces will be provided at the Site;
- Electric vehicle charging points will be provided at the Site; and
- The proposed dwellings are to be set back from the A12 by approximately 15 metres to minimise NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> concentrations that the future occupants may be exposed to.

This mitigation is not sufficient when consideration is given to the increase in people and resultant increase in vehicles (i.e. private motor car) that a 182 dwelling development will bring. Further, and again, the proposed mitigation measures do not take into account the 1,500 additional vehicles once the works at Brook Street Roundabout (Junction 28 of the M25) are completed.

Issues of Air Quality are not only relevant but highly topical. This year a High Court claim (the first of its kind) was made in respect of the death of a 9-year-old girl, who suffered from a fatal asthma attack after regular exposures to high levels of air pollution, was made against the Department for Environment, Food and Rural Affairs, The Department for Transport and the Department of Health and Social Care. This highlights the negative impacts air pollution can, and does, have upon people and their health, and further asserts that air pollution is an increasingly serious issue and should be given due weight and consideration.

In 2019, the Court of Appeal upheld a planning refusal on air quality grounds for 330 homes in Kent. The site for this proposed 330 home development was also an AQMA. Whilst the developer had offered financial contribution to undertake measures that would limit the effects of the development on air quality, there was no indication of how that contribution would be spent, nor any evidence provided that those measures would actually limit the use of petrol or diesel vehicles users, and in doing so reduce NO<sub>2</sub> emissions. In refusing this development the Inspector said that air quality and human health would suffer if the development were to go ahead.

Therefore, it is clear that extensive thought and measures must be given to air quality issues, and our client is not satisfied that the Application sufficiently deals with these issues. Namely, there is no sufficient evidence that cycle parking spaces and electric vehicle charging points will sufficiently mitigate issues of Air Quality for occupiers of any development so close to the A12 (a major road).

In May 2023, our client took part in the Asthma & Lung UK clean air monitoring project. This project involved sending 5 test tubes that were positioned on the side of the A12 and in Russell Close. The objective was to see if the woodland area was acting as a buffer. The bottles hung on the side of the A12, where the proposed development is, recorded high pollution levels above World Health Organization guidelines.

These diffusion tubes were then analysed by the Laboratory GRADKO. The data gives a snapshot of nitrogen dioxide pollution on the sites. The results suggested that pollution in 20% of the sites were breaching the limit. This was the two bottles hung on the side of the A12. The other bottles hung in Russell Close were within normal



guidelines. It is our client's case that the woodland has a striking effect on reducing pollution for the residents living on the boundary of the Site.

A letter, dated 12 June 2024, was sent from our clients to Ms Fiona Dunning in the Planning Department at Brentwood, detailing concerns in respect of the air pollution issues surrounding the Site and the Proposed Development. This letter included the GRADKO Report results which, on behalf of our client, we ask is again considered in the determination of the Application (we attach a copy of the 12 June 2024 letter for ease of reference).

It is not for our client to make the Applicant's case for it – i.e. as to issues of Air Quality / Air Pollution – and our client again asks that the Council require the Applicant to produce further and sufficient information as to these issues.

For the abovementioned reasons, our client asserts that issues of the air quality now, but also arising from any development of the Site, need to be properly recorded and understood prior to determining the Application. In consequence our client says that there is not compliance with Policy NE08.

#### Noise / Noise Quality

Given the Site's locality next to the A12, and the anticipated 1,500 additional vehicles when the works at Brook Street Roundabout (Junction 28 of the M25) are completed, there is also a significant concern in respect of noise pollution.

In 2022, a couple succeeded in their complaint against North Warwickshire Borough Council who approved planning permission for their new build house just six metres from the A446. The Council in this instance discharged conditions around noise without seeing a noise assessment report – the Council failed to show the evidence it considered and based its decision on in discharging these conditions. The complaint was upheld, and the Ombudsman noted that the quality of life and mental health of the residents had suffered as a result of the Council's mistake. Clearly, our client (and we venture other interested parties, to include the Applicant) would not wish to see that error/mistake repeated here.

In this 2022 case, alongside the noise from passing traffic, the couple could not open their windows for ventilation. The trickle vents that have been installed in the windows did not ventilate the rooms properly. The Council failed to show that they properly considered the ability of the glazing, the ventilation system and garden screening to protect the property from excessive noise. The poor ventilation system is also a point to consider in respect of the air pollution issues discussed above.

The Noise Impact Assessment dated July 2024 includes a map that indicates noise levels in the amenity space. There are a number of dwellings on the southern side of the northern parcel of land (i.e. those closest to the A12) that fall with a decibel level of either > 60.0 dB or > 65.00 dB (namely, plots 113 – 120, plots 121 – 124, plots 125 – 129, plots 130 – 139, plots 63 – 66, plots 67 – 70, plots 71 – 78 and plots 9 – 23).

