

Dear Sirs,

Re: Planning application WA/63/21/PL: Land East of Tye Lane, Walberton.

Walberton Parish Council wishes to register an **objection** to this application. We have the following concerns.

This application is wholly premature and based on a contingency that may not happen: that the proposed A27 route will block the existing access/ egress from the Avisford Grange development (AG) onto Yapton Lane. We note that there is currently absolutely no impediment to site access through the permitted route via Yapton Lane. It should therefore be refused outright at this stage especially as this potential risk was known when the original planning application was approved.

We also note that

- No application has been made for a development consent order for the proposed A27 bypass, and at the time of writing there is no firm design specification for the proposed bypass.
- The application and information supplied by the developer refers to a theoretical loss of access via Yapton Lane and requiring an access onto Tye Lane, (now modified from the previous withdrawn application WA/93/20/PL) to better facilitate traffic heading north along Tye Lane to the A27.
- The logic of the argument is fundamentally flawed as the (currently non-existent) A27 bypass route as proposed by Highways England (HE) blocks both the Yapton Lane access and also severs Tye Lane heading north. Northbound traffic from AG will then be forced to head south down Tye Lane into the village of Walberton and then head east along The Street in order to then head north up Yapton Lane, or head west along The Street and then head north west up West Walberton Lane. It is wholly inappropriate for northbound traffic to be routed south through the village in this way. An access onto Tye Lane will not therefore “facilitate” northbound traffic either in advance of the A27 bypass coming forward (it is quicker, easier and safer for northbound traffic to use the current Yapton Lane access), or should the A27 bypass come forward as a Tye Lane access only provides a suitable, easy, safe route for southbound traffic and not northbound traffic.
- As such, there is no justification for an alternative access via a route already deemed inappropriate for other sites (eg Land West of Tye Lane, WA/68/20/OUT) which was refused planning permission amongst other reasons because “The preferred route for the A27 Arundel Bypass: the Grey Option 5BV1 route would be constructed in close proximity to the north of the proposed development, which would have the effect of stopping up Tye Lane to the north of the development. The Fontwell West roundabout is already over capacity as it is severely impacted by traffic in the peak periods and accordingly any additional traffic on top of already severe conditions are in themselves classed as severe”.
- Non-disclosure agreements are in place between HE and the developer. As such, incomplete information is available in the public domain to ensure a valid planning consultation can be undertaken. As such, we expect ADC to defer the application until full public disclosure of relevant information and revised design is confirmed, at the end of the DCO statutory consultation this Autumn.

- The developer states that they have undertaken community engagement. However, this mostly seems to be in the form of a flier sent to a few residents almost a month after the application was submitted. They did not have a meeting with WPC but instead were allocated time to present their information.

HE is currently consulting on mitigation measures with a revised detailed design due for the A27 bypass Grey route (Grey). We understand from HE that the revised design will be available in Autumn 2021 as part of the statutory consultation being undertaken on the revised scheme proposal.

However, HE have indicated in a recent conference call with WPC that there clearly is potential for alternative access along Yapton Lane (i.e. restoration of access after construction) and HE's current revised but as yet unpublished plan apparently considers this and other workable access arrangements and they believe they have a technical solution. If the route of the A27 should be considered relevant to the present planning application, then the application is precipitous and should not be determined pending the revised route design. One obvious mitigation is to move the proposed A27 bypass route slightly north thereby avoiding the entrance to AG. At the present time there is no visibility as to whether this mitigation proposal will or will not come forward. We understand that HE is purchasing properties on Yapton Lane that are blighted (statutory and non-statutory blight) by the proposed route; therefore should the next A27 bypass design still affect access to AG then HE may well be able to provide alternative access onto Yapton Lane via their newly purchased land. We are aware that the owners of the property immediately adjacent to the AG site on Yapton Lane are interested in selling. An alternative access on Yapton Lane would be eminently more suitable for both the safety and amenity of access, and crucially provide for easy northbound movements whether or not the A27 bypass proposals come forward, so future proofing AG's access. Again, the application is premature at the present time whilst the possibility of a viable alternative access onto Yapton Lane is explored. Suitable alternatives should be explored and ruled out before a much less suitable option is taken forward as promoted in this planning application.

