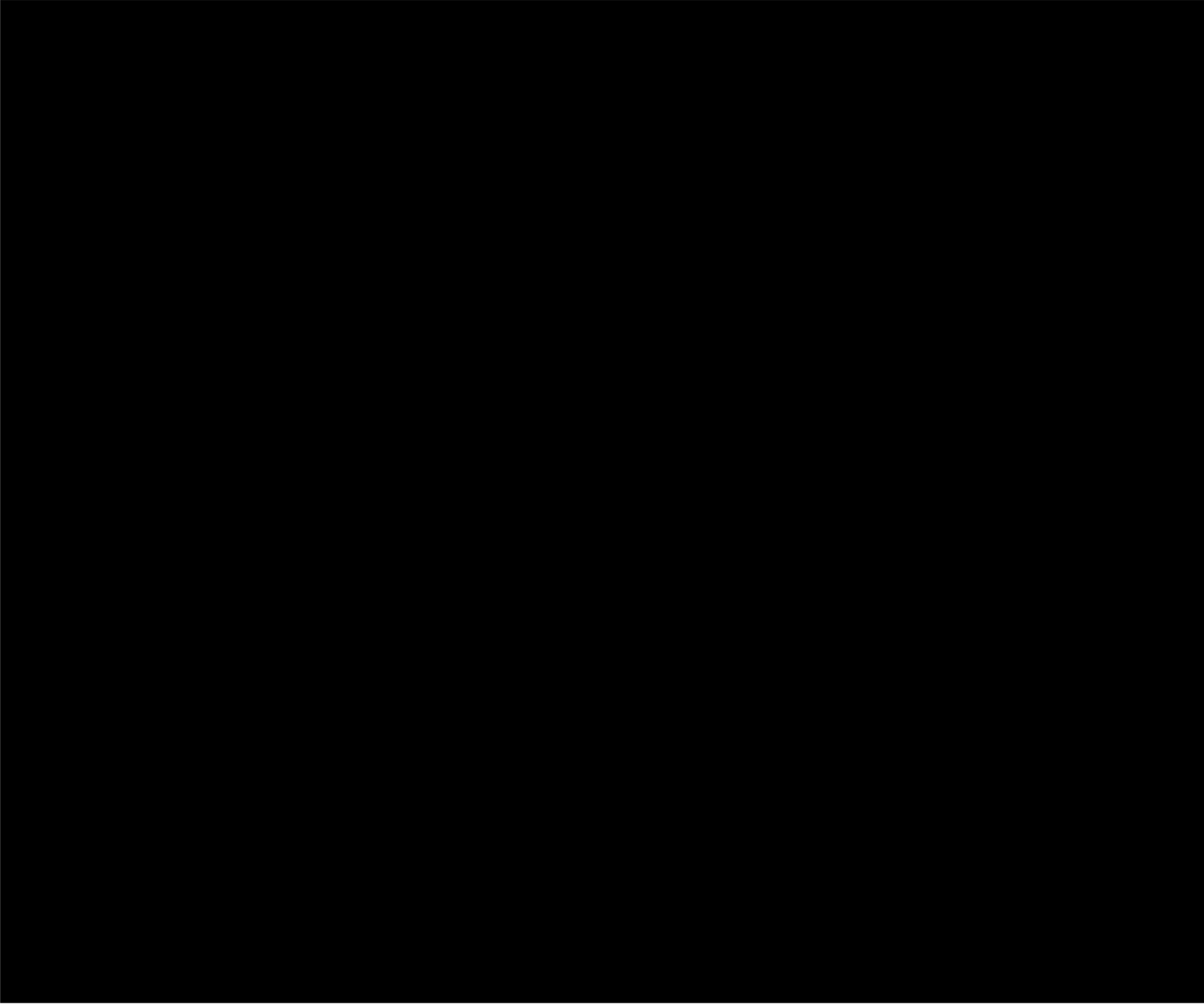




From: Patrick Johnston Associates Ltd <[REDACTED]>
Sent: 16 December 2021 14:15
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Application: AL/129/21/OUT

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Mr Davis

I refer to the automated planning acknowledgement received today in respect of our on line submission of objections to the above application. It appears from the Arun Planning website that the submission has either not been uploaded to the website correctly or failed to upload. In any event please find attached the objection letter from us for your attention and uploading to the website.

Please acknowledge receipt of this email.

Kind Regards

Patrick & Hazel Johnston

Woodgate House
Lidsey Road
Chichester
West Sussex
PO20 3SU

WOODGATE HOUSE
LIDSEY ROAD
WOODGATE
CHICHESTER
WEST SUSSEX
PO20 3SU

Planning and Control Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Objection Submitted Electronically

15th December 2021

Dear Sir

Town & Country Planning Act 1990 (as amended)
Application for Outline Planning Permission Ref AL/129/21/OUT: OBJECTION

We have lived at Woodgate House since January 1990 and have extensive experience of planning and environmental issues as we were the principals of an environmental consultancy working in the UK and Europe since 1986. We also have considerable expert knowledge of the local land drainage and groundwater flooding issues. The area shown within the red line of the above Application as shown on the Site Location Plan DLA.2052/L14.S04 encloses our property on all four sides as it includes the A29 Trunk Road and with a proposed housing development on the other 3 sides.

