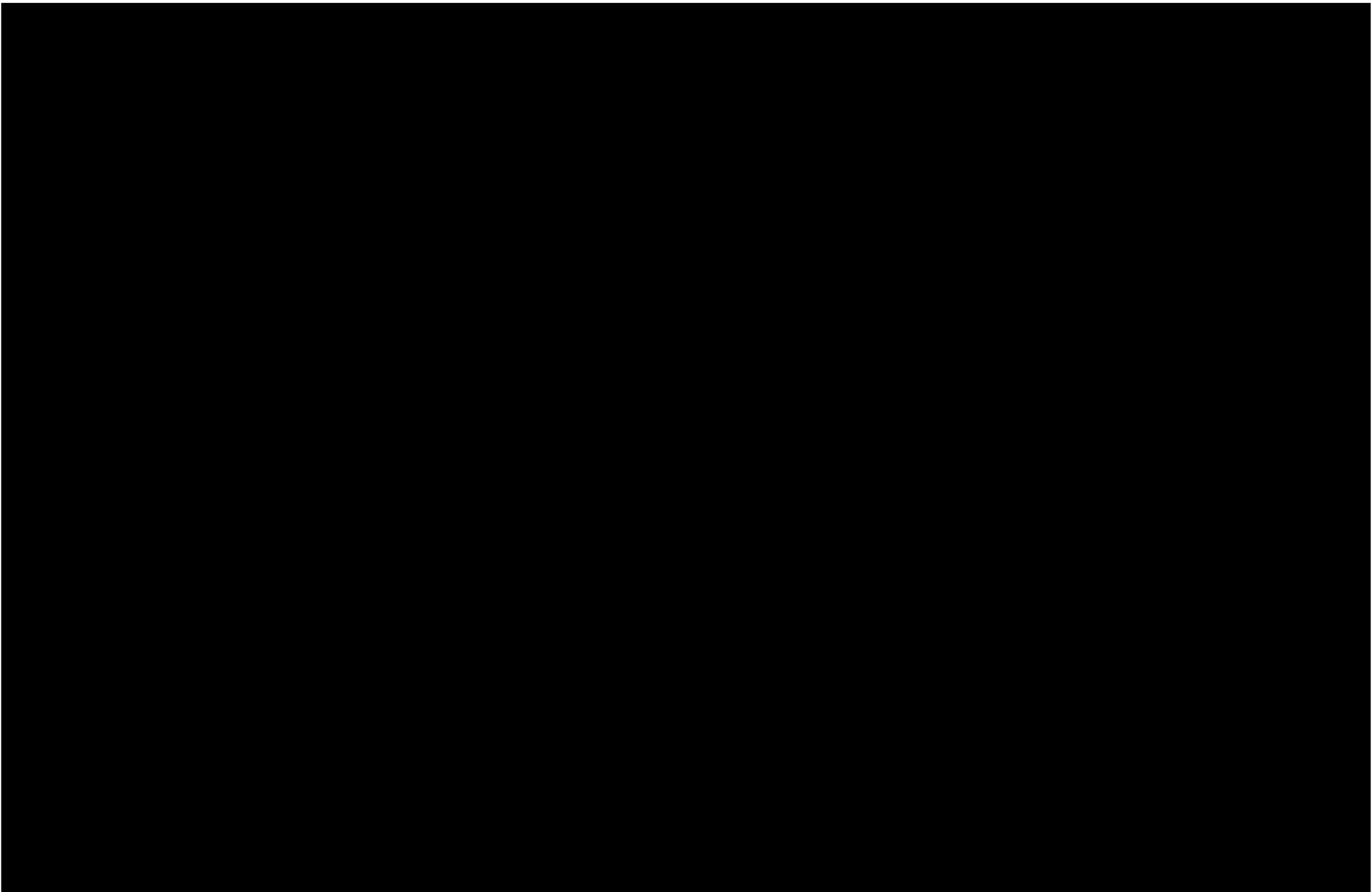




From: Rita Williams [REDACTED]

Sent: 10 May 2018 13:34

To: Planning

Cc: Cllr. Dudley Wensley; Cllr. Andy Cooper; Cllr. Paul Bicknell; 'Deborah Urquhart'; admin@angmering-pc.gov.uk

Subject: Objection to A/38/18/RES -Manor Nursery

Michael,

Please find attached my OBJECTION to planning application A/38/18/RES.

