

Horsham Council - Planning Permission application 195/2026/5 Objection

1.1 – WEST SUSSEX COUNTY COUNCIL - 51 THE FIELDINGS PROPOSED PLANING PERMISSION, WORTHING ROAD ENTRANCE/EXIT.

For the avoidance of doubt, we agree with **West Sussex County Highways** objection to these plans due to insufficient information, measurements, or line of site calculations provided when entering or exiting a 40 mph main road, at a known pinch point and traffic calming location, next door to a bus stop.

1.2 WEST SUSSEX COUNTY COUNCIL

Despite the plans showing a new entrance and exit for 51 The Fieldings onto the Worthing Road, kerb work of this nature can only be undertaken by a contractor who has obtained a specific license from **West Sussex County Council**. I see no license in the planning application. This process ensures that all works comply with statutory regulations and safety standards. The council is required to authorise any dropped kerb or widening of existing kerbs in front of properties which includes a critical step in traffic management and safety on roads with higher speed limits, such as those that apply in the Highway Code to Worthing Road.

Public Roads with a 40mph speed limit means that any kerb modifications must 'prioritise' pedestrian access and safety close to a bus stop at a known 'white hashed' pinch point and bollard traffic calming measure, located directly in front of 51 The Fieldings proposed front garden. This means that any large construction vehicles (cranes, cement mixers, diggers) require vehicle safety licences to mitigate the risk of fatalities and serious accidents that **West Sussex Highways Department and the Southwater Parish County Council** have highlighted in their own new objections.

1.3,HEAVY VEHICLE USAGE ON A TRIANGULAR PLOT

The plans show parking, turning circles and access for 3 cars (double parked). However before this property can be built major construction vehicles will need access to this site. These include:

Excavators: Used for digging foundations and trenching. **(12 to 20 feet long)**

Dump Trucks: Necessary for transporting materials such as gravel, sand, and debris. **(8 to 12 feet)**

Loaders: Typically used to move materials around the site, loaders can assist in loading trucks or hauling materials around the job site. **(8 to 10 feet)**

Cranes: Required for lifting heavy materials like roof trusses, piling and other structural components, for heavy loads. **(30 to 80 feet)**

Concrete Mixers: Often utilised to prepare concrete onsite for pouring foundations and slabs. **(8 to 10 feet)** with the length of the truck and mixer drum

typically reaching up to **(30 feet)**.

Put simply, the plot's size and dimensions cannot accommodate these type of heavy vehicles, particularly given 3 vehicles (**7 to 8 feet average length**) shown on the plans having to make multiple turns to try and egress the property curtilage as highlighted by Southwater Parish Council.

1.4 LICENSED KERB CONTRACTORS

To our knowledge, the process of finding an approved or specialist kerb contractor whose schedule can accommodate the Developers timescales has not even begun. **West Sussex County Council and its Highways Department** believe the inadequate information provided has not changed from their previous objection.

Any application must take into account cone zones, temporary traffic lights, alternative pedestrian re-routing and access issues for surrounding properties. There is also a major electrical and fibre conduit in the Worthing Road at that point requiring liaison with, and approval by **Southern Water, British Gas, EDF Energy, and Octopus Energy**, as well as broadband suppliers, **EE, Virgin and O2**.

In addition to their own health and safety policies, West Sussex County Council also have a a robust risk assessment and safety audit process prior to the commencement of any building or kerb work, which, given the lack of rear access from The Fieldings cul-de-sac and private road that also belongs to 49 The Fieldings requiring permission, the limited width and lack of turning circle will need to be resolved before any planning application can be considered.

This includes evaluating the impact of the proposed work on traffic flow and the safety of both pedestrians and vehicles in the vicinity. Developers and Contractors must demonstrate their understanding of traffic management principles and provide plans that align with the West Sussex Road Safety Audit Policy.

2.1 BUILDING PLANS OBJECTION

The Plans proposed have been economical with the truth regarding regarding space between 51 The Fieldings and the siting of the proposed development to the border of Hurstside and Hurstbourne. The drawing assumptions are not accurate. They also include a **change of the character**, ignoring Hurstside's **riparian rights** and ability to manage water flow and drainage on our property, due to building on top of the **soak away** that ensures landowners can utilise water resources without interfering with other owners, according to those rights.

Not only are true and accurate dimensions not identified, but the plans represent a significant flood risk impact on 3 neighbouring properties due to the removal of the soak away and water run off that Hurstside, Hurstbourne and Trundles rely upon.