We have carefully examined the Application Ref No AL/129/21/OUT and associated documents submitted with the Application Form dated 4th November 2021 and received by Arun District Council (ADC) 10th November 2021 which was validated by ADC on the same date. The Applicant's Agent was duly notified on the 12th November that the Application was accepted as a valid applicant.

We hereby register our Objection to the above Application and wish to advise Arun District Council that in our opinion the Application as it stands is **Invalid** for the reasons given below:

INVALID PLANNING APPLICATION

A. Incorrect and misleading address given by Applicant as property name; The Land subject of the application is **not** 'Land adjacent to Woodgate Nurseries'. Woodgate Nurseries, as a matter of fact, is located west of the property known as Wings Nursery (subject of development permissions (AL/20/21/PL & AL/46/20/PL). The Applicants Site Location Plan also confirms that Woodgate Nursery is adjacent to Wings House and Nursery. The correct address for the Application site should be **'Land West Side of A29, Headhone Farm, Woodgate'**. There is a Nursery to the West of Field 1 of the Application site (northern field) but this is **Stockhearn Nursery** and is also known locally by this name. Immediately north west of the Application site is Stockhearn House which is associated with the Nursery. **Planning Applications with the incorrect or misleading addresses are by law invalid.**

B. The Application form states that the Site Area is **3.53 Hectares. This is incorrect and misleading.** The area of proposed housing development may be about 3.53 Ha but the area within the red line of the **Application is about 3.9 Ha** i.e. the area enclosed by the red line includes land within the A29 highway for drainage and highway works. The **incorrect Planning Fee** has therefore been paid by the Applicant to ADC.

C. There is reference in most, if not all, of the supporting documents to the incorrect address of the land subject of the application and these should be corrected to avoid further confusion

and misleading statements in the reports. There are also examples in the various Supporting Documents of factual errors relating to Stockhearn glasshouses (referred to as Woodgate Nurseries) being managed by/access from the two Barn Conversion residential properties located on the existing access track (west of the Application Site). Stockhearn Nurseries are managed from Stockhearn House.

Objection to Application AL/129/21/OUT (subject to it being a lawful Application)

1. The Application is a major application which is not only a **departure from the Aldingbourne Neighbourhood Plan** (ANP), but is also outside the scope of the ANP and Arun Strategic Plan. The Application is therefore **premature** and would detrimentally affect the deliverability of the approved ANP & Arun Strategic Plan objectives including the development of the Westergate By-pass and associated housing development (initially 2300 homes rising to 3000 homes). Furthermore it is self evident from the ADC HELAA (see para 12 below) and the extensive area of ecological, survey, hydrogeological studies etc at Headhone Farm on the west side of the A29 that this Application is only Phase 1 of a much larger future development scheme which will see further housing applications for all the agricultural and nursery land west side of the A29 from the Arundel-Chichester Canal up to the Railway Line at Woodgate. The Outline Application is an abuse of the planning process as all matters have been reserved except for access off the A29 Trunk Road (see Planning Statement: *Details of 'access' are included but the remainder are reserved for future consideration (i.e. 'Layout', 'Scale', 'Appearance', 'Landscaping')*).

2 The Application Site is Grade 2 Agricultural Land which is the 'Best and Most Versatile' agricultural farm land. This farm land is by definition a green field site which if once developed can never be recovered as Grade 2 Agricultural Land. The application therefore conflicts with the Aldingbourne Neighbourhood Plan Policy EH3.

3. The high groundwater levels at the Application site results in significant **groundwater flooding** on and around the site. It is acknowledged in the Applicant's Preliminary Ground Contamination Risk Assessment, based on the installation and monitoring site investigation boreholes on the land, that groundwater levels within the Brickearth Strata are at or near to ground level in the winter period. We can confirm this from our own experience at Woodgate House over the past 30 years. Furthermore the perimeter and internal drainage ditches relating to the application site and surrounding farmland are 'wet ditches' meaning that the water can flow in either direction, and in this location the level is controlled by high groundwater levels as well as surface water run-off. This can be seen by the retained water in the highway ditch adjacent to the proposed development over the course of a normal winter/spring (see Photos 2 & 3). This despite the ditches on the highway and land having been deepened to provide additional storage capacity, and vegetation/tree growth regularly removed (see ADC Correspondence 2013 Annex 1). Nevertheless groundwater in the underlying running sand/stoney strata will continue to remain close to or even on occasions above ground level (as in June 2012 when the highway, at the point of the proposed entrance, flooded along with the Headhone farmland; see Photos 4 to 7). This flooding of the land will be exacerbated with any built development as there is no scope for infiltration of surface water in the winter/spring period which is the normal approach in such developments. The central and southern areas of the proposed development incorporates Swales & SuDS techniques to mitigate any adverse or significant additional surface water flows off the development site. However the proposed balancing pond/SUDS will not function in the winter period following any prolonged rainfall events. There are two reasons for this, firstly the high groundwater table could result in flotation of the pond/SUDs lining systems and secondly the outfall from the pond/SUDs is into a ditch system which will have a standing water level above the outfall level of the pond. The net result is the proposed housing development will flood on a regular frequency, perhaps 1 in 5 years. This will also **adversely impact on Woodgate House and neighbouring properties with resultant flooding of these properties.**