Kind Regards
Rita

My **OBJECTION** to this application relates to the proposed use of the High Street as the only main vehicle access to the development for the following reasons:

1. **Planning Condition 29: Highways Access for Emergency Vehicles should remain via the intended main access between Manor Nursery and the Barrett site to the south, not via High Street as is being proposed by the applicant.**

Outline application A/51/14/OUT was determined on 20th March 2015. The image below shows that by the 23rd May 2016, the intended main vehicle access road to the south of the Manor Nursery site linking it to Roundstone Lane had been provided.



Fig 1: Satellite Image (23rd May 2016)

The Stage 1 Road Safety Audit (August 2014) describes High Street as: “a narrow, semi-rural two-way road without street lighting or footways. There is no signed speed limit but vehicles travel slowly due to the physical and visual constraints.” Whilst the “narrow” High Street served as the emergency access road to the nursery, the proposed Highway Improvement Scheme will further reduce the width of the road to between 4.8m and 3.4m.

This will increase the response time of emergency vehicles to the proposed 32 dwellings by their having to continue down Roundstone Lane, over the 2 new traffic tables currently being installed and then along High Street, a now much narrower, unlit partially single track access road. The purpose built main access road to the south is a much more sensible route.

2. **Duty under the Equalities Act: Despite concerns raised in representations to A/51/14/OUT, the “Proposed Highway Improvement Works 14033/01 Rev. C” fails to consider existing or future types of user, including those with disability.**

The width of the proposed segregated footpaths, between 1.0m and 1.7m, fail to meet recommended national guidelines. No justification has been given as to why this “relaxation” was agreed as acceptable, or the need to introduce segregated footpaths along High Street instead of retaining and improving the existing shared road surface.

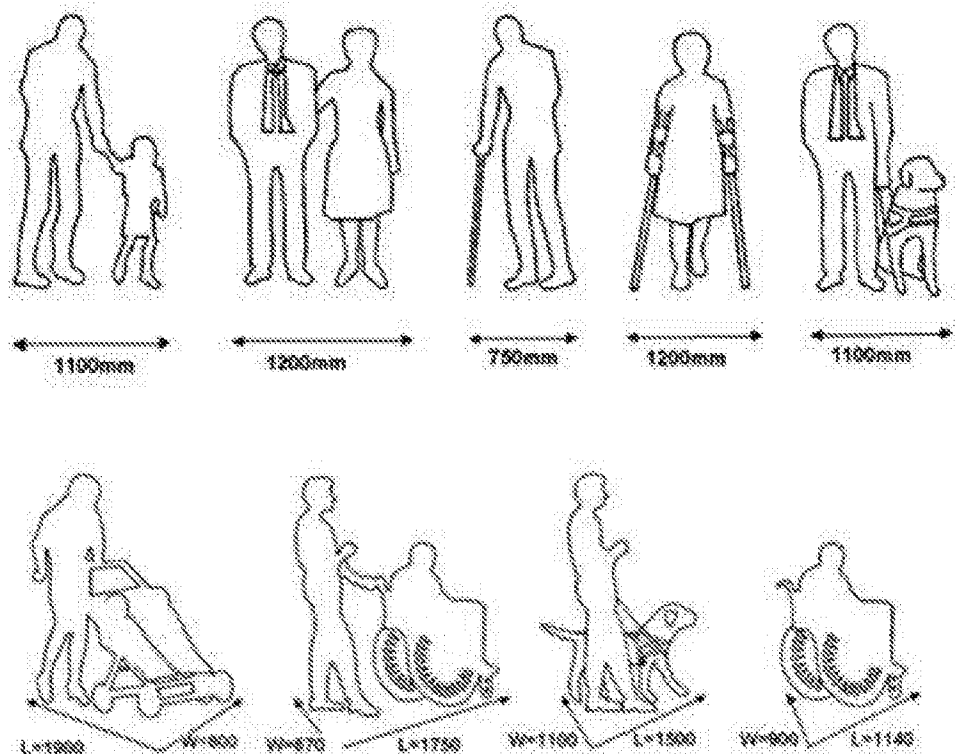
Footpaths along Manor Nursery’s internal main access roads and on developments to the south all meet the minimum recommended national guidelines (1.5m plus additional width in the form of verges where necessary to account for “kerb shyness”). The proposed footpaths along High Street do not.

