

Woodham Walter Parish Council

Statement to Planning Inquiry, Appeal Ref: APP/X1545/W/21/3280176

My name is James Rushton, Chairman of the Woodham Walter Parish Council, representing the views of the Council and of the overwhelming majority of residents of the village of Woodham Walter.

We are seeking to have this appeal dismissed. To support this, the Parish Council has already submitted documents to this Inquiry. We do not wish to repeat that information; rather we want to focus on issues where our many years of local knowledge is at variance with the third-party desktop studies submitted and particularly with some areas of the Statement of Common Ground. We also want to emphasise that the development would be unsustainable under the definition in the National Planning Policy Framework (NPPF).

Before addressing those specific issues, I'd like to put it to you that the considered views that the Parish Council, the residents' group 'Villagers Opposing Warren Estate Lodges' (VOWEL) and individual residents have expressed in relation to the original planning application and to this Appeal surely have a particular relevance and pertinence. After all, those views are expressed by those who alone can truly understand what it means to live in this beautiful area and who seek to maintain its unique rural characteristics to the benefit of the village itself and the wider District and County. They understand the values of the long views across the diverse surrounding landscapes, of the dark skies at night, of the tranquillity of a village at one with its environment. They also understand the challenges and potential danger of using the typical rural road infrastructure, and the perils and frustrations that arise when, whether as car drivers, walkers, cyclists or horse-riders, too many vehicles, particularly driven by those unfamiliar with the road layout, are trying to use single track, dark, bendy lanes. And they also understand, from hands-on experience, the fragile flora and fauna eco-systems in the area.

After all, it is this area and those who live in this village who are most directly and, in our strong view, negatively affected by the proposed development by the Warren Estate for a caravan park on two parts of Woodham Walter. The sheer numbers of those who wrote objecting to the original application by the Warren Estate for a caravan park in Woodham Walter are compelling – there were 194 objectors of which 154 are known to be residents from the 265 dwellings in the Parish; remarkably some 142 have taken the time to write again to the Planning Inspectorate, plus 38 from the surrounding district, all asking for the Appeal to be dismissed. Of these, 40 new voices joined the opposition to the development having not expressed their objection to the original application.

Visual Landscape

The proposal would result in a discordant visual landscape creating an adverse impact on the Village as a whole with severe effects on demography, infrastructure, noise and light pollution as highlighted in the Parish Council and Villagers Opposing Warren Estate Lodges ('VOWEL') submissions. Woodham Walter is one of only six Arcadian villages in the District Council area and as such relies on its long clear views, open areas and space between buildings as defined in the MDC adopted Village Design Statement (VDS). The long sustained and clear views across the proposed sites from footpaths 12,13, Little Baddow Road and Common Lane will be severely compromised, as illustrated in the Parish Council Appeal submission (Appendix 1) by the 50 proposed lodges and car-parking for 141 additional vehicles on this part of the site, amongst other urbanising effects of the development.

The development of 70 lodges is within and adjacent to a woodland strip, is designated in the Maldon District Council Local Development Plan as a Local Wildlife Site (Ma02) and is immediately adjacent to the SSSI which when combined with the Wildlife site act as a green corridor to wildlife across the site and the whole area. The proposed development is also at variance with the Landscape Character Assessment's 'Wooded Farmed Landscape' designation accorded to F5-Little Baddow and Danbury Wooded Farmland; this provides a sense of tranquillity pervading the whole area of the village which would be destroyed by the proposed development by introducing an urbanising impact upon the rural character and appearance of this part of the site.

The 20-unit development adjacent to Wayside the non-designated heritage asset with car-parking for a further 20 vehicles, in the opinion of the Parish Council, fails to respect either the building itself or enhance the setting in any way. It will also destroy the open rural approach to the Warren itself from this part of the site thereby causing harm to the significance of Wayside in this rural setting.

Need

It is the considered view of the Parish Council that the question of need remains unproven and that the availability of tourist accommodation has been understated. There is a very considerable quantity of such accommodation within easy driving distance, including some in Woodham Walter itself, yet there are few tourist attractions and none close by that would warrant an overnight stay. The local supply analysis is included at Appendix 5 in the Parish Council Appeal Response document and clearly illustrates the high level of accommodation availability both within Maldon District itself and also the neighbouring districts of Colchester and Tendring. In addition, the Parish Council questions the stress that the Appellant places on 'branded' accommodation. Compared with other sites, the proposed development offers a limited number of activities on-site, most of which are outside and weather dependent, whilst others are water-based and surely unrealistic for the capacity of the tiny swimming pool already servicing the existing Warren Estate lodges development and

the residential population as a whole. To benefit from the full range of activities referred to in the Appellant's Statement of Case it will be necessary to travel off site.

Further, the availability of resource to provide for many of the activities listed by the Appellant in the Activities Brochure is further reduced by the inclusion of a number of activities on an area called "Grassed Outdoor Play Area" which should not be considered as part of the Appeal since it was not included within the original planning application.