4. Surface water flooding regularly occurs on the verge at the location of the proposed entrance due to overtopping of the existing ditch and on occasions results in partial or total flooding of the adjacent A29. The removal of the central drainage channel will exacerbate the flooding issues at the proposed site entrance off the A29 (see Photos 2, 3 & 7). The existing surface water drainage system over the local area, before entering the Aldingbourne Rife, is insufficient to drain the A 29 highway ditch except by gravity when it has a build up of about 1m head of water in the ditch. The highway drain generally acts as a groundwater recharge trench at other times of the year (except in the case of flooding June 2012; Photo 7). **Surface water flooding will be made worse by culverting the highway ditch system** as proposed (provision of cycle/ footpath over ditch system) as there will be no pathway for groundwater except to rise to ground level. There is in fact no direct discharge of the ditches on the Headhone farm land, west side of the A29, to the Aldingbourne Rife, as the surface water has to pass through a small diameter culvert of about 400 mm diameter to enter the former Arundel- Chichester canal in the south-east corner of the adjacent Lidsey Landfill site. This restriction on surface water flows during intense rainfall events is regionally important in limiting peak flows into the Aldingbourne Rife (at the south-west corner of the landfill site) thereby reducing flood risk downstream in Bersted, Shripney and Bognor Regis. Essentially the Headhone Farm land to the west of the A29 provides a **low impact flood plain** during prolonged intense rainfall events in the winter period.

5. Foul Sewer Drainage proposed in the Application would be via a connection, if permitted, into an old 6" diameter glazed clay pipe leading from our garden into the upper branch of the foul sewer system. The existing foul sewer is then shown to pass under two proposed properties which is contrary to regulations. It is also **technically impossible for the proposed development comprising 95 properties to discharge into the existing foul drain without serious risk of foul water flooding of existing properties at Woodgate.** The scheme provides for a pumping station at the southern end of the site which caters for perhaps 2/3 of the housing as they cannot discharge into the system by gravity; in practice this will only exacerbate the risk of foul sewer flooding at the point of entry into the old foul drain. The only alternative to this unsatisfactory and unsafe scheme would be for a direct connection to be a requirement of the proposed development which would involve a crossing of the A29 and new sewer laid to, subject to the agreement of Southern Water, Lidsey Waste Water Sewage Works which is already overloaded, particularly in the winter period, and subject to severe discharge constraints and related issues. The Applicant has already been advised of the above issue by Southern Water (see para 1 of SW response dated 30th September 2021 included in Appendix 8 of Applicant's FRA & DS Supporting document) i.e.

There is currently inadequate capacity within the foul sewerage network to accommodate a foul flow of 0.86 l/s for the above development at manhole reference SU93037903. The proposed development would increase flows to the public sewerage system which may increase the risk of flooding to existing properties and land.The nearest point where capacity is currently available is at Lidsey WTW which is located approximately 800m South East of the proposed development site.

Part of the proposed site is also within the Barnham Special Consultation Area due to historic flooding problems in respect of the Barnham Rife.

6. Ecological Impact. The ecological impact assessment has given insufficient weight to the ecological impact of the proposed development. The loss of hedgerows and arable fields is irreplaceable with a housing estate and urban planting. In addition there are species which appear under-reported or omitted altogether which we have observed in or nearby to the Application site. In particular we have noted the following:

Reptiles: slow worms (fairly common), grass snakes,

Mammals; The presence of moles, water voles, squirrels, field mice, local badger sets, hares, Roe deer (who regularly visit our garden), roosting and foraging Bats (including the common and soprano pipistrelle, but others have been recorded),

Birds; common starlings (roosting in perimeter Cyprus trees), Common Buzzard, kestrel, green woodpecker, Barn Owl, magpies, song thrush, mistle thrush, black bird, Goldfinch, wren, robins, blue tits, jays, Rooks, Tree & house sparrows, collard dove and many other more common species.

7. Trees Removed: The land owner pre-empted a possible reason for refusal of the Application and/or a Tree Preservation Order, by removing upwards of **20 mature trees in early March 2021** (see Photos 1 & 2). The removal of the trees was intended to provide a visibility splay designed for 30mph speed restriction at the point of the site entrance road to the proposed development. It is our view that significant ecology harm was caused by the actions take in March 2021. It also undermines any confidence in the Tree Protection Plan (doc ref 21076-2).