The new house also removes a right to light and overshadowing to Hurstside and Hurstbourne's tree-lined driveway, front and rear gardens, with the removal of trees and shrubs, to be replaced with a 3 storey brick wall and scaffolding (with no accurate measurements provided) just an estimate of 600mm from the Hurstside's Hedge boundary, being insufficient room for a construction worker to operate safely on scaffolding that will overhang both property's drives – (see proposed no window side elevation schematic within the WPS plans).

Debris from works and construction, whether from dying trees, hedges and foliage due to not surviving a denial of light, or building rubble that will require permission and granting of access to Hurstside's side of the building boundary will require a massive clean up process, with risk of vehicle damage or punctures.

2.2 The previous application was refused due to loss of residential amenity under HDPF Policy. The refusal was due to its scale, height and siting, considered to be overbearing and to create a poor relationship with neighbouring properties. These revised plans from Hurstside and Hurstbourne's perspective, create an even poorer relationship due to increased height and siting along of the properties entire depth along the border of neighbouring properties.

2.3 Not shown on the plans and only viewable on site or on Google Maps, is an existing 1 story entrance door and hallway to 51 The Fieldings owned by the Developer Mr. Michael Day, which implies this property will remain, removing any proximity border objection from 49 The Fieldings. Is this structure to be knocked down? The plans do not identify this.

2.4 The second reason related to previous plans objection, e.g. not adequately addressed, is parking and turning under HDPF Policy 41. The refused scheme was considered to suffer a shortfall of parking spaces and a lack of on-site turning, failing to meet anticipated user demand, resulting in poor amenity/environment. We agree with Horsham council's view and Southwater Parish Council's objection to WPS Planning's proposed re-interpretation, not sufficiently address this and still failing under **SNP2(j), SNP14.1(a) & HDPF 41.2, SNP16.1(e) & HDPF 33.2 SNP14 & clause 7.23 and Clause 7.25 Parking Space objections.**

3.1 – SOUTHWATER PARISH COUNCIL

It was noted that **Southwater Parish Council** have raised 7 more vehicle access, parking and turning circle objections to this latest plan:

SNP2(j) WIDE TURNING CIRCLE – This development would provide an unacceptable impact to the Worthing Road, creating hazardous conditions to exit with a vehicle exiting having to take a wide turning circle to travel north or south, with the potential to cross onto the opposing carriageway. We feel this will be increased if heavy building vehicles like a piling crane need to access the site with no room to manoeuvre.

SNP14.1(a) & HDPF 41.2 - PARKING FOR 3 VEHICLES IS NOT VIABLE –

Parking is annotated on the plan for 3 vehicles and shows vehicles having to make multiple turns to try and egress the property curtilage. In essence this is not viable as it does not take into account size of vehicles or potential for larger vehicles to turn around safely. Tandem parking should be avoided.

SNP16.1(e) & HDPF 33.2 – UNACCEPTABLE IMPACT ON NEIGHBOURING

PROPERTIES – The location of this development provides unacceptable impact on the existing neighbouring properties, specifically impacting the egress from the north neighbouring property and impact on privacy and outlook for neighbouring properties.

SNP14 & clause 7.23 - PARKING IN FRONT OF THE BUILDING LINE –

Car parking is in front of the building line which is unacceptable for 3 vehicles. Clause 7.24 Width of parking spaces by the fence should be a minimum of 3 Metres wide this is not confirmed.

Clause 7.25 Parking Spaces – BIN STORAGE BEHIND THE BUILDING LINE

should be long enough to permit bin storage behind the building line, this does not.

3.2, HIGHWAY CODE ENTRY AND EXIT VISIBILITY

Visibility Splays: Rough drawings provided and measurement of entrance and exit visibility onto a 40mph road means an area of clear vision for a driver is required. According to the highway code the minimum stopping distance is approximately 33.5 meters to 48.8 meters for 40mph. However, the presence of a white hashed pinch point acting as an obstruction, e.g. a post or beacon under 2 meters tall can hinder the driver's line of sight. When such obstructions are present, the effective sight distance may need to be increased to compensate for any visual blocks.

- **Access Radius:** Cars or large construction vehicle access is generally not allowed across radius kerbs or directly on the "nose" (similar to zigzag wavy lines found either side of a zebra crossing), of a known pinch point for

heavy construction vehicles that will likely turn up and need access to the site at the same time, particularly if carrying hardening wet concrete.

