

Planning Representation

Objection Reserved Matters Application DM/26/1961 – Land at Foxhole Farm, Foxhole Lane, Bolney, West Sussex

Dear Ms Fisher,

I wish to make a formal representation objecting to the current reserved matters application **DM/26/1961 – Land at Foxhole Farm, Foxhole Lane, Bolney**.

I recognise that the principle of development and the broad quantum of housing have already been established through outline permission **DM/25/1129**. I am therefore not seeking to reopen those matters.

My concerns relate specifically to the **reserved matters of layout, appearance, landscaping and scale**, and to whether the current detailed design provides an appropriate relationship between the new development and the existing properties along The Street.

The application is particularly problematic along the eastern boundary, where a relatively small group of existing properties would experience a concentration of impacts from the new housing, roads, parking, footpaths, play area, lighting, drainage and community activity. The current proposal should therefore not be considered simply as a collection of individual design elements. Their **cumulative effect on existing residents** needs to be properly assessed.

This is also particularly important because the Council's own Urban Designer has identified a number of concerns with the current scheme, including weaker pedestrian connectivity, a lack of focal points and hierarchy, an unclear role for the Community Hub, loss of legibility between the two parcels, generic landscape treatment, a more urbanised character and an architectural response which does not sufficiently reflect the character of Bolney.

I therefore ask that the application is not approved in its current form and that the applicant is required to address the following matters.

1. Eastern boundary – inadequate separation and cumulative impact on existing residents

1.1 The applicant's own assessment identifies a gap

A fundamental concern is the relationship between the proposed development and the existing homes along the eastern boundary.

The applicant's Landscape Visual Assessment acknowledges that there is likely to be a negative impact on residents living along the eastern boundary, but the visual impact on these properties has not been assessed because the appraisal principally considers views from public locations.

That is an important limitation.

The Council should not rely solely upon assessments from public viewpoints when a number of existing homes will have the development immediately beyond their private rear gardens.

The relationship between the development and these properties needs to be assessed in terms of:

- privacy;
- overlooking;
- visual enclosure;
- building height and scale;
- proximity;
- dominance;
- road and parking activity;
- headlights;
- pedestrian movement;
- play activity;
- lighting;
- noise;
- boundary treatment;
- drainage; and
- the cumulative effect of all of these matters.

This is not an objection based upon loss of a private view. It is a concern about the **quality of the residential environment and the physical relationship between existing and proposed development.**

1.2 A much greater eastern buffer is required

The current layout appears to provide substantially more open/green space on parts of the western side of the development than immediately alongside the sensitive eastern boundary in the northern parcel of land.

We ask the Council to require the applicant to investigate whether the **entire northern housing parcel can be shifted further towards the western side of the site**, creating a substantially wider eastern landscape buffer.

The preferred relationship should be:

existing gardens → substantial landscaped buffer → new development

rather than:

existing gardens → narrow boundary → footpath/road/play area/houses.

We appreciate that any change would need to remain within the parameters established by the outline permission, but the purpose of the reserved matters process is precisely to determine the detailed layout.

Where there is scope to create a materially better relationship with existing residents, that opportunity should be taken.

1.3 The proposed play area is a particularly serious concern

The proposed Local Area for Play is of particular concern because it appears to be located **immediately behind our house – ‘Rutherford House’ and the neighbouring properties to**

the south of us, effectively placing a children's play area directly against existing rear gardens.

In our case, the existing rear boundary fence is only approximately four feet high. The neighbouring properties to the south also have limited boundary separation, including open/barbed-wire fencing.

The proposed arrangement therefore provides **little or no meaningful buffer between the existing private gardens and an active area of the new development**.

A play area will naturally generate activity, movement and noise. It is also likely to involve parents or carers standing around the play area, potentially creating direct views towards existing gardens.

The foreseeable impacts include:

- overlooking into existing gardens;
- noise;
- children and adults being immediately adjacent to private gardens;
- litter and objects entering gardens;
- increased activity close to boundaries;
- security concerns;
- antisocial behaviour;
- people congregating near existing properties; and
- the cumulative effect of the play area alongside the road, footpath, housing and lighting.