8. Highway Access: It should be noted that the Highway at proposed entrance is actually subject to a 50mph speed limit and therefore if the development were to be permitted then the entire tree frontage north and south for a distance of perhaps 200 m would probably have to be removed including in front of Woodgate House. Furthermore in the light of the high risk of flooding at the entrance, for the reasons set out above, then this is probably the worst possible entrance point for an access onto the Headhone Farm land west of the A29. In addition there will be inevitably conflicts of traffic movements with the existing entrance to the Lidsey Landfill site which is also used by intensive farming machine associated with horticultural crops on the land. There is also the proposed link road access off the BEW Westergate Bypass which is located between these access points. The only safe access off the A29 to the Land west of the A29 is in fact the existing right turn entrance to the Landfill/Farm land. This option appears to have been part of the assessment in the ADC HELAA 2020 (see item 12 below) which identified Field 3 together with the adjacent southern field as site 20AL2 (see attached Annex 2).

9. Archaeological Assessment: The conclusion on impact of development of the Application Site is considered to be assessed as Low except for post-medieval and early modern archaeology which is High. However reference to the Lidsey Landfill Archaeological field work shows inaccurate locations on Figure 12. The field work and reported finds (locations 12 & 13) were in fact much closer to the proposed housing development than indicated/assessed with the nearest location being about 480m (location 13 is in fact east of location 12 and not as shown). We believe the likelihood of pre-medieval Archaeology finds of significance is probably Medium/High.

10. Community Involvement: This aspect of the application process was fundamentally flawed and should be given no weight in the application determination.

11. Planning Policy

In addition to the National Planning Policy Framework the relevant local planning policies are set out in the **Arun District Local Plan 2011-2031** (ALP) and the recently approved **Aldingbourne Neighbourhood Plan 2019-2031** (ANP). In the event of a conflict between the policies of the ALP and the ANP then it should be resolved in favour of the ANP (NPPF Section 38 (5)). The ANP policy EH1 relates to the Built Up Area Boundary (BUAB) which sets out 7 criteria to be met for any development outside the BUAB as is the case for the Application Site.

Criteria 1: The scale of the proposed development exceeds the needs of the ANDP as the housing requirement has already been met by the recent approvals of the Wings and Land north of Lees Yard developments . In addition there are sufficient new housing within the BEW site allocation to meet the local needs of Arun in the Aldingbourne area.

Criteria 2: The replacement of the Grade 2 Agricultural land in the Chichester Plain with housing does not protect the local landscape character and will lead, if approved, to a continuous urban development from Fontwell (A27) down to Lidsey as promoted in the ADC HELAA 2020.

Criteria 3: The proposed development is speculative and does not respect the character and built heritage of rural neighbouring settlements.

Criteria 4: Harm to the ecology of the area will inevitably occur in the replacement of arable farmland into yet another housing estate in this area. There is a thriving network of bat habitats currently in this area which will be severely impacted by the housing developments in the area.

Criteria 5: The proposed development is not sustainably located eg no bus services on Sundays, even a cycle path would only extend adjacent to the development (even this would require culverting the ditch and give risk to groundwater flooding), local services are overwhelmed including schools and medical facilities etc.

Criteria 6: There is a major risk of groundwater flooding on the land subject to the development, adjacent properties (including Woodgate House and the Paddocks) and the adjacent A29. This will be exacerbated by the culverting of the highway ditch.

Criteria 7: There is no doubt that the development lies within 50m of the existing biodiversity corridors where these are used by roosting, feeding & commuting bats. The evidence is including in the Applicant's Ecological Assessment as well as in the Wings Bat Assessment. It appears the ANLP has not deemed it necessary to designate the local agricultural fields as biodiversity corridors as it is self evidently in the countryside.

Clearly the proposed development on Grade 2 agricultural land at Headhone Farm West of A29 fails to meet the above policy criteria and therefore should be refused in respect to Policy EH1.

In addition the proposed development is contrary to ANP Environmental Policies EH1 (Outside BUAB), **EH3** (loss of Grade 2 Agricultural Land), **EH4** (protection of historic drainage systems otherwise groundwater flood risk is unacceptably high), **EH5** (surface water flooding is inevitable at the Application site as a result of the land drainage constraints and high groundwater table which will be exacerbated by the proposed development with loss of low impact flood plain agricultural land (eg June 2012 flooding) and **EH6** (loss of trees and hedgerows with resultant ecological impact/loss). ANP also requires protection of bat habitats with the loss of foraging habitat and severance of commuting flight lines (Policy EH12 2019).

In respect of **ANP Policy H3 and H8**; The layout of the proposed development is poorly designed particularly in the northern and central fields (Fields 1 & 2) and is not achievable given the boundary tree, hedge and drainage constraints. Similarly the design layout would if approved give rise to neighbour amenity issues of privacy, problematic parking and loss of amenity (contrary to ALP Policies D DM1, QE SP1).

