

Maria Tomalova,  
Planning Dept,  
Arun District Council  
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By Email

Nyton Lodge,  
Nyton Road,  
Westergate,  
Chichester,  
PO20 3UL

9<sup>th</sup> May 2021

Dear Maria,

**RE: AL/40/21/PL – Land adjacent to Byfields**

I write to object and comment on this application on the grounds set out below.

The Design and Access Statement and application documentation fails to mention or comply with certain policies of the Aldingbourne Development Neighbourhood Plan, specifically EH2 and EH2 (2019), EH10 (unlit status) and EH11 (flint walls)

**1. Flint walls**

Policy EH11 requires that “New development proposals in the areas specified in EH11.1 will be required to provide flint walls and/or incorporate flint details into boundary treatments where it is appropriate”. No provision has been made in the application for this. Consequently, were the planning committee minded to approve this application a condition would need to be applied. Flint details to the boundary wall facing onto Nyton Road and the garage wall facing Nyton Road would be appropriate.

The application site sits close to houses and walls of flint construction, several being listed buildings (eg Rush Cottage, Nightingale Cottage, wall adjacent to the stream at the end of Northfields Lane and Nyton Lodge). This policy was drawn up following consultation at local workshops with building professionals arranged as part of the national “Making Places” project, and I was subsequently invited to present it at the RIBA in London before it was written up in a CPRE publication. Specific consultation was undertaken around this NDP policy, which is designed to protect the local heritage. Consequently when the planning officer dealing with redevelopment of the nearby site of the Vets at the Basmati junction failed to apply a planning condition to reinstate the flint wall there, considerable local annoyance was created.

**2. Access arrangements**

The volume of traffic along this road has grown since the construction of Mill Barn (adjacent to Byfields) a few years ago. This is the consequence of housing development throughout Barnham, Eastergate, Yapton and Aldingbourne, including 360 units under construction at Nyton Nurseries. Further applications in relation to the BEW development threaten to exacerbate volume and dangerous speeding along this road. Careful attention is therefore required both to adequacy of length of visibility splays in consultation with WSCC Highways dept, and to installation at the frontage of this site or Byfields of devices or design so as to slow down the speed of traffic at this point. For example, a planning condition requiring installation of two flashing Speed Indicator Devices at suitable points, sleeping policemen, a Village “Gateway” (as at Boxgrove) and/or white lines at the side of the highway to reduce perception of width.

Were the planning committee minded to approve this application, provision of a pedestrian footway outside both the new house and Byfields (which is in the same ownership) would be essential. My husband and I and our children regularly walk this narrow section of the road and without a footway speeding traffic is a constant danger. During the pandemic the number of cyclists and pedestrians using this stretch of road has grown considerably, people walking along the road to access the public footpaths to the West of Nyton Lodge and along Northfields Lane.

Traffic surveys have shown cars not infrequently reach 50 to 60 mph at this point. It is a particular danger because people coming from the East put their foot down after leaving the Basmati junction and have gained speed by this point.

As explained in my response to last year's application, three years ago in December two accidents took place in this vicinity. The second involved a young woman who broke down at the height of morning rush hour outside Nightingale Cottage, having hit a lump of concrete in the road which demolished her front tyre. I found her at 8am and spent an hour standing in the rain outside Byfields flagging down traffic coming from the Basmati junction in order to avoid cars crashing into her stationary car, causing a multiple pile up, potentially killing her and others. There was so much traffic, most of it with foot down to speed away by the time it reached me outside Byfields, that it was about 40 minutes before I was safely able to stop flagging people to slow down (with mixed response – some had to apply brakes hard) so as to get through to Sussex police on the mobile and get help. A repeat of that situation must be avoided.

### **3. Biodiversity**

The Aldingbourne Neighbourhood Development Plan is a made plan and therefore needs to be complied with. Its review is now at Reg 16, currently with the Examiner, and that too therefore has significant weight. Recommendations in the background research are valid, notwithstanding its Reg 16 status. There has been significant public support for the Plan, including particularly the biodiversity corridors.

No reference is made to Aldingbourne NDP Policy EH2 (SAVED) or to the ecological reports contained in the evidence base for the 2019 ANDP, even within the applicants' own ecological reports. Consequently the application fails to meet the test of Policy EH2 that "development will only be supported where it can be clearly demonstrated that development proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors".

The evidence base for the ANDP 2019 Review explains that the reason for avoiding development within 50m of the biodiversity corridor is the effect of light pollution from houses, vehicles etc. on commuting and foraging bats.

The application fails to demonstrate that it will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors because it is situated within 50m of the biodiversity corridor, where it is particularly important that any light spillage whatsoever is avoided which may affect the corridor, and where roaming cats and dogs will impact protected species in the neighbouring area, such as slow worms, reptiles and fledging birds. Page 23 of the Design Statement merely says (in relation to the HRA buffer for the Singleton & Cocking Tunnel) "lighting design to be minimal". This is inadequate, the detail is required. The provision of a small area of green roof does not mitigate for the fact that the proposed building is under 12m from the biodiversity corridor.

The application would be enhanced if the applicant were to set out proposals for the management of the biodiversity corridor to the south of the site, which is in the same ownership as this site and Byfields. For example: Seeking a Tree Preservation Order on the corridor south of the site; a suitable

management plan prepared by a professional ecologist (eg including the planting of an understorey) and conveyance of the site to either the Arun Countryside Trust or Sussex Wildlife Trust with a commuted sum for management.

Were Arun's planning committee minded to approve this application, the garden room which projects beyond the building line formed by the remainder of the rear of the house and Byfields would need to be removed/reduced to conform with the rear building line of Byfields, automatic window and door blinds installed which lower at dusk, a condition applied preventing any exterior lighting other than low level, downward facing, PIR low intensity lighting sufficient for pedestrian safety outside the doors at night and a further condition preventing installation of lighting visible from the exterior to any shed or similar structure built in the rear garden in future.

A condition would be required that the hedgerows around the boundary are planted with native species and that the mature trees on site to be retained are protected during development and in the longer term by TPOs. (While the new proposal retains the larger mature trees at the front of the site, larger shrubs to the rear of the site were removed shortly (a few weeks) before this application was made.)

An error is made in the planning application form, where the response "no" to question 10 is incorrect: "Are there any trees or hedges on land adjacent to the development site which form an important part of the landscape?" As noted above, the site lies within 50m of the biodiversity corridor to the south of the application site.

#### **4. Climate Change**

No provision for renewable energy, low carbon heating (heat pump) or rainwater harvesting is shown, which should be expected of a substantial property in a District which has declared a Climate Change Emergency: There is merely a suggestion that future occupiers could instal PV panels on the South facing roof. There is no guarantee that would happen. It is not clear whether Passivhaus standards of insulation are planned.

Yours sincerely,

A large black rectangular box redacting the signature of Louise Beaton.

Louise Beaton. O.B.E.