Even away from the site, activities may not be available. To emphasise this, the Maldon District Infrastructure Delivery Plan, EB059d update, makes a point at page 9, item 3.9 that there is a shortage of 2 golf courses across the District. It is ludicrous that this proposal seeks to diminish the size and effectiveness of the Bunsay Downs public pay as you go golf course, primarily used by the local population in order to build accommodation for visitors who will have to travel off-site for the majority of their recreation.

Highways

The Parish Council considers the Highways report to be inadequate, and in this respect we are at variance with both the Appellant and the Local Planning Authority. You will have read the representations from VOWEL, Villagers Opposing Warren Estate Lodges. They are so concerned about the impact of the development on the local road infrastructure that they have spent their own money to commission specialist reports.

The report by Cotswold Transport and Planning supports the opinion held by the villagers and highlights the lack of sustainability of the site. It points out how limited the public transport is, that there is a two-hour notice booking requirement, and inconsistencies with traffic data used in trip attraction calculations and network assessments in the Appellant's original report. The transport planning element of the planning application is considered to have a number of fundamental flaws for a site with severely restricted options for anything but private vehicle transport. Further and as previously stated, we do not accept that the activity offering is entirely sufficient at all to retain visitors on site, resulting in additional travel by car to find attractions elsewhere.

The number of vehicle movements does not appear to be appropriately assessed and in consequence will result in the clogging of roads, pollution of the air and warming the planet. It also fails to consider the impact of the increased vehicle movements imposed on the country lane infrastructure in which the application is located. The lanes are narrow, some extremely so, some listed and in places not wide enough for two vehicles to pass; there are very few footpaths, very few places where pedestrians can step off the road, and hardly any street lighting. There is none on the main access roads, Little Baddow Road, Herbage Park Road, Spring Elms Lane and Ulting Road

amongst many others and as such the inevitable increase in traffic movements will be a hazard to cyclists and pedestrians as illustrated by the images in the Parish Council Appeal submission, Appendix 2. The level of air, noise and light pollution created is also likely to affect the well-being of the local residents and their enjoyment of the countryside, as well as impacting on nature

Noise

On the matter of noise, at present the site, as a golf course, has a very low noise output that is restricted to opening times, shorter in the winter than the summer. Indeed, very often there is no measurable background noise in Woodham Walter, particularly in the evening and night-time hours.

The planning application is for a tourist holiday location operating, by its very nature, 24 hours a day and 7 days a week with a request to have an outside paved patio area. The noise generated by 50 holiday units on one site and 20 on the other, combined with the vehicle movements of both holiday makers and staff, will be substantial and will affect the adjoining settlement areas, particularly but not only those that directly neighbour the site. It has been suggested that the matter of noise could be managed but with overall 70 units, some with hot tubs, occupied with holidaymakers, management would be virtually impossible, with no possibility of taking sanctions for short lets. Similarly, the management of sound from the Bunsay clubhouse would be difficult to control, especially in the patio / seating area and other external areas. Such clubhouse control could be managed by licence but only controlled in retrospect, ie after the event.

Residents, myself included living in the centre of the village on Little Baddow Road, are well aware of how sound can travel across the landscape here. A recent out of hours party at Wayside on the Warren Estate was disturbing to the extent that not only the bass line but also the lyrics of 'Sweet Caroline' were crystal clear. I didn't need reminding of them, especially at 1 in the morning. There was further partying at the Warren on two occasions last week, with the music from one being recorded at 50 dba in Little Baddow Road. With no intervening structures and an otherwise entirely peaceful environment the sounds travel across the village. The reports commissioned by the Appellant – a voluminous 12 documents in total on Noise alone available to us only 2 weeks ago (talk about sledgehammers and nuts!) - do seem to ignore the fact that residual noise, even a background hum, is often non-existent here. 70 lodges and associated development cannot but create a very significant increase in noise, not only for those residents living on the boundary of the site but also more widely.

Given residents' direct experience over time of how noise can emanate from the Warren and spread beyond its boundaries, we do not agree with many common ground elements of document CD95 – 'Statement of Common Ground relating to Inspector's Issue 3: Noise and Disturbance'. And certainly, we cannot understand the

conclusion reached that in relation to harm by reason of noise there is no issue with the 20 lodge Wayside element of the Appeal proposals. Simply put, residents know, through experience, that that is entirely inaccurate.

Lighting

The whole of the site is currently essentially a night-time 'dark sky' in a rural area. The proposal by its very nature will be a 24/7 operation and therefore illumination will be essential, not least for health and safety reasons. With access ways and lodge lighting it can be assumed that there will be a significant level of light pollution over both the sites throughout the hours of darkness in addition to vehicle lights from late arrivals and early leavers. Once again, the Appellant's experts have missed the point in all their pages of reporting that light in the area of the site is virtually nil outside of daylight hours. There will be light pollution caused by the proposed development.

Not only will this impact on the adjoining owners and local settlement areas but also the indigenous wildlife, particularly the bats, dormice and badgers all of which are known to exist around the site and appear to have been overlooked.