12. Deliverable Alternatives' to the Application site, if required, have not been considered in the Application; there are for example former/demolished glasshouse Nurseries (west and northwest of Wings Nursery), known as **Woodgate Nurseries** and **Architectural Plants**, both within the same controlling ownership as the Application land. More importantly these potential 'brownfield' windfall sites are more sustainable, not subject to groundwater flooding and do not require the loss of Grade 2 Agricultural Land. Nevertheless even these sites are located **outside the built up area (BUAB)** considered by Arun Strategic Plan, and the APC in the Aldingbourne Neighbourhood Plan consultation process in the Plan period 2019-2031. These sites are however included in the Arun DC Housing and Economic Land Availability Assessment (HELAA) December 2020. The Application site around Woodgate House has nevertheless not been considered as 'Deliverable' in the HELAA except for the southern field

(Field 3) as part of a possible development to the south (see attached Annex 2: HELAA ref 20AL2) with a shared Landfill/Farm entrance off the A29. The actual Woodgate Nurseries site (correct address) together with the Architectural plants glasshouse site have also been included in the HELAA ref 20AL4.

13. Traffic Delays on the A29 at Woodgate are already well documented and have given rise to the proposed Westergate Bypass scheme which when constructed will resolve some of the major transport infrastructure difficulties in the local area. However in the meantime there are significant delays to traffic using the A29 at this location with delays of up to 15 minutes in the hour due to the railway crossing. At peak times the morning and evening traffic is held up to beyond the proposed entrance to the Application Site, and approval of its development will exacerbate an already bad situation. There will inevitably be a knock on effect on the A27 Highway network and congestion around Chichester and Arundel urban areas. The proposed site is not sustainably located and therefore car transport from this development will be inevitable. There are no bus services on Sundays and only a limited service weekdays.

It is for the reasons set out above that we object to the Application AL/129/21/OUT in the strongest terms and would reiterate that the Application as it stands is Invalid and should be rejected.

Your Faithfully

Patrick Johnston BSc MSc CEng MICE MIEI
Hazel Johnston BSc

cc Aldingbourne Parish Council



Photo 1 A29 Proposed Entrance (Trees Felled March 2021)



Photo 2 A29 Proposed Entrance (felled trees removed, and showing wet ditch December 2021)



Photo 3 A29 Drainage 'wet ditch' December 2021



Photo 4 Headhone Farm Flooding June 2012

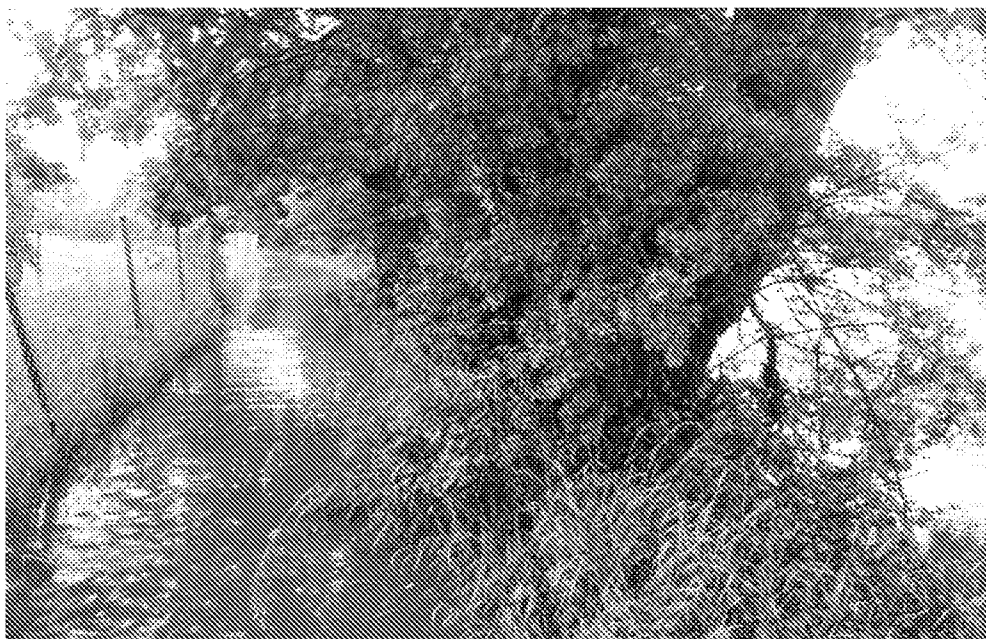


Photo 5 Footpath flooding Landfill boundary/Headhone Farm West Side A29 (June 2012)



Photo 6 Headhone Farm West Side A29 (June 2012)



Photo 7 Flooding A29 Trunk Road June 2012 (Cars at point of proposed entrance & Ditch overflowing)

**ANNEX 1
ARUN DISTRICT COUNCIL
DRAINAGE CORRESPONDENCE
dated 18th February 2013**

Hugh Langmead Limited
Woodgate House
Lidsey Road
Woodgate
Chichester
West Sussex
PO20 3SU

Your Ref:

Our Ref: LD/ALD

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: 01903 737819

Fax: 01903 730442
DX: 57406 Littlehampton
Minicom: 01903 732765

e-mail: paul.cann@arun.gov.uk

18th February 2013

Please ask for:
Paul Cann
Engineering Services
37819

Dear Sir

Land Drainage – Land west of Lidsey Road, Woodgate

We are currently undertaking investigations into the land drainage system adjacent to Lidsey Road. I enclose a plan showing a specific ditch in question, labelled point A to point B, where we have noted a number of issues requiring attention.

