

20 Silver Birch Drive
Middleton-on-Sea
West Sussex
PO22 6SJ

Planning Department
Arun District Council

By email to: planning@arun.gov.uk

8 October 2020

Dear Sir / Madam,

Ref: PLANNING APPLICATION M/68/20/PL – POULTRY FARM, 87 YAPTON ROAD

I am writing with respect to the above planning application to register the following objections to the plans as resubmitted – previously Application M/80/19/PL, refused in February.

This application continues to be for a large commercial development and its significant associated traffic, accessed through an inadequately narrow side road off a residential street in a village location. As such, it remains completely unsuited and unsympathetic to its proposed location.

As the applicant's own Planning Statement confirms: **"This proposal is the same as that which was refused in February, but for the substantial reduction in height of the buildings at the site."** (Planning Statement, page 8, para 2.16)

A few pages further on, this document confirms that this claimed "substantial" reduction in height amounts to the roofline lowered merely by 1.6m: **"The general ridge height of the revised scheme would be 8m above ground level. The recently refused level had a general ridge height of 9.6m."** (Planning Statement, page 14, para 4.6)

Assuming a mere 1.6m in roof height was far from the only reason behind the Council's refusal of the previous application, the credible and consistent response would therefore be for the Council to refuse this application again. This is especially the case given the following highly significant and material aspects of the application, directly relevant to the previous refusal, remain the same:

- **The far larger footprint scale of the proposed buildings than the previously consented development** of 13 houses remains unsuitable overdevelopment for this location;
- **The far higher density of use** – notably, significantly higher than the previously consented development of x13 2-, 3- and 4-bedroom houses – remains the same and unsympathetic to this village location, especially utilising the narrow proposed access road. Assuming an average of 3 occupants per house in the consented application indicates a potential 39 people resident in that development. This care home, however, will have 66 residents and 50 staff using the site as well as various visitors – a 197% increase in occupation density over the consented housing application. Vehicle numbers and movements will consequently also be similarly far greater than for 13 houses.

- The proposed access road remains completely inadequate for the scale of the development and the likely disruptive impact to traffic flow on neighbouring residential Silver Birch Drive is therefore likely to be significant. As the applicant's own Swept Path Analysis diagrams show, two van type vehicles cannot pass each other on the access road while vehicles are also parked in the laybys, but even this (presumably deliberately) does not show vehicles to size at the access road's narrowest point at its entrance, where vehicles are also taking up more space by turning into / out of the access road. Even car-sized vehicles would struggle to pass each other at the entrance point, meaning potential sudden stops on Silver Birch Drive and/or reversals back onto the site or back onto this busier road. The swept path analysis of the refuse truck notably doesn't show it to scale in the access road meeting a vehicle coming in the opposite direction, nor its height relative to lower limbs of the protected Ash tree. **The applicant's documents therefore still propose inadequate access arrangements and mislead by omission.**
- The planned parking for just 29 cars including two dedicated disabled spaces remains completely inadequate in practice relative to declared staff numbers, and exclude visiting family, contractors and practitioners. **This application therefore still threatens a significant and disruptive overspill impact on the surrounding residential area, which is a material consideration of Local Plan policies and planning guidelines.**
- The likely potential threat to a protected and rarely healthy Ash tree also remains the same. Access cannot be ensured for larger vehicles particularly during construction but also during normal site use (eg refuse vehicles or large trucks for catering or other deliveries) without removing several more low-hanging limbs to one side of the protected Ash tree than the single limb the applicant has identified. **The applicant's proposals in this regard still remain unrealistic and continue to threaten a rare, protected tree.**
- Weak connections to sustainable transport. Limited bus services in the village can only be accessed from the site via a potentially dangerous walk down narrow, impeded pavements that get splashed by cars in the wet weather and are pitch dark with no street lighting in the evenings and winter afternoons. This is not a practical alternative and the applicant's claims that 50% of staff will arrive by transport other than private car are absurdly unrealistic and not a credible basis on which to grant planning permission. **The applicant's proposals for sustainable transport options are therefore still not credible and extremely weak.**

However, the following material considerations have changed since the original application:

- **Planning permission has been granted on appeal for a similar sized "64-bed specialist dementia care centre" just 2 miles away in Climbing** (Application CM/16/18/PL). This has considerably reduced the future need for a further 66-bed specialist dementia care beds in Middleton-on-Sea, especially given the other material flaws with the application.
- **There are number of further brand new dementia care home developments already underway in the area** including a 64 bed care home in Angmering, a 75 bed care home at Donnington, near Chichester due to open in 2021 and recent large development plans for "Hampton Park" (North Littlehampton) and Ford airfield also including new care homes. There is no justification therefore based on need for care facilities for approving this particular application despite its highly unsuitable location and access arrangements.
- **According to the Care Quality Commission there are already 20 residential care homes for dementia care within 5 miles of the Bognor Regis / Barnham area**, compared to just 12 near Littlehampton (4 of which are in Yapton and Felpham) and 11 near Arundel. So even if it were accepted that there is a generalised need for dementia care

across the Arun area, that need is not in Bognor Regis / Barnham – especially now that a new 64-bed home has been approved for Climping and another proposed for a major new development at Ford airfield.