Safety relationship with the attenuation basin:

There is also a specific concern about the **proximity of the play area to the proposed attenuation basin and associated drainage infrastructure**.

The submitted drainage drawings identify attenuation storage and exceedance-flow routes. The Council should therefore require the applicant to demonstrate that the relationship between the play area, attenuation basin, associated slopes and levels, drainage infrastructure and exceedance routes is safe for children and accompanying adults in all reasonably foreseeable conditions, including after significant rainfall.

This should be assessed as part of the detailed layout rather than treating the play area and drainage infrastructure as unrelated elements.

The play area should be moved

We therefore strongly request that the play area is **moved further into the development**, where it can be primarily overlooked and supervised by the new houses it is intended to serve. This would provide a much more appropriate relationship between the new development and existing homes. It would also mean that children using the play area would have the benefit of the new development's own housing and landscaping around them rather than effectively using the rear boundaries of existing homes as the edge of the facility.

1.4 Eastern boundary planting and fencing

A narrow strip of planting immediately against existing gardens is not sufficient mitigation. The eastern boundary should include:

- substantial native planting;
- appropriate secure boundary fencing;
- a mixture of deciduous and evergreen species where appropriate;
- sufficient planting width to establish properly;
- a clear maintenance and replacement strategy; and
- planting designed for its **mature form**, rather than its appearance immediately after construction.

The objective should be to provide genuine visual filtering and screening of the development and create a meaningful transition between the existing village and the new housing. However, planting also needs to be carefully designed around the amenity of existing residents.

Our gardens are **west-facing**, so afternoon and evening sunlight is particularly important. Screening should not simply become a continuous high, dense wall of trees which substantially reduces sunlight reaching existing gardens. We therefore ask that the planting is designed to provide effective screening while remaining **predominantly medium-height at maturity**, with species selection, spacing and positioning carefully considered to balance:

- privacy;
- visual screening;
- landscape character;
- biodiversity; and
- retention of reasonable afternoon and evening sunlight.

Where existing boundary fencing is inadequate to deal with the impacts created by the development, the developer should fund appropriate boundary improvements rather than leaving existing residents to resolve a problem created by the development.

1.5 Approximately 16 existing homes are particularly affected

Our assessment is that approximately **16 existing homes** along the eastern side of the site will experience a particularly concentrated combination of impacts.

For these properties, the issue is not one individual planning impact. Residents could simultaneously experience:

- new houses immediately beyond their gardens;
- a road immediately opposite rear gardens;
- driveways and parking;
- headlights;
- vehicle movements;
- pedestrian movements;
- a footpath close to boundaries;
- a play area;
- lighting;
- additional noise;
- drainage concerns;
- increased visual enclosure; and
- the loss of the current quieter rural outlook immediately beyond their gardens.

The Council should therefore assess the **cumulative residential amenity impact** on this group rather than considering each element in isolation.

Given the concentration of impacts, we also consider it reasonable that the applicant undertakes direct engagement with these approximately 16 households before the detailed layout is finalised.

2. Drainage and flood risk

Drainage should be treated as a principal issue in determining this application.

There is an existing surface-water issue affecting properties along the eastern boundary.

During periods of heavy winter rainfall, we have personally experienced approximately **one foot of water across the garden**, extending from the rear boundary to within approximately one metre of the patio.

This is important first-hand evidence of existing conditions and I attached photos to show the impact.

The submitted drainage strategy identifies attenuation basins, drainage infrastructure and designated exceedance-flow routes. The drainage drawings also show an attenuation basin immediately alongside part of the eastern boundary. However, that basin appears to extend only part of the way along the sensitive eastern edge, with a further length of existing residential boundary beyond it.

The question therefore should not simply be whether the **new development's calculated runoff** is adequately attenuated.