We understand that you are the landowner and we therefore like to meet with you on site to discuss this matter in more detail. Please could you advise me of some dates when you are available, ideally week commencing the 4th or 11th March 2013.

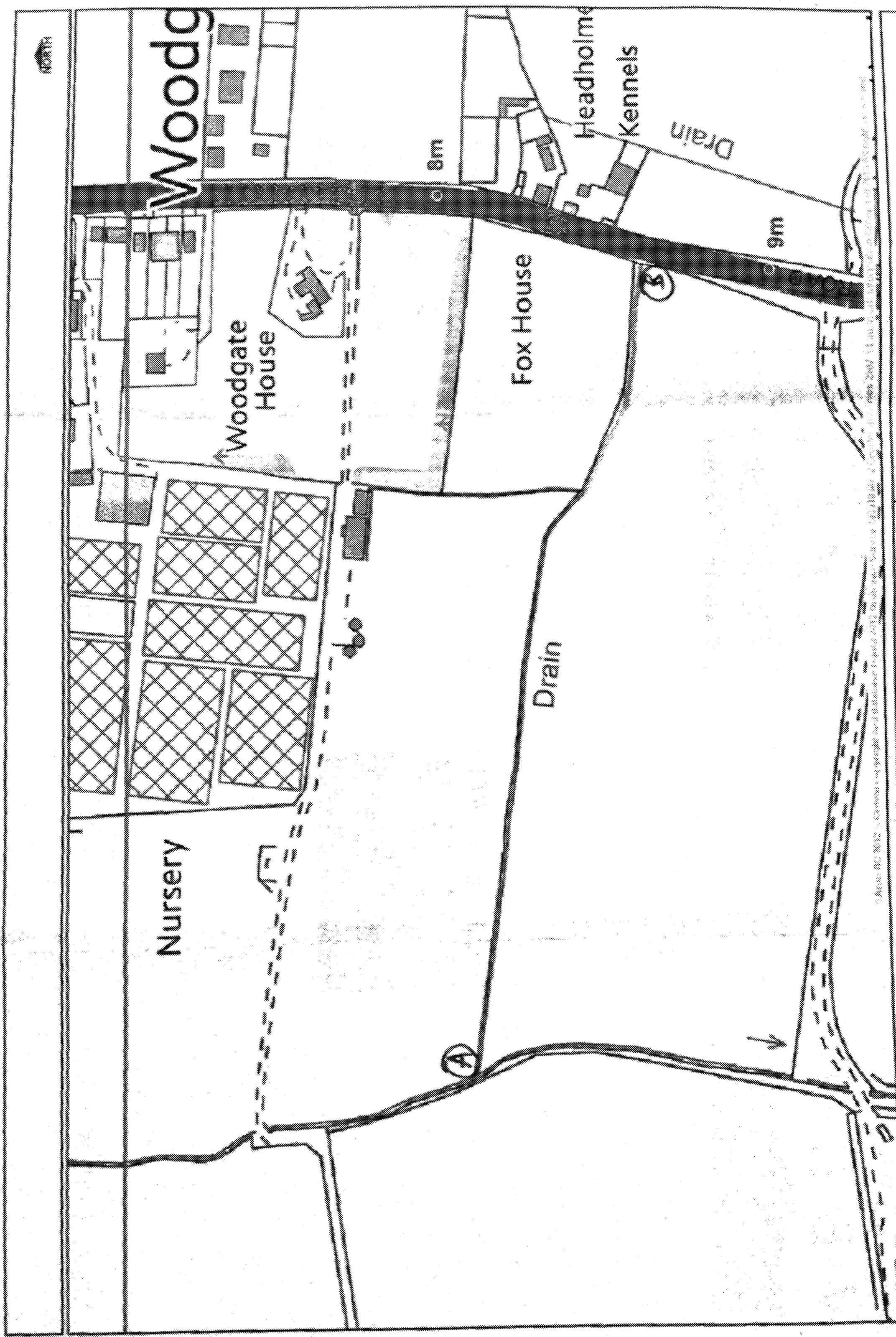
→ 9.30?

I look forward to hearing from you shortly.

