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From: Michael Burton [REDACTED]
Sent: 03 January 2023 16:26
To: Planning <Planning@arun.gov.uk>
Subject: Objection to AL/31/22/PL

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Written submission for Planning Committee 11th January 2023

I write to object to Application AL/31/22

Previous applications for the development of this part of the former Ryefields Farmhouse garden include

1-AL/118/18 for 10 dwellings –REFUSED

2-AL/72/19 for 10 dwellings –REFUSED

Appealed APP/C3810/W/19/3243619 - DISMISSED

3-AL/81/21 for 5 dwellings-REFUSED

4-AL/126/21 for 4 dwellings – REFUSED

This application, one in a series regarding this parcel of land, is both premature and incomplete in its presentation.

This application is premature in terms of the detailed masterplan and delivery of the

Barnham/Eastergate/Westergate (BEW) strategic allocations.

Secondly it is also premature with regards to two specific matters, that of pedestrian access to the site and the drainage of surface and foul water. This application appears to provide no acceptable outcome for these matters but relies upon another planning application, by a third party, Pye Homes Ltd, in respect of the adjacent tract of land known as the Woodgate Centre. However, regardless of the outcome of the Pye Homes application for the development of the adjacent Woodgate Centre, which is by no means certain having previously been refused, neither of the two specific matters, relied upon by this application, are mentioned.

This application is for the development of what was previously the extended garden of Ryefields Farmhouse.

The site is an isolated rectangle of land, an island, landlocked by three properties owned by third parties.

On its eastern edge the site is hemmed in by Ryefields Farmhouse, to the north it is likewise hemmed in by a dirt track, formerly known as East Reeds Lane (now designated as an extension to Oak Tree Lane) and to the south and east by land currently owned by Pye Homes, which as already stated is subject to a planning application currently under consideration but not yet determined. Ryefields Farmhouse, the trackway and the land to the south and east are all owned by third parties and are outside the 'red boundary line' of the proposed development.

The developer has stated he intends to provide access to and from the proposed site by entering onto and travelling westwards along the dirt track (East Reeds Lane/Oak Tree Lane). Via the trackway access will be gained to the private housing estate of Oak Tree Lane, with its privately maintained made-up road and footpath, eventually thereby gaining access to the A29 just south of the Woodgate Crossing.

That the developer has singularly failed to make any approach to residents, the resident's association or the maintenance and management company of Oak Tree Lane only highlights the lack of concern for the existing community. There has been no public consultation or any attempt, by the developer or his agents, to establish any common grounds or deal with concerns by the local community.

In this application the developer has stated he will provide a "joined-up" footpath, between the proposed development and the already established Oak Tree Lane estate. The developer however has failed to offer any plans as to how this will be achieved; especially as the existing footpaths, of the Oak Tree Lane Estate and the proposed development site, do not abutt one another.

Perhaps this would be the correct time to state that the 'Plan' of the site, submitted with this application, by the developer, is incorrect. The boundary shown on the plan, which links the northwest corner of the proposed development site to Oak Tree Lane is 'misplaced'.

It is submitted that the line on the plan shows the position of a metal gate, set back from the boundary line, not the boundary.

This 'neck' of land, between the western boundary of the proposed development site and the eastern boundary of Oak Tree Lane was originally also a part of the garden of Ryefields Farmhouse. It was purchased by a previous owner of the Woodgate Centre. The northern boundary of this neck of land is therefore where it joins the trackway of East Reads Lane/Oak Tree Lane. This is highly relevant to the matter of pedestrian access to the site.

THE MATTER OF PEDESTRIAN ACCESS

At the Appeal of the previous application (AL/72/19) the Inspector stated, with regards to this specific point, **"...notwithstanding its relatively short length, the uneven surface of the track would not be suitable for wheelchair users, nor would it be suitable for blind or partially sighted people due to the lack of a conventional kerb..... Moreover, the existing condition of the track, in my judgement, would represent a significant trip hazard for blind and partially sighted people. For the reasons outlined above, I conclude that the proposed development would not be accessible to all users other than by vehicle and would not meet the needs of vulnerable users...Furthermore it would also fail to meet the Framework's requirement..."**

I would add that the uneven surface also makes it impossible for the passage of a baby's pushchair, buggy or pram.

Whilst this application was being submitted this matter was further raised with the developer in correspondence dated 7th and 11th July 2022.

Correspondence from Jessica Riches at ARUN to Kerry Simmon. Dated 7th July 2022 stated

“The pedestrian access to and from the site is still an issue that needs to be overcome, regardless of if this is outside the red line boundary. This was an area of concern considered by the Inspector to be so great that it formed one of their reasons for dismissal”

A reply to the above email from Natalie McKellar/Sarah Riddle dated 11th July 2022 stated the following

“...the land in question is controlled by PYE Homes and is subject to application AL/107/21/PL, which currently remains underdetermination. If ADC want a pedestrian crossing at this location, then it is easily within their power to request one”

I would submit such an answer to this problem is not only an abrogation of this developer’s responsibility to produce a full and sound application but shows a lack of understanding of the role of the developer. It is surely not ARUNs responsibility, nor should it ever be, that the local authority should provide answers to a planning problem by instructing an independent third party to provide a facility of this sort?

THE MATTER OF SURFACE AND FOUL WATER DRAINAGE

The developer uses a similar tactic, that of a third party to sort out problems on his behalf, when dealing with the matter of both surface and foul water drainage from the development site.

The development site was identified as “at high risk from groundwater flooding” (para 27 of Appeal APP/C3810/W/19/3243619).

The Inspector concluded “that inadequate information has been provided to demonstrate that the proposed development would be capable of providing satisfactory foul and surface water drainage”.

In the following months since the report was issued (2 April 2020) correspondence indicates various consultations have taken place resulting in the developer pursuing a connection of surface water drainage to the proposed development to the south of the Woodgate Centre site AL/107/21/PL - henceforth referred to as the Pye Homes site”.

The Woodgate Centre application, AL/107/21, has yet to be resolved. This application, AL/31/22 is therefore relying, with regards to these two separate matters, on what happens with another planning application which may not even come to fruition. Surely there is no way this application can be taken seriously when it relies on the outcome of yet a further planning application which has yet to be decided? I would submit this application, AL/31/22 should therefore be REFUSED.

My overall objection to this application is the unwarranted incursion of this proposed estate and its occupants onto the privately maintained estate of Oak Tree Lane. I realise this is not an acceptable planning objection, but it is obvious to all concerned this development would be better served if the proposed development was developed in conjunction with the PYE HOMES application AL/107/21? Access to the site from the south of the proposed development of the Woodgate Centre, AL/107/21, would not only provide better routes of access and egress but also allow for the 'link-up' between the two developers for the drainage problems as pointed out by the Appeals Inspector. It would also negate the need for a footpath with Oak Tree Lane as well as ongoing maintenance regarding the section of Reeds Lane/Oak Tree Lane the current application proposes.

In addition, if the developer were to work in conjunction with PYE HOMES, movements of HGVs, for the supply of building materials and removal of earth etc, would we suggest, also prove easier. The current assumption that Oak Tree Lane is used for these purposes would inevitably prove difficult and time consuming due to the narrowness of Oak Tree Lane, the two blind bends, children, the elderly and parked vehicles, individual lorries would need Banksmen to negotiate their way from the A29 to the site. Any delay in the arrival of Banksmen to guide lorries from the A29 would likely cause serious problems with traffic flow. If lorries were kept waiting on the A29, so close to the Woodgate Level Crossing, this could prove a serious traffic hazard in such close proximity to the railway line.

M Burton
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