

[REDACTED]
Chase Farm • Shaw's Lane • Southwater • Horsham • West Sussex • RH13 9BX
[REDACTED]

Mr Matthew Porter
Horsham District Council
Planning Department
Park Side
Chart Way
Horsham
West Sussex
RH12 1RL



29 January 2020

Dear Mr Porter

RE: Planning Application DC/19/2464 – Development of 80 Dwellings on land West of Worthing Road (the 'Development')

Further to the notice we received regarding the above planning application, we write to express our deep concerns and raise queries about particular aspects of this application relating to:

- The proposed sites of the LEAP and LAP
- Drainage and landscaping issues.

This letter should also be read in conjunction with the letter we have sent to Mr Michael Elkington of West Sussex County Council Highways, dated 29 January 2020, which you have been copied in on. These matters risk creating a long-term detrimental impact to the residents, rural businesses and landowners of Shaw's Lane as well as the Development's residents.

Proposed LEAP and LAP

The locations of the LEAP and LAP are too close to the Development's boundary neighbours. We wish to highlight the letter from Neville Wren of Sussex Police to you, dated 3 January 2020, (<http://snafpacc.horsham.gov.uk/AnitePublicDocs/01610940.pdf>), which supports this concern and requests for alternative sites to be considered for these play areas.

The proposed locations make them a safety, security and privacy threat to Shaw's Lane residents and rural businesses. The proposed new footpath by the proposed LEAP would be right outside a working farm (Chase Farm) and Chase Lodge residential entrance, and the proposed LAP is sited next to the emergency access. Please see *Image #1*. Young children would be a particular traffic safety risk, principally from farm machinery and livestock if they were to access the farm either in error or out of curiosity. This matter is also highlighted by the letter from Sussex Police.

The noise levels from crowds gathering and children playing at the LEAP and the LAP will be an unnecessary noise disturbance for boundary neighbours. They would encourage the public to gather nearby at the LEAP and LAP and use the footpath and emergency access to enter Shaw's Lane. The

LEAP, the LAP and surrounding areas would also risk becoming hotspots where youths would likely gather. These sites are less visible from the Development's dwellings, and therefore increase the risk of anti-social behaviour by the general public such as drug-taking, drinking and loud music. This would negatively impact residents and businesses on all fronts. There is a proposed LEAP and two proposed LAPs less than 200m to the east of the development already. We query why there is a need to have additional play areas so close to the Shaw's Lane boundary neighbours.

The area where the proposed LEAP would be located is also within a surface water flood zone on heavy Wealden clay, which has not been picked up by the Development's drainage report. Please see *Image #2*. Since the report was conducted in 2014, weather patterns have changed and the frequency of prolonged periods of heavy rain have increased. This zone quickly becomes waterlogged which makes it an unsuitable location for the proposed LEAP. It would be better to replace the LEAP with another storm water detention pond or tree plantation instead.

Furthermore, the proposed location of the LAP is now within the Ecological Mitigation Zone. With reference to the Ecology Report, dated 6th January 2020, '*We note the LAP has been moved to the previously created Ecological Mitigation Area and as such compensation for loss of this habitat will be required elsewhere on site*' (<http://snafpacc.horsham.gov.uk/AnitePublicDocs/01611400.pdf>).

We appeal for Ecological Mitigation Zone to be extended and enlarged to cover the entire Shaw's Lane and southern boundary. This will prevent traffic safety issues and to protect the privacy and security of local residents and businesses and to enhance the environment for everyone. We also request the LEAP and LAP's locations are reconsidered and replaced with an additional storm water detention pond and/or tree plantation.

Drainage and Landscaping

The Development land is naturally wetter than the other sites which Berkeley Homes have already developed in Southwater. This is illustrated by the fact that cattle on neighbouring land to the Development were always turned out to pasture after winter housing at least two weeks after Great House Farm and brought in a few weeks earlier than them in the autumn.

The runoff from the Development land risks flooding Shaw's Lane and Chase Farm at the public footpath no.1652 access point onto Shaw's Lane. There is at least one, if not two, land drains close to this access point, which feed water into a ditch on Shaw's Lane, and flow down along footpath no. 1652. Please see *Images #3* and *#4*. As the Development will cover a significant area with impermeable surfaces due to housing, roads and driveways, there will be less undeveloped land left to soak up the water naturally. This will increase the volume of water runoff into the Shaw's Lane ditches, which could cause flooding if the drains on the Development's land are not properly managed and maintained.