Peter Mumford of HE wrote to Cllr Dr James Walsh (then Leader of Arun District Council) on 3 December 2020 saying that he recognised "the need for Highways England to ensure that we're able to maintain access to Avisford Grange during construction and upon completion of the scheme". This was reassuring to our parishioners. He also stated that "Minimising the impact of our road schemes on any affected community or environment is of the utmost importance and will be especially important for Avisford Grange".

As such, there is currently insufficient information to determine:

1. If the existing access would be impacted by the proposed A27 bypass, or whether imminent design changes to the bypass scheme will resolve access issues;
2. Whether there are suitable, available, viable alternative accesses onto Yapton Lane that can be pursued; and in consequence
3. Whether the proposed access onto Tye Lane is needed at all.

Determination of the application should be delayed as a minimum until the end of the Autumn 2021 statutory consultation and the completion of an exercise to consider alternative accesses onto Yapton Lane. Alternatively, the application should be refused at this time pending a confirmed development consent order for the A27 bypass. The pausing of work on the AG development was purely a commercial decision by the developer. They have written to WPC (6th July 2021) to indicate that awaiting the formal Development Consent Order for the A27 burdens them with an unbudgeted cost. However, the Highways Authority is purely concerned with appropriateness of access and has already declared that Yapton Lane rather than Tye Lane is the suitable route. The commercial issue is not a material planning consideration for the authority.

Alternative Emergency Access via Avisford Park Road (APR)

Emergency access (including access for fire appliances) is considered wholly inappropriate onto this narrow unsurfaced and unadopted road. We will await with interest the consultation response on the application of West Sussex Fire and Rescue Service. The application shows 2-way access. The shown left turn into AG is not possible as Avisford Park Road is only accessible by vehicles from the Yapton Lane end. Therefore, only a right turn is possible. The widened path proposed for emergency vehicles is in the public open space and the applicant has not made clear how this will impinge on this space, particularly as regards the safety of users.

The developer considers APR suitable because of its use by the Council's refuse vehicles; whilst concurrently noting that the refuse vehicles reverse down the road in order to drive back out.

APR is wide enough for a single vehicle only: two vehicles cannot pass each other. It is frequently blocked by parked cars and delivery vehicles, and is used once a year for a community street event. The developer has no legal right of access onto Avisford Park Road, as disclosed in the Land Registry title for Tupper's Field, now the Avisford Grange development. The developer is therefore not able to deliver this emergency access at the present time and it should be discounted, or delivery of the access should be made the subject of a Grampian condition prior to commencement of development of the Tye Lane access (should permission be granted).

Non-compliance with existing Plans and Policies

Walberton Neighbourhood Plan policy GA5 (Traffic Management): "Proposals that significantly increase the level of traffic within the villages will be resisted".

As discussed below, there will be an increase in traffic travelling through the villages of Walberton and Fontwell. The original access was granted as the traffic impact through the villages was not as significant as that proposed by the current application. This increase in traffic, particularly northbound traffic diverted through Walberton, will also detrimentally impact Walberton's two Conservation Areas. Para 202 of the NPPF 2021. Less than substantial harm probably.

Arun District Council Local Plan policy T SP1 (Transport and Development): "To ensure that growth in the District... reduces congestion..." This policy states that support will be given to proposals that are

“supported by an effective and deliverable Transport Assessment”. As set out below, we consider the Assessment to be fundamentally flawed.

The application fails National Planning Policy Framework (NPPF) paragraph 110, which states that “safe and suitable access to the site can be achieved for all users”. Our justification for this is detailed below.

Traffic issues

1. Fontwell roundabout

In their objection to WA/68/20/OUT, Highways England refers to Fontwell West Roundabout being currently over capacity. With their preferred Grey route, HE expressed concerns regarding movement of construction traffic following the closure of Tye Lane to the north. Using Tye Lane as a primary access for this development will result in similar issues.

2. Road width change

Tye Lane is significantly narrower than Yapton Lane for vehicle movements. The new application reduces Tye Lane to a minimum of 4.8m rather than 5.0m for approximately 25m. This would mean that an HGV and a car could no longer pass at this point (there is zero clearance for such vehicles). The application would provide that two vans (2.4m wide) would be able to pass with zero clearance between both the vans and kerbs. This will encourage vehicles to mount the pavement, posing a risk to pedestrians. This is a real problem for the frequent traffic from Hooe Farm Industrial Estate, further compounded by Diamond Coaches using the site as their depot or storage location resulting in many large coach movements daily on Tye Lane. The values used for width in this interpretation are those listed as typical vehicle widths in the Manual for the Streets, published by the Department for Transport 2007, ISBN 978-0-7277-3501-0 p74. We note that they are greater than those listed by the developer in their drawings but critically include the width of wing mirrors. We also note that SUVs, an increasingly popular vehicle choice are wider than ‘typical’ cars of 14 years ago.