The Council needs to establish whether the proposal properly responds to the **existing overland flow routes and catchment affecting the eastern properties**.

We ask the Lead Local Flood Authority to specifically verify:

1. the existing surface-water catchment affecting the eastern properties;
2. existing overland flow routes;
3. existing and proposed ground levels;
4. whether the proposed attenuation basin intercepts the full relevant catchment;
5. whether additional interception or attenuation is required further south along the eastern boundary;
6. the proposed exceedance routes;
7. what happens during events beyond the design storm;
8. the relationship between the drainage system and the proposed play area;
9. the drainage implications of the road and footpath;
10. whether proposed landscaping alters existing flow routes;
11. how existing drainage will be protected during construction; and
12. how all drainage infrastructure will be maintained in the long term.

The submitted drainage information itself identifies exceedance flows and attenuation storage, so these matters are clearly relevant to the detailed design.

We ask that the reserved matters are **not approved unless the LLFA is satisfied that the detailed layout will not worsen existing flooding affecting neighbouring properties**, including consideration of exceedance events and existing overland flow.

This is particularly important in light of adopted **Policy DP41 – Flood Risk and Drainage**, which requires development to be safe over its lifetime, not increase flood risk elsewhere and seek to reduce existing runoff where possible.

3. Layout, roads, footpaths, appearance and design

3.1 The two road issues need to be considered separately

There are two distinct road-related concerns.

A. The main spine road and its proximity to existing homes

A separate concern is the proximity of the proposed **main spine road to the existing homes along the eastern boundary**. In its current position, the road brings vehicle movements, headlights, noise and general activity significantly closer to these existing properties than is necessary.

Given the amount of open land available within the site, we ask the Council to require the applicant to **move the spine road further west**, increasing the separation between the road and the existing eastern properties.

This would reduce the direct impact of vehicle movements, headlights and road noise on existing residents and would allow a more meaningful landscaped buffer to be maintained along the eastern boundary.

The road should therefore be located as far from the existing eastern homes as reasonably practicable, while still achieving the required connectivity and design objectives for the development.

3.2 The road directly opposite our rear garden

The second road issue is much more specific. A road is proposed immediately opposite our rear garden along the eastern side of the northern parcel, providing access to approximately **six houses** which would sit directly behind our property.

The submitted artistic/front street view shows the proposed houses and frontage arrangement.

If those houses remain with their **frontages facing the existing properties**, the relationship creates a number of concerns:

- driveways directly facing existing gardens;
- vehicle headlights shining towards existing rear windows;
- headlights from vehicles travelling along the road;
- vehicle movements during evenings and early mornings;
- car doors and general vehicle noise;
- views of the road itself;
- parked cars becoming a dominant part of the outlook;
- potential visual clutter from vans, trailers or caravans;
- increased movement immediately opposite existing gardens; and
- the cumulative change from a relatively quiet rural outlook to a residential street.

The issue is not whether parking provision technically complies with a numerical standard. It is how the **actual arrangement of driveways, parking and movement will appear and operate when viewed from existing homes.**

Alternative orientation should be tested

We therefore ask the Council to consider whether the six houses could instead be **orientated inward towards the development**, with their rear gardens forming the eastern edge nearest to the existing properties.

We recognise that this alternative would need to be tested against good urban design, overlooking, surveillance, street definition and other planning requirements. However, it should be properly assessed. The question should be:

Which arrangement provides the best overall planning relationship between the new development and the existing homes? rather than assuming that the currently proposed orientation is the only solution.

If the frontage-facing arrangement is retained, the applicant should demonstrate specifically how it will mitigate:

- headlight glare;
- vehicle noise;
- driveway activity;
- parking dominance;
- visual clutter; and
- movement immediately opposite existing rear gardens.

3.3 Eastern footpath

The proposed footpath along the eastern boundary of the northern parcel also requires reconsideration. Its proximity to existing gardens creates another corridor of pedestrian movement immediately alongside private residential boundaries, with the potential for pedestrians and cyclists to have direct views into gardens.