We understand that the maintenance of the estate will be managed by a contractor and be paid for by the Development's residents. We are concerned that this maintenance system is currently unregulated and maintenance charges uncapped. Similar management contracts have recently been in the news for increasing maintenance costs and poor service issues – please see the following articles from the BBC:

- <https://www.bbc.co.uk/news/business-49935283>
- <https://www.bbc.co.uk/news/uk-england-46279048>

We wish to highlight concerns about this unregulated maintenance system, particularly if the standards fall so that inadequate maintenance practices have a negative impact on neighbouring land – e.g. the failure to keep the storm water detention ponds clear of excess weeds and bull rushes, which may risk flooding Shaw's Lane and the boundary neighbours. We request more details about how the maintenance standards of the Development will be managed and monitored. In addition, how disputes are processed if there are contentious issues between the contractor and Development owners, or between the boundary neighbours and the contractor.

Serious concerns must be raised against potential soil deposits being placed along the southern and Shaw's Lane boundaries. The Site Waste Management Plan s.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*' – (<http://snafpacc.horsham.gov.uk/AnitePublicDocs/01608198.pdf>). Raising the ground level would pose a serious security risk to Shaw's Lane residents and rural businesses, and also infringe on their privacy since they would become overlooked by the Development. It also risks increasing water runoff issues on to Shaw's 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 Shaw's 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.

There is concern that the drainage points from the Development into Shaw's Lane ditches will damage the historic hedgerow and trees if due consideration is not taken regarding the position of their roots. This could destroy the historic hedgerow for local wildlife, ruin the countryside ambience of Shaw's Lane and pose a serious security threat and privacy infringement of Shaw's Lane residents and rural businesses. We request for further details on how the roots of the historic hedgerow and trees will be protected during construction.

We also believe there is insufficient environmental protection for wildlife along the Shaw's Lane, southern and north-western boundaries. There does not appear to be a survey on bird species in the planning portal and we enquire if one will be carried out? The new gateway entrance to the Development at the north end of Shaw's Lane was created without the consultation or consent of the Shaw's Lane landowner, nor local authority planning permission and thus is surely an illegitimate entrance to the Development. Such changes to the landscape of Shaw's Lane continue to damage local wildlife, increase flood risks, and destroy the countryside ambience of Shaw's Lane. We appeal for this historic hedgerow to be reinstated and thickened where there are gaps and the entire Shaw's Lane boundary to be an ecological mitigation zone.

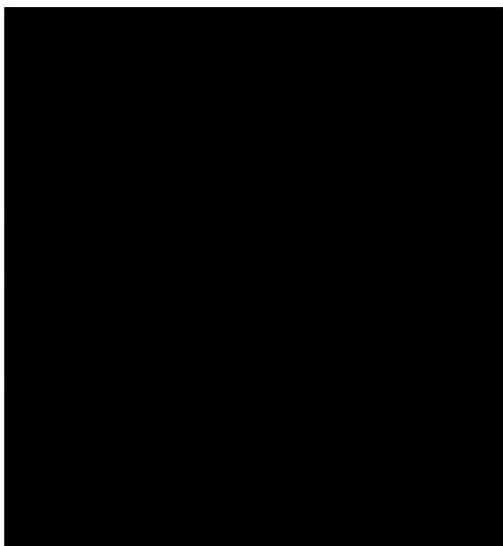
Summary

- We request that sites for the LEAP and LAP be reconsidered as recommended by Sussex Police, and replaced with an additional storm water detention pond and/or tree plantation.
- We request that the drainage and maintenance systems, as well as soil management concerns are addressed. In addition, the expansion of the ecological mitigation zone with more trees, and the reinstatement and thickening of the hedgerow boundary must be considered

Furthermore, we invite you for a site meeting on Shaw's Lane at a time convenient to you to enable clarification and context of our concerns. When so much of rural Southwater is being lost to development, it is essential to prevent traffic safety issues, protect the privacy and security of local residents and business, and preserve what little countryside ambience is left in the village.

Should you have any queries or require additional information, please do not hesitate to ask. Our contact details are on the first page of this letter. We look forward to hearing from you.

Yours sincerely,



Copied to:

- Mr Michael Elkington – Head of Planning for West Sussex County Council Highways
- Mr Jeremy Quin – MP for Horsham
- Councillor Graham Watkins – Chairman of Southwater Parish Council
- Councillor Michael Neale – Vice-Chairman of Southwater Parish Council
- Councillor Claire Vickers – Horsham District Council
- Mr Neville Wren – Sussex Police
- Mr Nigel Bird – Public Rights of Way for West Sussex County Council
- Tom Ormesher – National Farmers Union
- David Winnard – Laurence Gould Rural Business Consultants
- Mr Roger Smith – Campaign to Protection of Rural England (Sussex)

Appendix

Image #1



Image #2



Image #3



Image #4