Yours faithfully



Paul Cann
Senior Engineer (Drainage & Coastal)



Scale 1/3000

Date 18/2/2013

Centre = 493532 E 103793 N

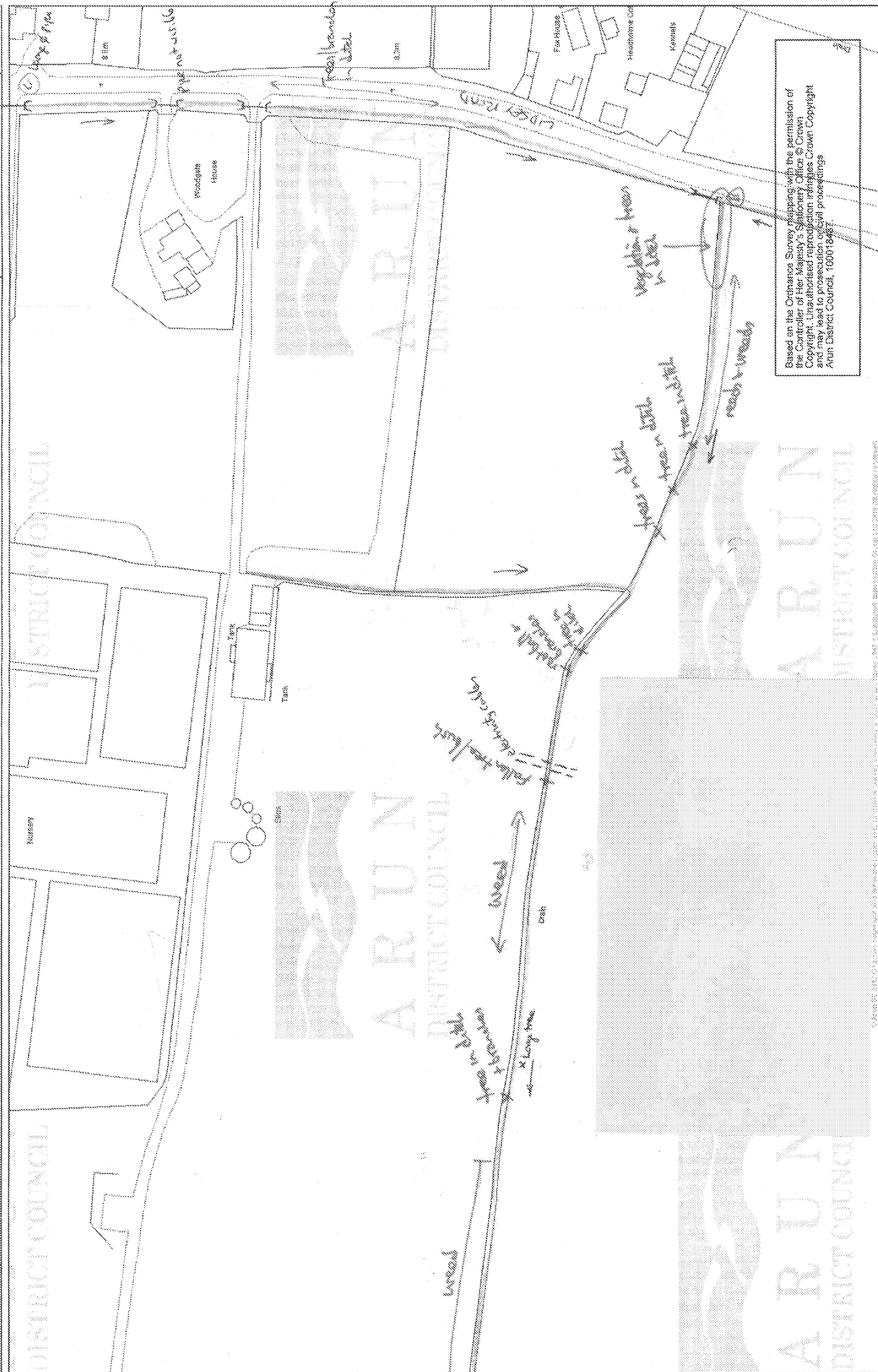
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ARUN
DISTRICT COUNCIL