The assessment notes that all residents of the proposed development will have access to the shared amenity space. It is noted that in these areas noise levels do not exceed 55.00 dB. However, this does not resolve issues for future residents living in the aforementioned plots who would want to open their windows and/or enjoy time in their gardens.

Notably, the Noise Impact Assessments notes that it is desirable that the external noise level does not exceed 50 dB, with an upper guideline value of 55 dB. The fact that there are plots that are partly situated within a decibel level area of either > 60.0 dB or > 65.00 dB is highly dissatisfactory. Those levels indicate that the proposed

development is not set far enough back from the road and/or that any noise mitigation measures are insufficient.

Excessive noise, resulting in a reduction in time spent in private gardens and discouraging residents to open their own windows for ventilations and fresh air will have a detrimental impact on the mental health and wellbeing of any occupiers of the proposed development site.

In email correspondence between Ardent and Anglian Water (pages 86 – 90 of Appendix K of the Flood Risk Assessment submitted as part of the Application) it is noted that *“the proposal is also to add a 3 storey apartment block in this corner to mitigate some of the noise pollution from the A12 from the site, making it more feasible to located house within this area”*. This however, does not mitigate anything for the people who will reside in that apartment block.

The proposed development, in its current form, is not suitable in relation to Noise Quality and gives rise to insufficient (if not poor) standards of amenity for any occupying resident.

Our client thus says that there is identified, and material, conflict with Policies BE14 and HP06, as well as other policies, to include the provisions of the NPPF.

#### Drainage

As the site is located within a CDA, it is required by Policy R16 that development should minimise and mitigate surface water run-off in line with Policy BE05 (Sustainable Drainage).

The Flood Risk Assessment dated June 2024 provides a table dealing with sustainable drainage opportunities and can be summarised as follows:-

- There are no opportunities for infiltration devices;
- It is not possible to provide infiltrating permeable paving due to the site characteristics;
- It is possible in amenity areas on Site to provide rainwater harvesting features however, it is difficult to quantify contribution, and therefore not included within calculations as part of this surface water management strategy;
- Swales are limited due to the Site topography and existing levels.
- Tree Pits / Rain Gardens could be incorporated into the landscape. However, looking at the Landscape Strategy Layout plan this has not been incorporated.
- Green Roofs cannot be incorporated within the proposed development due to the pitch of the roofs
- Attenuation tanks can be located within private areas, and can be achieved by use of oversized sewers or buried storage attenuation. However, it is not clear from the Application that this opportunity has been utilised.

The proposed development does include two Attenuation Basins on the North-East corner of the Site (on the northern parcel of land). Whilst this is noted, this is seemingly the only sustainable drainage considered by the Applicant and our client asserts that this is insufficient when considering the amount of grassland that will be lost on the northern parcel of land that would have otherwise served to absorb water and assist with flooding issues within this Critical Drainage Area.

Our client does not consider that drainage has been sufficiently contemplated and mitigated as part of the proposed development. On the ground, there are a number of flooding issues already suffered by local residents and the proposed development will further reduce land/surface area for rain to soak away into the ground. The proposed development of the Site, without sufficient mitigation, is wholly unacceptable.

Policies BE05 and NE09 are not satisfied in turn.

### Site R16

In relation to this policy, its mere existence does not negate the need to consider other material – and our client says weighty – considerations and weigh those with/against the Application/proposed development in its current form. In simple terms, whilst policy R16 indicates that a form of development of/upon the Site may be acceptable, our client asserts that the development proposed in the Application is not appropriate for the Site and, as such, should be rejected in turn.

With the above in mind, our client trusts that the Application is refused. However, in the event that the number and severity of objections (including this one) do not sway the Council to refuse the Application, our client trusts that appropriate planning conditions - but also the requisite planning obligations - will be secured prior to any grant of planning permission.

### **Conclusion**

For all the above reasons, the development proposed in the Application would be contrary to Planning Policy and would result in a number of adverse impacts in respect of:-

- Arboriculture
- Wildlife and Habitat Protection / Protected Species
- Health
- Transport / Infrastructure
- Air Quality
- Noise / Noise Quality
- Drainage

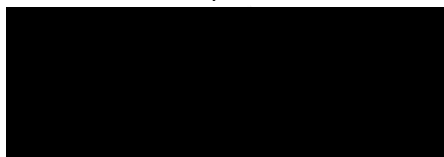
These adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as whole.

The Application should, therefore, be **refused**.

Our client trusts that this objection will be given due consideration and weight in the determination of this Application.

On behalf of our client, we thank you for your attention in this matter.

Yours faithfully

A large black rectangular box redacting the signature and name of the client's representative.

*Encls*