The Council should clarify whether this route is:

- pedestrian-only;
- shared pedestrian/cycle; or
- intended to accommodate cycling.

If the six houses remain with their frontages facing the existing properties, we ask whether the footpath could instead run **alongside the road**, rather than being separated from it and positioned closer to the existing properties.

Subject to highway, accessibility, landscape and drainage requirements, consolidating the pedestrian and vehicle movement corridors could potentially increase the effective separation between the development and existing gardens.

If cycling is not intended along the route, the Council should also consider whether suitable physical or design measures are required at entry points to prevent it becoming an informal cycle/e-bike/e-scooter route, while maintaining full accessibility.

3.4 Appearance and architecture

The architectural approach also requires reconsideration.

This is not simply a matter of residents having a subjective preference for particular house styles. The Council's own Urban Designer has stated that: "Architecture does not reflect the strongest qualities of Bolney" and that Bolney has a unique and special character which should be referenced and reinforced.

The Urban Designer also states that the revised scheme has become more urbanised and less responsive to its rural environment, with landscape treatment appearing generic and overly reliant on standard catalogue-style playground equipment. Those comments are highly relevant to this reserved matters application. We therefore ask the Council to require a more genuinely context-sensitive architectural response, including consideration of:

- materials;
- roof forms;
- proportions;
- plot rhythm;
- variation between house types;
- boundary treatments;
- relationship to the existing village;
- relationship to the rural landscape;
- views towards and from the historic village;
- the setting of heritage assets; and
- the transition between the new development and the existing settlement.

The Urban Designer has also identified that the current scheme is too uniform and lacks focal points, hierarchy and moments of distinction. This should be addressed rather than simply noted.

4. Community Hub, movement, lighting and noise

4.1 Community Hub / Kangaroos facility

We recognise that the Community Hub/Kangaroos facility is subject to a **separate planning application** and that its detailed approval is therefore not for determination through DM/26/1961.

However, its relationship with this reserved matters application is directly relevant. The roads, pedestrian routes, landscaping, parking and movement patterns surrounding the Hub are being established through the wider development layout. The Council's own Urban Designer has specifically identified concerns about the Hub, stating that its role is unclear and that the previous design demonstrated much greater consideration of how the building would define and activate adjacent spaces, function as a gateway and create a sense of arrival.

The current location also raises concerns because of its position on the higher part of the site and its potential to generate significantly more activity than ordinary residential development. The Council should consider:

- additional vehicle movements;

- visitor numbers;
- parking;
- evening and weekend activity;
- deliveries;
- external gathering;
- lighting;
- noise;
- security;
- pedestrian movements;
- coach movements; and
- the implications for existing residents.

Location

We believe the Hub would be better located as close as practicable to the **A272/southern entrance**, where it could:

- act as a genuine gateway/focal point;
- be more directly accessible;
- reduce unnecessary vehicle movements through residential areas;
- reduce potential disturbance to existing residents; and
- provide a more logical destination for visitors and coaches.

If the location cannot be changed through this application, the Council should nevertheless ensure that the reserved matters layout properly accommodates its likely use.

There should also be clarity regarding the intended use, operating hours, number of users, evening/weekend activity, coach movements, parking, deliveries, events, lighting, noise and security.

4.2 Lighting

Lighting requires particularly careful consideration given the rural location and the proximity of existing homes and ecological corridors. The submitted highway lighting assessment identifies surrounding residential properties and wildlife as sensitive receptors. It also proposes 8m and 6m lighting columns and 4000K LED lighting for the highway works, with part-night operation. While we recognise that some lighting may be required for highway safety, we ask that lighting throughout the eastern and northern boundaries is kept to the **absolute minimum necessary**.

The Council should require:

- no unnecessary lighting;
- warm-spectrum lighting wherever practicable;
- full shielding;
- light directed only where required;
- no spill into existing gardens or windows;
- no illumination of hedgerows or ecological corridors;
- dimming and part-night controls where appropriate; and
- careful positioning of columns.