Flora and fauna

We are also extremely concerned by the likely impact on flora and fauna not only on each part of the site but particularly, because of the proximity, on the adjacent Woodham Walter Common Site of Special Scientific Interest and on the other fringe woods. The application site falls within the 'Zone of Influence' for one of the European designated sites included in Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) as outlined in the Supplementary Planning Document (SPD) dated May 2020. This refers to residential developments potentially having a significant effect on the sensitive interest features of these designated sites, through increased recreational pressure.

Whilst the subject of this planning appeal is not at this time a residential development site, although it is noted that the original Warren lodges site has become essentially residential, RAMS states that *'tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an Appropriate Assessment as part of the Habitats Regulations. As part of this assessment any mitigation proposals (including those which address any recreational pressure) will need to be considered separately from this strategy and taken into account by the appropriate authorities.'*

It is of particular concern that the juxtaposition of the Woodham Walter Common Site of Special Scientific Interest creates a potential for conflict between 24-hour recreational activities and a built environment and the conservation of internationally important assemblages of birds and habitats. The Appellant has overlooked the Danbury Barbastelle Project, run by the Essex Bat Group over the years 2018-2021. This

has confirmed the presence of the very rare Barbastelle bat within the woods surveyed on the Common and these are known to travel between 1km and 20km to foraging areas. The Barbastelle is a species of conservation concern and is classified as vulnerable on the UK red list. Of the area surveyed, the greatest number of barbastelle calls was recorded in Woodham Walter Common, and was such as to indicate winter roost switching, feeding or drinking. The effect of the development on other known bat species on the site together with badgers and crested newts will be significant especially during the night when foraging of these species takes place.

Please also note that, in addition to Local Wildlife Site Ma02, as mentioned above, there is a second Local Wildlife Site east of Wayside – Ma08 (misnamed as Goldsands Road Pits and Lake).

Green Infrastructure

We stress that green infrastructure in the locality would be under severe pressure if required to support the large influx of tourists that is being suggested. Areas such as Bell Meadow and the playground are only supported from the precept contributed by residents of Woodham Walter and in consequence the Parish Council considers the proposals relating to the green infrastructure to be unsustainable and inequitable. To be clear, the 'large influx' of tourists that is suggested by the Appellant would provide for a daily average of at least 250 additional people staying in the village – an increase of 50% on the residential population. When this number is added to the residents of the existing Warren Estate holiday lodges off Herbage Park Road, the transient population equals that of the local, Council Tax paying residents. The green (and highway) infrastructure cannot cope with that.

Wayside

The green infrastructure plays an important role in the setting of Wayside, a 'non-designated heritage asset' in the Arts-and-Crafts-style. It is well preserved, and its significance is enhanced by its idyllic rural setting. The proposed development of 20 units on the adjacent meadow will render the building very exposed during the autumn, winter and spring seasons when the trees are not in leaf as illustrated at Appendix 3 in the Parish Council submission. The setting will also be degraded by the proposed golf academy building that will itself have an influence on the setting of the other Listed and heritage asset buildings in the Warren complex.

It should also be noted that Wayside is currently the subject of an enforcement investigation by Maldon District Council. No permission has apparently been sought for a change of use from dwelling house to its current use as holiday accommodation.

Sustainability of the Development

Even if the Planning Inspectorate were to find that there is a need for this type of development in mid-Essex – and, at the risk of repetition, we firmly believe that there is no need – the application fails in respect of its sustainability within Woodham Walter, as set out in the National Planning Policy Framework.

The NPPF definition of sustainable development provides for three overarching objectives – namely, economic, social and environmental.

It is stated that the village businesses will benefit from the proposals. There are no facilities in the village apart from three public houses of which one is currently closed. A similar statement was made when application was made for the existing lodge site, but this has proved not to be the case as evidenced by the closure of one of the public houses (which is now for sale). Indeed, the one public house that currently has a wide reputation for serving high quality food states there is little business generated by the existing Warren Estate lodges. There are no shops to benefit, and no benefit is expected to the school and nursery school so in this respect the application fails the NPPF test. In short, there is no benefit at all to the local Parish economy.

The Parish Council considers that there is unlikely to be any social benefit as there are a number of clubs and organisations that already operate in the centre of the village and as holiday lets with short term stay there is unlikely to be any advantage to the village in terms of social intercourse. Therefore, the Parish Council is of the opinion that the second NPPF criteria (social) has not been met.

The extent of the severe impact on the environment of this Arcadian rural village by this application is significant. The consequences to the visual environment, the damage to the flora and fauna, the impact of significant additional traffic, the impact of noise and light, and the lack of positive impact on the village economy and on the well-being of the WW residents has been well rehearsed in this and other documents submitted in respect of this appeal by the Parish Council. In the opinion of the Parish Council this appeal fails the third of the NPPF criteria on sustainability.

Further, the Appellant's proposal for the development of another caravan park within the village of Woodham Walter does not conserve and enhance the natural environment, as required by the National Planning Policy Framework. Indeed, it has precisely the opposite effect.

Woodham Walter Parish Council vehemently believes that this application fails to comply with the National Planning Policy Framework and for this and the other additional reasons stated believes that this appeal should be dismissed.