- **Bollard Setback:** Traffic bollards are usually placed **0.5 metres** back from the kerb to prevent being struck by vehicles, and property entrances should ideally be located clear of this traffic calming structure.
- **Minimum Parking Depth:** It was mentioned within the Planning application that the proposed entrance and its width was based on the entrance to Hurstside. This entrance serves 2 properties, Hurstbourne (on the established building line), and Hurstside, complying with planning laws with its driveway accessed from a 5 bar gate on the main road being set back by **5 metres and 2.5m wide**.
- This provides for best practice visibility splays, no wide turning arcs, allows for delivery vehicle access like a large 8-20 foot Post Office, Amazon or Supermarket delivery van, and the prevention of vehicles having to park on the pavement, particularly relevant if the entrance is near a traffic calming pinch point.
- **Gates:** Gates should be added to this development to maintain the black fencing panels as part of the local amenity and bus stop, that runs the length of the Worthing Road from houses built on The Fieldings. It is recommended that these be set back at least 5 metres (as Hurstside) from the public highway (including the pavement) to prevent vehicles from obstructing traffic whilst waiting for the gates to open.

4.1 HM LAND REGISTRY TITLE REGISTER & TITLE PLAN

A copy of the HM Land Registry Title and Title Plan documents are available on request. These show the **land ownership, title plans, drainage ditches, charges, and boundary plan maps (hashed in red)** for 51 The Fieldings, Southwater, and Hurstside, Worthing Road, Southwater. These show:

4.2. 51 THE FIELDINGS

The Land Registry document for 51 The Fieldings no. WSX386873 identifies the owner as [REDACTED]. It includes legal easements (restrictive covenants) granted by the Conveyance dated 24 February 1977 referred to in the Charges, subject to any rights that are reserved by any deed that affects the registered land. (20.12.2016) The Conveyance is dated 24 February 1977 referred to within the Charges Register as a 'provision for light or air'.

4.3 HURSTSIDE

The Land Registry document Hurstside no. WSX122450 identifies the owner as [REDACTED]. It refers to legal easements (restrictive covenants) by the Conveyance dated 24 February 1977 referred to in the Charges, subject to rights of an original deed and restrictive covenants dated 10 August 1903 for air and light.

It also says the original purchaser ([REDACTED]) shall within three calendar months from the date (1987) thereof, erect a good and sufficient boundary wall or fence not less than 6 feet in height deemed a 'party wall or fence,' under the Party Wall Act 1996.

4.4 FLOOD RISK

Unless the Local Authority Drainage / Highways Map or Environment Agency flood drainage maps show otherwise, each property owns up to the centre of the ditch under the "**Hedge and Ditch Rule**". This states a hedge, if planted by Jeffrey and Alma Cook 39 years ago, requires a soak away to be dug on the **land of the hedge owner**.

4.5 OAK TREE (Ref. No: DC/13/1809)

We note these plans are 'not to scale', but show the proposed dwelling as being built on top of the soak away, given there was a second previous application under 'Trees and Landscaping', attached to the last rejected application 153/2025/6 requiring the felling of an Oak Tree (Ref. No: DC/13/1809) part responsible for water absorption and flood mitigation.

5.1 COMPREHENSIVE ARBORICULTURAL REPORT

We appreciate the work that went into the previous **Arboricultural report** that also noted within the proposed plans that the site was formerly constrained by a Tree Preservation Order (TPO) made in 1976 (Ref: TPO/0252), yet there has still been no impact assessment due to the loss of this soak away and potential flooding that 3 neighbouring properties would suffer, because the WPS Planning Application checkboxes under '**Assessment of Flood Risk**' have all been ticked '**NO**', including no Government Flood Map review or national standing advice referenced.

For that reason, we feel the council should consider a full review by the **Local Flood Authority** for:

- **Drainage Impact Assessment**
- **Surface water drainage plan**
- **Sustainable Drainage (SuDS) plan**
- Proof that existing drainage routes will not be obstructed in the interest of all 3 properties
- A comprehensive **Arboricultural report** that includes the impact of losing the soak away and Oak Tree (Ref. No: DC/13/1809)

CONCLUSION

We appreciate it is a difficult balance when Planning Authorities have to assess the needs of existing properties and new planning applications regarding **flood risks, over development to plot size, insufficient measurement data, lack of comprehensive visibility splays, lack of access for heavy construction vehicles, pedestrian safety, overshadowing, tree removal, compromised traffic calming pinch points, no licensed kerb work contractors, lack of turning circles, access and parking limitations**, all in keeping with statutory regulations and safety standards.

From our perspective, these are far more compelling reasons for refusing this planning application, than complying with The National Planning Policy Framework (NPPF) guidelines or the delivery of a sufficient supply of sustainable homes, in the belief that a single replacement property solves the 5-year housing land supply issue.