This is particularly important given the rural character of the site and the sensitivity of the surrounding landscape and wildlife.

4.3 Noise and the change in acoustic environment

The existing properties currently enjoy a relatively quiet rural acoustic environment. The development will introduce substantially more activity immediately beyond existing rear gardens, including:

- residential occupation;
- roads;
- vehicle movements;
- parking;
- pedestrians;
- the play area;
- community activity;
- deliveries; and
- external plant.

The issue therefore needs to be assessed as a **cumulative change in the acoustic environment**, rather than considering each source separately.

We ask the Council to require the applicant to demonstrate how noise affecting existing properties will be controlled.

This should include:

- traffic;
- parking and driveways;
- vehicle doors and engines;
- the play area;
- pedestrians;
- deliveries;
- the Community Hub;
- external gathering;
- servicing; and
- fixed mechanical plant.

If air-source heat pumps or other external mechanical plant are proposed for the new dwellings, their acoustic impact on existing properties should also be assessed.

We are not asserting that air-source heat pumps will necessarily create unacceptable noise. Rather, the Council should ensure that their location, specification, separation and acoustic performance are properly considered so that they do not create an unacceptable increase in background noise for existing residents.

5. Construction, drainage, ecology and long-term management

5.1 Construction phase

The construction of approximately 198 homes, roads, drainage infrastructure, attenuation features, landscaping and community infrastructure will be a substantial and prolonged operation. The effects on the properties immediately adjoining the eastern boundary therefore need to be properly managed. We ask that a robust Construction Environmental Management Plan and Construction Management Plan address:

- construction working hours;
- noise;
- vibration;
- dust;
- construction traffic;
- delivery vehicles;
- vehicle idling;
- mud/debris on local roads;
- temporary lighting;
- light spill into existing properties;
- secure temporary fencing;
- location of compounds and material storage;
- construction-worker activity close to private gardens;
- protection of existing drainage routes;
- protection from construction-related flooding;
- protection of trees and hedgerows;
- protection of ecological corridors;
- public rights of way;
- pedestrian safety;
- construction traffic through the village;
- emergency arrangements;
- resident liaison;
- a named contact for residents;
- a formal complaints procedure; and
- appropriate phasing.

Construction drainage is particularly important

Temporary construction activities can alter surface-water flow through excavation, changes in ground levels, compacted surfaces, stockpiles and temporary drainage.

Given the existing flooding experienced by properties along the eastern boundary, the construction plan should specifically demonstrate how existing flow routes and ditches will remain operational throughout construction.

5.2 Public Right of Way 44Bo

Footpath **44Bo**, immediately north of the site, will experience increased use as a consequence of the development.

The outline planning process recognised that increased use could result in deterioration of the path and that improvements to its surface would be required. We therefore ask the Council to ensure that the relevant S106 contribution and detailed implementation arrangements are properly coordinated with West Sussex County Council and the Parish Council.

The existing path can become extremely wet and boggy in winter. The existing ditch alongside it should be properly cleared and maintained, and the path should have a suitable all-weather surface appropriate to its rural setting.

The detailed drainage strategy should also ensure that surface water from the development does not worsen conditions on the footpath.

5.3 Long-term landscape and boundary management

The eastern boundary should not rely on planting which looks effective on the day the development is completed but fails to provide meaningful screening in the longer term. The landscaping condition should therefore secure:

- appropriate species;
- minimum planting sizes;
- planting density;
- replacement planting;
- maintenance;
- protection from damage;
- management of mature height and spread; and
- retention of the intended screening function.

As noted above, this needs to balance screening with the retention of reasonable afternoon and evening sunlight to the existing west-facing gardens.

5.4 Future roof alterations and overlooking

The Council should also consider what happens to the relationship between the new and existing properties after the development is occupied.

In particular, future loft conversions, dormers, roof extensions or additional roof-level windows could materially increase overlooking of existing gardens and homes. Given the sensitivity of the eastern boundary, we ask the Council to consider whether relevant permitted development rights should be restricted through the planning permission or another appropriate planning mechanism.