Non-motorized User Provision: The Stage 1 Road Safety Audit says “the 1m wide section will be lightly used and therefore acceptable in the interests of preserving existing trees.” This reference is to the 1m section of footpath at the entrance to the development. The Safety Audit ignores the much longer 1m section at the western end of the High Street which will be predominantly used by the wider community, not just residents from the development.

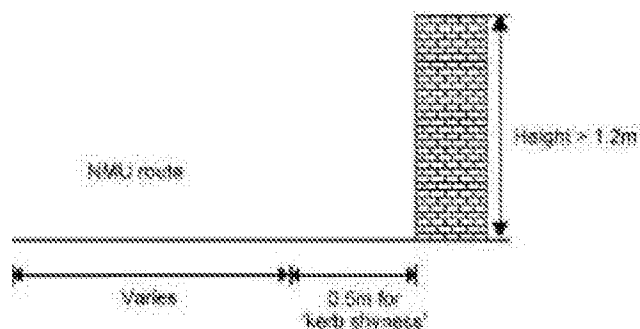
The DMBR points out that “the Road Safety Audit is not a technical check that the design conforms to standards and/or best practice guidance”. It is the schemes designer that is responsible for paying particular attention to vulnerable road users such as the very young, older users and the mobility and visually impaired, requiring local knowledge of existing users which doesn't appear to have been provided to the auditors.

The High Street as a rural lane used by the local community e.g. families, dog walkers, parents with pushchairs and young children cyclists, joggers, horse riders etc. It provides access to the Spotted Cow public house as well as to the SDNP. The **Manual for Streets** says: “Streets where people walk in groups need wider footways”. This is certainly the case along the High Street. The image below gives dimensions of different types of user, NOT the width of the footpath.

Diagram 1. Dimensions of people and equipment



Guidelines also recommend that an extra 0.5m should be added to allow for 'kerb shyness' where a footpath is bounded on one side by a wall or hedgerow more than 1.2m in height. Such as the boundary walls in front of Littleworth cottages and the Spotted Cow.



There is an urgent need to consider the merits of the introduction of the proposed footpaths and the effect that it will have on the rights of those affected by it when compared to other

alternatives, such as retaining it as a shared surface, or reverting to the Masterplan and providing the intended main vehicle access from the sites southern boundary.

- 3. Loss of Public Amenity:** Neither the decisions made in determining the original outline application, or the additional information provided by the applicant, have sought to balance the rights of the wider local community with the rights of the developer, by completely failing to consider the adverse impact of the proposed “Highway Improvements” on the social and recreational function the High Street performs.

The Stage 1 Road Safety Audit describes High Street as: *“a narrow, semi-rural two-way road without street lighting or footways. There is no signed speed limit but vehicles travel slowly due to the physical and visual constraints.”*

The current shared nature of the High Street creates a safe environment in which pedestrians can walk, or stop and chat without feeling intimidated by motor traffic; makes it easier for people, cyclists and horse riders to move around; and promotes social interaction.

The applicants “Design and Access Statement” says *“Principals forming the site lay-out include good pedestrian and vehicle routes throughout the site”*. This includes:

- **A 4.8m wide shared single surface** home zone is proposed for use by people, cyclists and vehicles. This will encourage low vehicle speeds and road layout will form part of the transition from front door to public open space improving social integration and improve interaction between neighbours.
- *Mobility access has been provided on site*

However, the proposed “Highway Improvements” introduce unacceptably narrow footpaths along the High Street removing the opportunity for social interaction or the enjoyment of this important amenity by existing users, as a semi-rural footpath transitioning from an increasingly urban environment through the Conservation Area to open countryside”.

Email correspondence at the outline planning stage, suggested that: *“a shared space might be an option, but is likely to require some highway works. Looking through the (extensive) correspondence between ourselves, Arun, developers and interested parties relating to the Angmering Masterplan, it does not appear that we have specifically instructed that a footway provision should be introduced. However I understand that the Masterplan did not incorporate a vehicular access onto High Street.”*

- 4. Loss of Residential Amenity:** There is still no evidence that the requirement to provide the main vehicle access to the site via the High Street on a permanent basis was ever considered against the loss of the rights and freedoms of neighbouring properties in the Conservation Area that will be directly affected by these “Highway Improvements”.

