
From: Planning@horsham.gov.uk
Sent: 04 January 2020 17:18
To: Planning
Subject: Comments for Planning Application DC/19/2464

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:28 PM on 04 Jan 2020.

Application Summary

Address: Berkeley Homes Development Site Worthing Road
Southwater RH13 9BT

Proposal: Erection of 80 dwellings with associated access, parking
and landscaping at Land West of Worthing Road (Phase
5), Southwater

Case Officer: Matthew Porter

[Click for further information](#)

Customer Details

Address: 202 Sellincourt Road London

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Reasons for comment:

- Design
- Highway Access and Parking
- Other
- Privacy Light and Noise
- Trees and Landscaping

Comments: I am a frequent visitor to Shaws Lane. Please find below my comments regarding the proposed development:

1. Drainage
 - 1.1. Flooding issues in the south-western corner of the Development and at the public footpath (no. 1652) access point on to Shaws Lane:
 - 1.1.1. The area where the proposed LEAP would be located is a surface water flood zone on heavy Wealden clay, which has not been picked up by the Development's drainage report. Since the report was conducted in 2014, weather patterns have changed and the frequency of prolonged periods of heavy rain have increased. This zone becomes waterlogged which makes it an unsuitable location for the proposed LEAP. There also appears to be insufficient drainage solutions in the south-western corner of the Development alongside Woodland House.
 - 1.1.2. The runoff from the Development land risks flooding Shaws Lane and Chase Farm at the public

footpath no.1652 access point onto Shaws Lane. There are two land drains close to this access point, which feed water into a ditch on Shaws Lane, and flow down along footpath no.1652. As the Development will cover a significant area with impermeable surfaces due to housing, roads and driveways, there will be very little land left to soak up the water naturally. This will increase the volume of water runoff into the Shaws Lane ditches, which could cause flooding if the drains on the Development's land are not properly managed and maintained. The proposed removal of any mature trees will exacerbate this problem.

1.1.3. Serious concerns must be raised against potential soil deposits being placed along the southern and Shaws Lane boundaries. The Site Waste Management Plan at point 2.3 allows for the 'cut and fill of earthworks on site to produce levels from existing materials where appropriate' and to 'separate excavated materials on site to reuse appropriately e.g. topsoil in gardens and landscaped areas'. Any increase in the current ground level will risk increasing water runoff issues on to Shaws Lane and the southern boundary by Woodland House in times of heavy rain, as have occurred in other development sites in Southwater. The ditches in Shaws Lane may not be able to cope with additional volumes of water and could flood causing damage to the privately maintained road and private property.

1.1.4. The drainage points from the Development into Shaws Lane ditches will damage the historic hedgerow and trees if due consideration is not taken regarding the positioning of tree/hedge roots. This will destroy the historic hedgerow for local wildlife, ruin the countryside ambience of Shaws Lane and pose a serious security threat and privacy infringement of Shaws Lane residents and rural businesses.

1.2. Suggested Resolutions:

1.2.1. Create another storm water detention pond where the proposed LEAP is located. There is already a LEAP in the Phase 4 development, which is less than 200m away. With the increase of impermeable land coverage and global warming causing prolonged periods of heavy rain, there is a risk of flooding to neighbouring properties, rural businesses and Shaws Lane.

1.2.2. Consider drainage provisions to ensure flooding will not happen on Shaws Lane footpath access point no.1652, provide additional drainage provisions along the south-western corner boundary and ensure that tree/hedge roots will not be damaged by drainage points into the Shaws Lane ditches.

1.2.3. Written guarantees that no soil will be deposited around the southern and Shaws Lane boundaries.

1.2.4. Retain trees and hedgerows to help soak up surface water, protect local wildlife habitats, and maintain the privacy and security of the residents and

businesses along Shaws Lane.

2. Footpath Access and Landscaping

2.1. Strong objection to this proposed new access point from the Development footpath onto Shaws Lane

2.1.1. It is not a gazetted footpath and there is no public right of way to access Shaws Lane from this proposed new footpath. The Raster Maps used on the Ground Investigation Reports from 2000 and 2006, the Vector Map 2017 and the Site Sensitivity Map 2017 have incorrectly shown the location of the public footpath no.1652 as being positioned opposite Chase Lodge/Chase Farm. The true location of the public footpath is opposite The Chase farmhouse (error acknowledged in 5.9 of the Proposals document), therefore the proposed new footpath access cannot be relied upon.