The purpose would be to prevent the carefully considered relationship established through this application being subsequently undermined by roof alterations or additional upper-floor windows which have not been assessed as part of the current proposal.

Conclusion

The outline permission establishes the principle of development, but it does **not mean that every detailed layout now proposed is acceptable**.

The purpose of the reserved matters process is to establish whether the detailed arrangement provides an appropriate response to the site, its landscape, the character of Bolney and the relationship with existing residents.

In this case, there are significant concerns about the current proposal, particularly along the eastern boundary.

The approximately 16 existing properties in this area are being asked to accommodate a concentrated combination of:

- new housing;
- a road immediately opposite existing rear gardens;
- driveways and parking;
- vehicle headlights;

- pedestrian movement;
- a footpath close to private gardens;
- a play area immediately against existing boundaries;
- attenuation and drainage infrastructure;
- additional lighting;
- increased noise;
- Community Hub activity; and
- a prolonged construction period.

These impacts should not be assessed independently.

There is also a significant evidential point: the applicant's assessment does not adequately assess the direct visual and residential relationship with the affected private properties, while the Council's own Urban Designer has independently identified a number of weaknesses in the current layout, including reduced connectivity, loss of legibility, an unclear Hub role, generic landscape treatment, a more urbanised character and architecture which does not sufficiently reflect Bolney's character.

I therefore respectfully ask the Council **not to approve DM/26/1961 in its current form** and instead require substantial reconsideration of the detailed layout, particularly:

1. **Move the northern housing parcel westwards where practicable**, creating a substantially larger eastern landscape buffer.
2. **Move the proposed play area further into the development**, away from the existing rear boundaries and away from the attenuation basin.
3. Provide a **meaningful eastern landscape buffer**, with appropriate fencing and medium-height mature planting which screens the development without unreasonably reducing afternoon/evening sunlight to existing west-facing gardens.
4. Reconsider the **road immediately opposite the eastern properties**, including whether the six houses should be reorientated inward.
5. If the frontage-facing arrangement is retained, provide specific mitigation for **headlights, parking, vehicle movements, noise and visual intrusion**.
6. Reconsider the location of the **eastern footpath**, including whether it can run alongside the road rather than closer to existing gardens.
7. Require the LLFA to undertake a detailed assessment of **existing surface-water flow routes and flooding affecting the eastern properties**, not simply the calculated runoff from the new development.
8. Demonstrate that the drainage strategy will not worsen existing flooding and properly addresses **exceedance flows, attenuation, levels and construction-phase drainage**.
9. Address the Council Urban Designer's concerns regarding **layout, connectivity, legibility, landscape character, uniformity and architecture**.
10. Reconsider the relationship and location of the **Community Hub/Kangaroos facility**, or at minimum ensure that the reserved matters properly accommodate its traffic, parking, coach movements, noise, lighting and security implications.
11. Keep lighting to the **minimum necessary**, with appropriate shielding, warm-spectrum lighting and controls to protect existing residents and the rural/ecological environment.
12. Require proper assessment and mitigation of **noise**, including traffic, parking, play, community activity and external mechanical plant such as air-source heat pumps.

13. Secure a comprehensive **construction management regime** addressing noise, dust, traffic, lighting, privacy, drainage, flooding, ecology and resident liaison.
14. Protect and improve **Footpath 44Bo**, including appropriate surface improvements, drainage/ditch management and coordination with the relevant authorities.
15. Consider appropriate restrictions on **future roof/loft alterations** where necessary to prevent additional overlooking of existing properties.
16. Given the concentration of impacts, undertake **direct engagement with the approximately 16 most affected existing households** on the eastern boundary in the northern parcel of land before the layout is finalised.

The eastern boundary should not be treated as simply the edge of the development. It is the point at which a major new residential scheme directly meets an established part of Bolney, and the current proposal needs to demonstrate a much more sensitive transition between the two.