Should the proposed main access to the site via the High Street be retained, then provision of ample, allocated, secure off-road parking for residents and visitors must be included in the scheme.

a) Parking: The applicants “Design and Access Statement” confirms the new residents will all enjoy allocated off road car parking spaces as well as off-road lay-bys for visitors and commercial vehicles such as delivery vans, trades men, etc.

The introduction of pavements along the proposed main access through the High Street will result in the loss of existing on-road parking facilities outside the homes of the residents of Littleworth cottages, only one of which has the ability to park a vehicle off-road.

b) Security: The applicants “Design and Access Statement” confirms *“Crime prevention measures have been provided within the scheme design to achieve a development that at responds to the seven key principles of “Secured by Design”. Including, ensuring that the*

parking of vehicles within the development has been designed to have natural surveillance from dwellings”.

From being able to park where they “*have natural surveillance*” of their vehicles, the only parking readily available for the residents of Littleworth cottages and visitors is an isolated unlit car park at the far end of the High Street, which is regularly used for fly-tipping and on occasions as a place to dump and “torch” stolen cars.

If on-street parking can not be introduced into the proposed scheme, then the intended link road to Roundstone Lane proposed by the Masterplan should be used as the main purpose built safe access for all types of motorised and non-motorised users. The alternative is to upgrade and retain access via the High Street as a shared space.

5. Historical Impact: The impact on the Conservation Area and Listed Buildings of the proposed highway “improvements” remains a material consideration.

ADC is under a legal duty to have particular regard to the desirability of preserving or enhancing the character and appearance of a Conservation Area as well as changes which would adversely affect the setting of a Listed Building. This is clearly an important consideration raised by Arun’s Conservation Officer and in submissions to A/51/14/OUT.

Arun’s Current PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

The modified emerging Arun Local Plan - Jan 2018 (the ‘modified eALP’) has been through examination and further consultation on main modifications following public examination. Therefore, when assessing planning applications, it is Arun’s view that the eALP is close to being able to be adopted; some weight can be given to Policy D SP1 Design, Policy HER DM3 Conservation Areas and HER SP1 Historic Environment as a material consideration.

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The proposal is not considered to comply with relevant Development Plan policies in that it will have a materially adverse effect on the visual amenities of the locality AND the residential amenities of the properties in the High Street, as well as having an adverse impact upon the established character of the surrounding area.

There are policies protecting the historic environment throughout the NPPF, with a specific section covering conserving and enhancing the historic environment (paragraphs 126 to 141).

Although the NPPF concerns itself with the development of the site itself, consideration of the setting of the historic environment and its heritage assets is a principal objective of sustainable development and hence of the NPPF.

The Conservation office’s view of the original “Highways Improvement” proposal was that *“the layout and arrangement of the pavement will introduce a complex layout/arrangement which is very sub-urban in character, and in direct conflict with the existing established character of the area. It reads as if it follows a standard highways formulaic approach.”* and that *“It is considered that the scheme should avoid the unnecessary introduction of pavement and kerbs in such a rural area. An alternative, much more sensitive approach is required.”*

The current “*more sensitive scheme*” (Proposed Highway Improvement Works 14033/01 Rev. C) has resulted in the original 1.5m minimum footpath in the applicants 2014 Transport

Statement, which was based on the recommended DfT Manual for Streets guidelines to allow a pedestrian and pushchair user to pass each other, being reduced to 1.0m.

The reason given for approving the proposed “Highway Improvements” was *“For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.”*

Although policy GEN7 is a “saved policy” from the 2003 Arun Local Plan and carries little weight, it is unclear how this element of the application protects and enhances the quality of the environment or meets the following criteria:

- (iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;
- (v) takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property;
- (vii) allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians;

The “Proposed Highway Improvement Works 14033/01 Rev. C” does not take into account the adverse impact on the use of the High Street by neighbouring properties, the amenity value and safety of current users or the setting of the Conservation Area and Listed Buildings.