2.1.2. The Development land has been farmed continuously for hundreds of years. Legally, if a public right of way is ploughed up, it must be reinstated within 14 days. This has not been required here as there is no legal footpath. There has not been an access point across the well-established historic hedgerow to the Development for at least 30 years; even if there had been an access point, it would have been an informal one, not used by the general public. There is no need to create an additional public access point onto Shaws lane from the Development, as there is already one located at public footpath no.1652. There are also access points at the north end of Shaws Lane and the emergency access, though these are not listed as official public rights of way on the Highways or Ordnance Survey maps.

2.1.3. This proposed new footpath is a serious traffic and highway safety issue for Shaws Lane residents, rural businesses and horse riders, as well as the potential additional pedestrians and cyclists. The proposed new footpath access would encourage more pedestrians, cyclists and child buggies to use Shaws Lane. As the proposed LEAP is also near to this proposed new footpath, children will be a particular traffic safety risk, particularly from farm machinery and livestock if they were to access the farm either in error or out of curiosity. The attraction and easy access of the proposed rural LEAP and LAP from both the Development and Shaws Lane risks members of the public driving to them rather than walking, as has occurred in Southwater Country Park. This would increase the risk of the public parking their vehicles along Shaws Lane, blocking access to farm gateways and residential entrances. Alternatively, the public may park within the Development and blocking access for its residents who may then try to park in Shaws Lane instead. Shaws Lane is a historic private single-track access road for Shaws Lane resident traffic only, and there used to be a sign at the entrance of Shaws Lane stating 'Private Road, No Thoroughfare'. Shaws Lane is also a public bridleway (no.2929) which is only accessed from Bonfire Hill and Marlpost Wood. There is no pavement, lighting or area for pedestrians to walk on, only the lane itself (which is bordered by ditches),

making it totally unsuitable for an increase in pedestrian or cycle traffic.

2.1.4. The privacy and security of Chase Farm, Chase Lodge and Woodland House and the other rural businesses and Shaws Lane residents will be significantly affected by this proposed new footpath. The proposed access point would be right outside a working farm (Chase Farm) and Chase Lodge residential entrance, and very close to Woodland House. The proposed LEAP, being so close to this proposed new footpath, would encourage the public to gather nearby and use this footpath to access Shaws Lane. The increase in pedestrian and cycle traffic from the Development would enable the public to better observe the comings and goings along Shaws Lane, threatening the security and privacy of Shaws Lane residents and rural businesses.

2.2. Suggested Resolutions:

2.2.1. The proposed new footpath access point to Shaws Lane is withdrawn from the application and the hedgerow retained.

2.2.2. Plant more shrubs and trees to thicken the hedgerow along Shaws Lane to help protect the local wildlife habitats and residents from the noise and interference of the new Development, to help absorb surface water, and to maintain the countryside ambience.

2.3. Landscaping Concerns

2.3.1. Same concerns about the potential rise in current ground levels with soil deposits from the development as in 1.1.3. Raising the ground level would also pose a serious security risk to Shaws Lane residents and rural businesses, and also infringe on their privacy since they would become overlooked by the Development.

2.3.2. There is insufficient environmental protection for wildlife along the Shaws Lane, southern and north-western boundaries. The new gateway entrance to the Development at the north end of Shaws Lane was created by the former tenant farmer without the knowledge or consent of Shaws Lane residents, and we were informed that the hedge would be reinstated upon their departure. There are also concerns about the loss of the historic hedgerow and trees along Shaws Lane according to the Tree Report. Too many trees have been ear-marked for removal. These changes will damage local wildlife, increase flood risks, and destroy the countryside ambience of Shaws Lane.

2.3.3. In addition, there are concerns that the wooden stile by footpath no.1652 will be removed, and the access point widened and urbanised with a bollard. The loss of a wooden stile would enable easier access for buggies and cyclists onto Shaws Lane, which poses a traffic safety issue. The footpath accesses Shaws Lane at a blind corner on an 'S' bend in the lane where pedestrian visibility is poor. The loss of trees and

hedgerow would create security and privacy threats to local residents and businesses as they would be overlooked. Mature trees and hedgerows teaming with wildlife, and a traditional wooden country stile would retain the authentic character of our country landscape and keep it an attractive and appealing environment for all local residents to enjoy.