Scale 1/1250
Date 12/22/03
Centre = 493592 E 103798 N

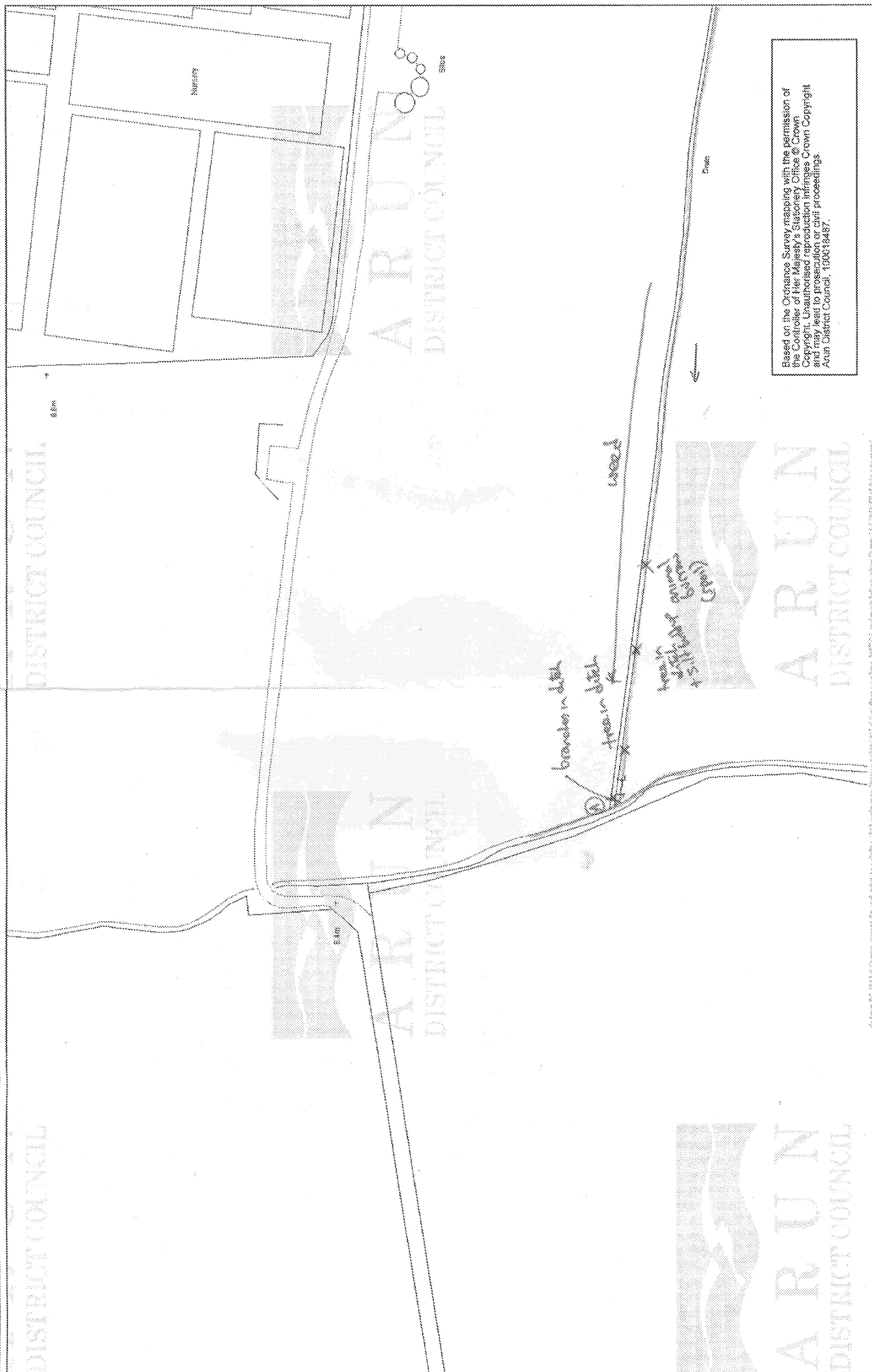


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Arundel District Council, 100018483

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Scale 1/1250
Date 12/2/2013
Centre = 493325 E 103658 N



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Arun District Council, 190018487.

ANNEX 2
ARUN DISTRICT COUNCIL

**Housing and Economic Land Availability
Assessment (HELAA) December 2020**

Site Reference 20AL2

HELAA Assessment Summary Table - Deliverable - Residential Site

Reference	20AL2
Site Location	Land west of Lidsey Road (Woodgate Nursery) Aldingbourne
Parish	Aldingbourne
Grid Reference	493683 - 103654
Strategic Allocation Site	No
Neighbourhood Plan Site	No
Site Area (ha)	3.2ha
Net Developable Area (ha)	2.24ha
Viability Typologies	2-LG75
Site Description/Existing Use	Flat agricultural land consisting of two parcels of land, surrounded by hedging. Agricultural/horticultural
Settlement	Aldingbourne
Local Plan Area	Inland Arun Area
Existing Use	Greenfield
Constraints	Area Susceptible to Groundwater Flooding, Arun SFRA Ground Water Flood Risk v1, Outside Built-Up Area (Countryside - C SP1), Archaeological Notification Areas (HER DM6)
Potential use for evaluation	Residential
Suitability	The site is outside but adjoining the settlement boundary. Currently development on this site would contravene policy and therefore the site would not be considered to be suitable. However, from the information available, the site is considered suitable in principle for future housing potential, because of its accessibility to facilities, job opportunities and public transport.
Availability Summary	Site has been submitted during HELAA Call for Sites process 2020 therefore considered available for development.
Achievability Summary	According to the Arun Local Plan Viability Study 2016 the site is considered to be viable and achievable
Deliverability Summary	Promoter estimates that an application could be submitted during 2021 and that construction could commence in March 2022 and completion of last dwelling to be in September 2023. (As at Sept 2020).
Current Status	Deliverable

Projected Potential Yields

Suggested Density	Suggested Total Yield	Promoted/Planning Application suggested total yield
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