Five of the six houses at The Street end of Tye Lane have land ownership up to the current highway boundary. Two of the houses do not have driveways or garages and cars are legally parked on the road. This further reduces safety if traffic along this road is to be increased.

The proposed cycle route from Avisford Grange leads down this narrowed route. This will also pose increased risks to cyclists from traffic trying to pass them.

As an example, here is a recent photograph demonstrating the issues of emergency service vehicles travelling down Tye Lane.



Photograph shows Tye Lane at the junction of Avisford Park House property heading [north].

Our conclusion is that the reduced road width to accommodate the new access point poses increased dangers to pedestrians, cyclists and vehicular traffic on a road already suffering from its narrowed width.

3. Traffic flow diagrams

A number of Traffic Flow Diagrams are provided to illustrate changes in traffic flow patterns. However, they seem to have incorrect data, especially noting that the sole reason for this application is the presumption that the A27 Grey route is going ahead. This results in the closure of Tye Lane northbound and so all data demonstrating traffic heading north to the A27 is fatally flawed. As a minimum the transport consultants should have modelled the scheme on a 'with' and 'without' A27 bypass (on the current known alignment) to demonstrate that the access was suitable in both scenarios.

The 2031 base numbers used refer to 50 vehicles going northwards up Tye Lane (and therefore to a dead end) and 30 heading southbound from this dead end. As there is no reason for this degree of traffic to head into a dead end, it appears that this reflects a prediction for travel when the road has not been severed by the A27. These numbers have been added to the 'site traffic proposed flows' to generate the reports for increased traffic after developments have been built, where no traffic heads up the dead end. We presume that no traffic is indicated heading North out of the development as the road is impassable. The transport consultants appear to have conflated the 'with' and 'without' A27

scenarios, or at least made it unclear as to the modelled flows in these two scenarios. This should be made clear and the modelling tested before the application can be determined.

The process of using the base number for 2031 for traffic (where Tye Lane would remain passable to the north) to derive a value for estate traffic gives meaningless numbers. The 2031 base numbers for The Street, West Walberton Lane etc. will be incorrect if traffic has been allocated to Tye Lane heading north onto the A27 where it cannot go, so will falsely reduce the numbers for our local roads. This will give a reduced indication of the real impact of the traffic to the local roads.

There would appear to be very few vehicle users predicted for 175 dwellings, which has 507 car parking spaces WA/95/18/RES. For example, the base traffic and additional traffic from proposed developments indicate 70 movements leaving in the am peak, and 6 returning in the pm peak. Assuming only two residents per dwelling and all movements to be due to the Avisford Grange development suggests only 17% of residents (70 movements out of 410 residents) will travel during peak times to work or school.

This is a completely inappropriate assumption based on national data rather than a small village. There is minimal local employment so travel further afield is mandatory. The bus schedule presented is misleading – there are in total only 3 services per day from the 66A route and five on the 85 route, none on a Sunday.

The traffic flow analysis also fails to reflect the situation on The Street in particular with regard to on-street parking at school drop-off and pick-up times. Traffic is usually stationary at these times and finds it very difficult to pass especially around the Tye Lane junction.

The 2011 census indicates that this Parish has almost double the West Sussex average for 3 and 4 car households and a third more than the average for 2 car households. Our conclusion is that more traffic than described in the flow diagrams will be using local roads unsuited for this level of traffic. An increase in traffic will result in increased local air and noise pollution. The application changes the impact of the Avisford Grange development on the local environment and yet does not appear to include the required update in assessment of the impact on noise and air quality as required by Arun Policies QE DM1 and QE DM3 respectively.

The application should be refused or at least determination delayed until correct information can be supplied, and the local impacts formally and properly assessed.

We note that in their report on WA/68/20/OUT - refused - Arun District Council's Officers refer to a lack of information regarding traffic modelling and the Tye Lane closure. See ADC decision notice dated 12th January 2021 point 1.

1. "Insufficient information has been submitted identifying the potential impacts of the development on the strategic road network. The Transport Assessment needs updating to include additional information on existing local conditions, trip distribution and assignment, junction capacity assessment, The preferred route for the A27 Arundel Bypass: the Grey Option 5BV1 route would be constructed in close proximity to the north of the proposed development, which would have the effect of stopping up Tye Lane to the north of the development. The Fontwell West roundabout is already over capacity as it is severely impacted by traffic in the peak periods and accordingly any additional traffic on top of already severe conditions are in themselves classed as severe. The applicant has not demonstrated that their impacts on the A27

are mitigated to a NIL detriment. Consequently, insufficient information has been submitted to determine whether or not the proposal complies with Policy T SP1 of the Local Plan and the National Planning Policy Framework.”

4. PICADY Junction analysis

The presented origin and destination data assumes that Tye Lane is open to the A27 in the first analysis for the AG site/Tye Lane junction. We again refer to the previously stated fatal flaw in the logic of the application. There is no mention of HGV traffic for the construction phase in the traffic analysis, just car (presumably operational phase) traffic. The HGV count is explicitly set at zero for the data exercise. The impact on local roads for the construction phase does not appear to have been assessed. If there is an assumption that the construction phase of AG has completed before the Tye Lane is closed to northbound traffic then this should be made clear. Nor is there any mention of the increase of HGV traffic from the Hooe Farm Industrial estate without A27 access to or from Tye Lane. In the ‘with’ A27 bypass scenario it is crucial that the full effects of the closure of Tye Lane are modelled, not just the effect of adding AG’s traffic operational phase traffic to that road. This analysis does not appear to have been undertaken giving a distorted picture of the effects of AG’s traffic on Tye Lane, and surrounding roads.

The second analysis concerns the Tye Lane/The Street junction. This will be incorrect (if based on this same assumption of Tye Lane being open to the A27) as there will be less traffic between The Street and the A27 but more traffic between the Site and The Street using this junction. We cannot determine whether Tye Lane has been modelled as ‘with’ or ‘without’ A27 bypass from the information provided. There is again no mention of HGV traffic for the construction phase in the traffic analysis. From the data provided there is a suggestion of 30% increase in traffic at this junction, which is wholly unsustainable. With a closed northern section of Tye Lane, our estimation based on the applicant’s data is that the increase in traffic will be significantly higher.

We again note that this planning application is stated to be in response to the closure of Tye Lane by the A27 preferred route and so we would expect to have data and predictions for this particular situation. This does not appear to be the case. The report supplied by the developer states that, *“it is difficult to estimate the potential change in flow on the local highway network because of the changes to the Tye Lane/A27 junction.”* Given that it is known that the developer is working closely with HE we would have thought that the developer would have access to HE’s data on the effects of the closure of Tye Lane. In any event, the PEIR will be available at statutory consultation on the A27 bypass scheme in Autumn 2021 and the assessed environmental effect of the closure of Tye Lane ought to be available to the developer then even if these are not available now. This is another reason why the determination of the application should be delayed, at a minimum, until the close of the statutory consultation. It is wholly unacceptable for the developer to propose a substandard access only required in a ‘with’ A27 bypass scenario, and then not adequately model the effect of the use of that access in that scenario. Stating that it is *“difficult to estimate”* changes in flow is simply an acknowledgment of inadequate assessment.

It is not clear whether the assessments made have taken into account the actual usable width of The Street as opposed to the physical width of the road. As described above, there is a considerable amount

of legal on-street parking rendering the road effectively a single lane in both directions for a considerable distance, for most of the day and specifically at peak times.

5. Construction traffic

With closure of the Yapton Lane access and no northbound Tye Lane access, all construction traffic will have to proceed via routes permitted to HGVs. The Street has HGV restrictions as do Wandleys Lane and Eastergate Lane. Lake Lane also has restrictions, precluding HGV access via Barnham Lane. This leaves only West Walberton Lane, a narrow residential road with poor surface, entirely unsuited to HGV traffic.

Conclusion

Our conclusion is that traffic on The Street and local roads will increase dramatically above that described in this application.

The application should be refused at the very least until correct information can be supplied, but the increased traffic and resulting noise and air pollution through the Conservation Areas combined with the premature nature of the application as outlined at the start of this objection should result in refusal regardless.