6. **Significant weight was afforded to the decision to allow access from the High Street as it was the only existing access available to the site at that time. This is not now the case and there is an opportunity to re-assess these proposed changes.**

The background against which the outline application (A/51/14/OUT) was submitted 4 years ago is now materially different and should be taken into account when determining this application. The current application does not provide any evidence that the “Highways Improvement” scheme as proposed would provide significant (if any) public benefits as opposed to using the intended access road to the south.

a) The “Ransom Situation”, no longer exists.

In 2014, the applicant was concerned that Arun would be placing them in a “ransom situation” if use of the existing access to Manor Nursery was refused, as their ability to progress development of the site would be totally dependant on the major developers and land owners to the south providing the main vehicle access from Roundstone Lane.

1st Aug 2014: An email confirms WSCC were in an on-going dialogue with Arun planners regarding highways access to the site. It says: *“The preference set in the Master Plan was to have access taken from the main site with the [vehicle] access to High Street closed off and stopped up. While both ourselves and Arun have indicated a clear preference in discussions with the Developers, due to the complex land ownerships the owners of the nursery site are in a situation where they would be dependent on agreement from Barratt’s and other owners to the south, putting them in a ‘ransom’ situation”*.

Despite the fact that the Conservation Officer raised major concerns about the impact on the setting of Conservation Area and listed buildings along the High Street, and the proposal was against both WSCC Highways and ADC’s wishes for the site to be accessed from development to the south, it was agreed that under the circumstances *“it wasn’t reasonable for the Council to require no access be taken from the High Street as this would make the Manor Nursery application wholly dependent on the Barratts development for access.”*

9th Feb 2015: At a Parish Council meeting, when asked, a representative from Barratts categorically stated that all the roads on their sites would be laid right up to the boundaries of the other parcels of land and that there were no ransom strips.

b) Shortly after Manor Nursery closed in July 2014, “unforeseen events” meant development of the site did not progress as quickly as had been anticipated. By May 2016 (even before the demolition of greenhouses or clearing at the Manor Nursery had started), the intended main vehicle access road up to Manor Nursery’s southern boundary had been provided. (As shown in Fig 1 above)

In determining A/51/14/OUT, the Officers’ Report quotes WSCC Highways as saying: *“While the proposed access arrangements are contrary to the Master Plan, which identified access taken from Roundstone Lane via the main site accesses and the internal estate roads, the LHA will provide comment on the safety and capacity impact of access being taken from High Street once all supporting information has been received.”*

It was also suggested that: *“members of the Development Control Committee might request a condition that required the access onto High Street to be closed up once the Barratts development had constructed the road way up to the boundary between the sites.”*

It is unclear from the supporting documentation whether the DCC members were ever given or discussed that option.

c) In the interest of conforming with saved 2003 Arun Local Plan policy GEN 7 and the ‘modified eALP’, the suggested LHA assessment of the safety and capacity impact of access being taken from High Street versus the originally intended (and now available) Masterplan route should be undertaken.

Arun must be satisfied that it is expedient to make changes to the existing highway having regard not only to the development itself, but also to the extent to which the proposed “Highway Improvements” would add to, or unfavourably impact upon the convenience and enjoyment of the existing community and neighbouring residents.

“Highways Improvements” should aim to improve the amenities in the area, or increase existing users’ safety and enjoyment by avoiding the need to step into the road to pass other users. This requires footpaths to be designed and implemented to meet minimum national guidelines.

The changes proposed to the High Street are the most worrying aspect of this application.

d) Residents of Swanbourne Park have been told that: “All of the proposed adopted highway roads, footpaths and verge areas will be completed ready for inspection by West Sussex CC Highways by end June 18. If any snagging is required, this will be carried out and then placed on a 12 month maintenance contract prior to adoption.”

If confirmed by WSCC, it will remove any concerns about access from the Manor Nursery site to Roundstone Lane as originally intended via the internal estate roads to the south.

The impacts and suitability of the changes in the “Proposed Highway Improvement Works 14033/01 Rev. C” , enabling the High Street to be used as the main vehicle access to the Manor Nursery site from Roundstone Lane for all types of motorised and non-motorised users, needs to be re-assessed against the purpose built and intended link road from the Manor Nursery site to Roundstone Lane to the south.

The alternative is to explore the suitability of upgrading and retaining access via the High Street as a shared single surface space which allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians.