

**Sent:** 22 August 2025 17:18  
**To:** [REDACTED] customer.service@westsussex.gov.uk  
**Subject:** [REDACTED] HIGHWAYS PLANNING Ref DC/25/1155

**Categories:** Comments Received

We submit this as a formal objection to Planning Application DC/25/1155 under the Town and Country Planning Act 1990 and associated regulations. We are directly and materially affected parties as the owners and residents of Robins Green, Knob Hill, Warnham, which adjoins the proposed access point.

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## 1. Procedural Deficiency – Failure of Notification

Under Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, local planning authorities are obliged to notify adjoining landowners of applications which materially affect their land. We received no formal notification despite our boundary directly abutting the proposed road. This procedural omission risks rendering the application procedurally flawed and potentially open to legal challenge (R (on the application of Bewley Homes) v North Somerset Council [2017]).

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## 2. Highways Safety – Non-Compliance with National and Local Policy

NPPF (2023), para 111 is explicit: “Development should be refused on highways grounds if there would be an unacceptable impact on highway safety.”

Manual for Streets (DfT, 2007) and Design Manual for Roads and Bridges (DMRB CD 123, 2020) require that new accesses be sited with sufficient separation from junctions. The proposed access conflicts with the existing shared driveway serving Robins Green, Lowood and Oakridge, creating unavoidable traffic conflict. Our understanding is that no access should be sited within 10 metres of a junction. This scheme appears to breach that standard.

I hope for a site visit as this would be so much better for us to highlight the dangers and implications of this project.

The accident record already demonstrates danger: a vehicle has overturned outside our property due to the combination of bends and poor driver anticipation. Introducing an estate of 59 dwellings (c. 118 cars plus deliveries) onto Knob Hill is wholly unsafe.

The children and residents of the above mentioned properties as well those further up Knob Hill ( Threestile Road ) all use the road to walk to and from the bus routes, village shops, and church during the day and late evening when lighting is reduced because of the seasonal changes therefore an increase in volume of cars would again risk causing a fatality

Our waste and refuse and recycling for all 4 properties are placed on the side of the road as a collective, in an area as safe as possible for collection weekly, allowing for minimum obstruction to Knob Hill with the traffic flow. There are no alternative places for this, which sounds menial but will be an issue should the proposed road go ahead.

Traffic surveys confirm increasing volume and excessive speed, particularly by cut-through drivers to the A29. The development would introduce additional risk of collision, contrary to Policy 40 of the Horsham District Planning Framework (HDPF 2015) and NPPF para 111.

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### 3. Unsuitability of Construction Access

The only feasible construction route is via the A24 / School Hill junction, which is geometrically inadequate for HGV manoeuvres. This will create obstruction, congestion and visibility hazards, particularly for vehicles exiting School Hill.

Under Section 39 of the Road Traffic Act 1988, the local highway authority has a duty to take steps to reduce accidents. Endorsing construction access here would place the authority in breach of that duty.

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### 4. Drainage, Flooding and Highway Deterioration

Knob Hill suffers recurrent edge failure and potholing. This is exacerbated by surface water run-off and inadequate drainage capacity.

Under NPPF (2023), para 167, development must not increase flood risk elsewhere. The applicant has failed to demonstrate adequate drainage mitigation, instead relying on residents (ourselves included) to clear drains and culverts. This is unsustainable and places further risk on highway safety.

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### 5. Impact on Residential Amenity and Conservation Area

The proposed road runs immediately alongside our boundary. Our land is 1 metre lower than the proposed carriageway, creating a real risk of embankment failure, intrusion of crash barriers, and overshadowing.

Noise, vibration, and air pollution from continuous traffic would materially harm our amenity, contrary to NPPF para 130(f) which requires development to create places with a “high standard of amenity for existing and future users.”

The site lies within/adjacent to a conservation area. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, HDC must pay “special attention to the desirability of preserving or enhancing” the character of the area. The imposition of engineered embankments

and barriers would be wholly inconsistent with this duty. Case law (e.g., *South Lakeland DC v Secretary of State* [1992]) confirms this is a statutory test, not a discretionary one.

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## 6. Failure of Meaningful Consultation

The NPPF (2023, para 39) requires early and meaningful engagement with those affected. At the public consultation in summer 2024, we raised these precise concerns, all of which are factual. They were neither acknowledged nor addressed in the revised plans, undermining the integrity of the consultation process.

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## Conclusion

In summary, the proposal:

Breaches national highways design standards;

Creates an unacceptable highways safety risk (contrary to NPPF para 111 and HDPF Policy 40);

Fails to mitigate drainage and flooding impacts (contrary to NPPF para 167);

Causes material harm to residential amenity (contrary to NPPF para 130);

Conflicts with statutory duties to preserve the conservation area (s.72, 1990 Act); and

Has been pursued without proper neighbour notification (contrary to Article 15, DMPO 2015).

For these reasons, we respectfully submit that Horsham District Council must refuse this application.

We request written confirmation that this objection will be logged and fully considered as a material planning representation.

Yours faithfully,

[REDACTED]

Robins Green  
Knob Hill  
Warnham, RH12 3SN