2.4. Suggested Resolutions:

2.4.1. Extend the official ecological zone all the way along the Shaws Lane and south-western boundaries so it includes the entire mature tree canopy and beyond.

2.4.2. Reinstate the historic hedgerow removed by the unofficial gateway into Shaws Lane created at the north end of the Development.

2.4.3. Ensure that the ground is not increased above its current level. This will enable the Development to enhance its environmental status, preserve wildlife, prevent flooding risks, and protect privacy and security of local residents' of Shaws Lane and the Development from noise and anti-social behaviour.

2.4.4. Re-evaluate the trees listed for removal in the Tree Report and use a tree surgeon where necessary to remove any dead branches that are deemed to pose a sufficient risk. Mature trees help to fix the soil and absorb rainfall as well as provide a healthy habitat for wildlife. Even hollow oak trees can thrive for hundreds of years.

2.4.5. Retain and maintain the wooden stile at the footpath no.1652 access point to Shaws Lane.

2.4.6. Provide bat boxes to make up for loss of suitable habitat.

2.5. Retention of Field Gate by Emergency Access Point.

2.5.1. There are grave concerns that the wooden field gate, and the post and rail fence will be removed. The emergency access point is a serious traffic safety issue. Without the gate and fence, the emergency access point will end up being used as a short cut for cyclists and motorbikes to access Bonfire Hill and beyond.

2.5.2. Shaws Lane is a historic single-track private access road that is used daily by horse riders, farm machinery, rural businesses and residential traffic. Cyclists cannot be heard and often wear headphones, making them a high collision risk around the sharp bends of Shaws Lane. Motorbikes create a disproportionately loud and offending noise, which spoils the rural ambience of this private rural access lane. There is also a significant risk to children and pedestrians' safety, and particularly to people who are unfamiliar with farm traffic as there is no alternative for them but to walk on the road. If the gate is not retained, it would only be a matter of time before a serious accident involving cyclists and/or motorbikes/pedestrians with current local road

users occurs.

2.6. Suggested Resolutions:

2.6.1. Retain, maintain and reinforce the gate and the post and rail fence to ensure it is not removed.

2.6.2. Plant hedging on the entrance to the emergency access to discourage non-emergency vehicle access and have signs to stop cyclists and motorbikes from using this access point.

3. Play Areas

3.1. Strong objection to the proposed location of the LEAP

3.1.1. The location of the LEAP is too close to the Development's boundary neighbours making it a safety, security and privacy threat to Shaws Lane residents and businesses; yet far away enough from the Development's residents to become a social problem for both Development residents and boundary neighbours alike. It is also located on a surface water flood area, which will only become worse as the Development will be increasingly covered in impermeable surfaces.

3.1.2. Same concerns regarding traffic safety and parking issues relating to the proposed LEAP and proposed new footpath access onto Shaws Lane and as in 2.1.3.

3.1.3. Same concerns regarding security and privacy issues relating to the proposed LEAP and proposed new footpath access onto Shaws Lane as in 2.1.4. There are also concerns that the raised areas around the edge of the LEAP will enable neighbours to be overlooked. In addition, there is lack of clarity regarding potential artificial lighting impact around the LEAP. The lighting plan for the Development indicates a dotted oval boundary around the LEAP, the purpose of this is unclear.

3.1.4. The noise levels from crowds gathering and children playing at the LEAP will be an unnecessary noise disturbance for boundary neighbours. The LEAP and surrounding area will also risk becoming an area where youths will likely gather, being more out of sight from the Development's dwellings, and therefore increases the risk of anti-social behaviour such as drug-taking, drinking and loud music.

3.2. Suggested resolutions:

3.2.1. The proposed LEAP is withdrawn from the planning application. There is a LEAP in the Phase 4 development plan and there is a LAP further up the Development. Instead, create an additional pond where the proposed LEAP is located as suggested in 1.2.1.

3.2.2. The proposed new footpath access point is withdrawn from the planning application altogether as suggested in 2.2.1.

3.2.3. Reassessment of parking requirements for the new

Development to ensure that there is adequate parking available for the new residents and their guests without impacting the Development's ecological zones. This would prevent issues of over-spilling into Shaws Lane similar to the parking challenges occurring around the Southwater Country Park where there is insufficient parking available.