- Since the first application was refused, serious flooding has occurred on Yapton Road adjacent to the eastern boundary of the proposed development at the Yapton Road end of the ditch into which the plans indicate surface water drainage from the new buildings will be directed. Plans to mitigate flooding on the site itself and for surface drainage into the ditch that runs towards an area of previous flooding are therefore only likely to contribute to worsening existing regular incidents of flooding on the neighbouring main road and key route to/from Middleton and Elmer.

Beyond the above updated points, all I can further offer in response to this virtually unchanged application are the following same objections that I submitted to the original application last year, which I believe remain valid – and add detail to some of the points above.

These centre in particular on how the applicant's Transport Assessment document submitted on 18/09/2020 as part of this resubmitted planning application is completely deficient and misleading in numerous, highly material ways.

If approval were to be granted based on a face value reading of this document, then the council would be giving the go-ahead to a development that contradicts planning guidelines and which, consequently, is likely to cause severe harm to the neighbouring community.

There are four main ways in which, I would submit, the Transport Assessment document for this application is defective and completely misleading:

1. Access

The development's Transport Assessment gives some attention to the 'cul-de-sac' side road off Silver Birch Drive that is intended as an access road to the site. Yet, despite referring to the width of many surrounding roads, this document conveniently manages to omit that **this side road is not a full width road**. In practical effect, it is a single lane road, certainly for larger vehicles and especially, in practice, at its entrance point.

In addition, the development's plan proposes that the access road into the site, beyond the end of the existing cul-de-sac, will curve away from direct line of sight for vehicles seeking to turn into the access road from Silver Birch Drive.

These two features of the plan combine to create serious potential access problems that will materially impact on the nearby community. It means that access to the site involves a long stretch along the entirety of which effectively (and certainly if a larger vehicle is involved) only one vehicle at a time can move in either direction.

It also means that vehicles seeking to turn into the development will have difficulty seeing that the full length of the access route is clear before turning into the access road and that there is consequently a very strong likelihood of such vehicles waiting stationary for an extended period in Silver Birch Drive to turn into the access road if another vehicle is exiting the site at the same time.

In the highly likely scenario that two vehicles meet on the access road, one or other would have to manoeuvre out of the way, leading to a safety concern of potential reversing manoeuvres back

towards the care home pedestrian entrance or onto a busier road like Silver Birch Drive – especially if, as is disproportionately likely, the vehicle involved is a restricted visibility vehicle, like a van or larger.

The government's National Planning Policy Framework requires development proposals to "allow for the efficient delivery of goods, and access by service and emergency vehicles." The plans as submitted with respect to use of this access road very obviously do not meet these requirements.

The proposed vehicle access arrangements for this application breach development guidelines and are completely unacceptable for a development of this size.

An added likely exacerbation of this situation is that cars belonging to local residents and their visitors are often already left parked outside houses in the vicinity of the entrance to the proposed access road, at such times reducing even Silver Birch Drive itself to a single lane. A yet further exacerbation is the significant deficiencies of the proposed car parking aspects of the development, described in section 3 below, only increasing the likelihood of nearby on-street parking causing obstructions.

2. Traffic

It is notable from the developer's Transport Assessment document that the prediction is for a very significant **additional 145 vehicle movements daily** to use the defective access arrangements described above to enter and exit the site onto Silver Birch Drive.

Given this document's other understatements and omissions, particularly in relation to visitors and others using the car parking provision, even this high figure for vehicle movements is likely to be a considerable understatement.

According to their document's figures for 12-hour traffic flow on Silver Birch Drive itself, **this application estimates that additional daily traffic down that narrow side access road will be equivalent to 16% of the entire daytime traffic for Silver Birch Drive – very likely more.** This is an extraordinary figure, is simply not credible or practical and will inevitably cause traffic problems.

The potential for the above-described vehicle access problems to occur and create disruption many times a day is therefore extremely high.

3. Parking

Even taking at face value the figures within the Transport Assessment document, despite its other major omissions, the car parking provision is completely insufficient.

The document says at various points that there will be 20-25 staff on-site at any one time, that there will be 27 parking spaces plus 2 disabled bays, and that at the peak afternoon shift change there are likely to be 8 arrivals and 8 departures.

Based on a realistic assumption of 25 staff on site and that the afternoon peak 8 new shift arrivals will need to park before 8 depart, the car park is already under capacity. Indeed, the applicant's Transport Assessment itself predicts 10 arrivals and only 4 departures at the morning peak period (Table 5-1, page 32). Where will the 10 arrivals park if there are already 25 staff on site?

Already it seems inherent with the application that some staff will need to park in neighbouring residential streets before existing staff have left work. These estimates, however, **take no account of visitors, deliveries or other external service-providers such as maintenance contractors, utility services, medical or personal care specialists, gardeners, etc.** This pushes the car parking even further under-capacity and adds further very likely parking pressure onto surrounding streets.

West Sussex County Council planning guidelines say that a development's parking must "protect surrounding communities" and it is clear that this development's significantly under-planned car parking and highly likely spill-over into surrounding streets certainly does not meet this requirement.

Even at face value the parking proposals within this application are woefully under capacity and probably need to be around double the current plan to ensure there is no impact on the surrounding community and obstruction to local traffic. **It would therefore be highly irresponsible to the surrounding community to approve these plans on the current basis.**

4. Public transport

The Transport Assessment document makes reference to various bus services available at stops in Middleton village. However, the information again misleads by omission.

The document does not mention that the walking route between the bus stop and proposed site involves walking along a narrow pavement, close to often fast-moving traffic, down a completely unlit road. From long experience I can tell you that due to total darkness, changing surface levels together with protruding foliage and other obstructions, it is almost impossible and certainly very risky to walk down that pavement in the dark without a torch.

Given for several months of the year it gets dark at 3-4pm and would be dark at the stated morning shift-change time of 8:00am, stumbling down that road in pitch blackness from the bus stop is not at all likely to be viewed as a credible choice by many staff or visitors, even more so in wet winter weather.

In addition, various drain covers and potholes in the road surface present an extremely high potential for being splashed by vehicles driving through roadside puddles if it has been raining. It is not a pleasant or easy walking route.

In addition, as the information in the assessment does at least confirm, there are no bus services at all on a Sunday. So staff and visitors to the site will certainly have no public transport options on that day, likely to be one of the most popular days for visitors.

Guidelines state priority will be given to developments that are sustainable and encourage use of alternative transport. **This proposal's aspects relating to alternative transport options are extremely weak. The reality is that most staff and visitors will have to arrive by car** and the provisions in relation to this form of transport in relation to access and parking, as described above, are completely deficient.

Other claims

There are numerous other points throughout the developer's Transport Assessment document in which it does not represent reality in a seriously misleading way.

For example, on page 13, the document states that Silver Birch Drive “was observed to be free from any defect, serious or otherwise ...”. **This is totally untrue and should cast severe doubt onto all of the document’s apparent ‘observations’.** It is hard to understand how the authors of this report could have missed a series of serious and growing potholes between the Yapton Road roundabout and the proposed site access road – a stretch of Silver Birch Drive already in need of repair that would need to withstand significantly increased traffic if this application were approved.

On page 14, the document states again that Yapton Road southbound is “free from any defects, serious or otherwise.” **Again, simply not true. At numerous points along that road there are various significant roadside potholes that cause vehicles to take avoiding action and are especially threatening to pedestrians when it has been raining.** This section also describes the width of the footway without mentioning how that width is intruded upon at various points by foliage, **forcing pedestrians very close to traffic.** At several points along that pathway between Silver Birch Drive and Middleton village pedestrians must stop to check that a large vehicle with wide mirrors isn’t approaching before moving around an overhanging tree/bush. **This document therefore misleads very significantly by omission as to the appeal of accessing local bus services in the nearby village centre.**

Finally, it is clear that construction access to the site will require far more significant damage to a protected and rarely healthy Ash tree next to the access route than has been set out in documents supporting this application, which refer merely to removal of a low-growth lower limb. For larger vehicles to access the site, **a number of other lower-hanging branches will also need to be removed to the extent that a large part of the lower half of this healthy, protected tree will in fact need to be destroyed.** West Sussex County Council has recently highlighted the threat to our local environment of Ash Dieback disease, saying it has the potential to kill an astonishing 95% of Ash trees in Sussex over the next 10-20 years. **Every opportunity must therefore be taken to preserve, especially if already protected, those that have been professionally judged to be rarely healthy and may be dieback resistant.** Yet this development, via the proposed access route, proposes severe damage to this tree that could threaten its survival.

While I understand that there is a claimed general priority to increase care home capacity in the district, it is important to recognise that this application is **not for a general care home for older people able to pay for such services, but as a very specialised end-of-life dementia care facility,** for which the demand and accessibility must inherently be much lower and less local. The Care Quality Commission figures I have provided above also show that any priority need for new dementia care provision within Arun does not appear to be in the Bognor Regis / Barnham area.

Indeed, the applicants themselves admit in their Planning Statement (page 30, para 5.65) that only a “large majority” of residents will already be Arun and even wider West Sussex residents, suggesting some will come from even further afield, beyond even county boundaries. This confirms from how wide an area this large commercial development intends to draw its residents and that any truly local need is far from sufficient to excuse the many other flaws of imposing this development in this location.

There are many other buildings and sites that appear regularly available for sale that could be converted/developed for care home use such that a general priority to increase care home capacity doesn’t in any way mean that this particular development must proceed on this particular site regardless of the many other very significant and locally detrimental defects of the application described above.

For these reasons and others stated above that I trust the Planning Inspector will consider, I also believe that the Council when considering this new application can have reasonable confidence the applicant's forthcoming appeal against the previous refusal of this proposed development will fail.

I hope that this information will be useful towards the Council's deliberations on this resubmitted and largely unchanged application. **Please reject it again.**

Yours faithfully,

Stuart Coster