

Fishbourne Parish Council Objection Document 22.11.2022

Application FB/22/02542/FUL - Minor Dev – Dwellings.

Land North Of Godwin Way Fishbourne West Sussex

The development of 4 no. new dwellings (3 no. 3-beds and 1 no. 2 beds) including the provision of a new vehicular access onto Blackboy Lane, a new pedestrian crossing on Blackboy Lane, parking, landscaping and all other associated works

Fishbourne Parish Council objects to this application for the following reasons:

1. The site lies outside of the Settlement Boundary and within designated countryside where the policies of the CDC Development Plan state that development will only be permitted where it requires a countryside location and meets an essential, small scale and local need which cannot be met within or immediately adjacent to the existing settlement. Fishbourne has identified suitable sustainable locations within the Parish Settlement Boundary to satisfy the existing housing need.
2. The proposal would result in the loss of an important visual gap that exists north of Bethwines at 133 Blackboy Lane which would be of detriment to the established streetscene by virtue of the erosion of the open rural character of the area generally.
3. There have been 11 previous applications for development in part or all of this area of forest and important wildlife 'sanctuary' all of which have been withdrawn or refused by CDC and at appeal where appropriate. Refusal reasons have included
 - a. Land has been designated as "Rural Area where new housing is not normally allowed unless essential in the interests of agriculture or for other special reason".
 - b. This application would result in an "encroachment of the built-up area into the countryside setting to the village, contrary to the provisions of the Development Plan".
 - c. The local sewage treatment works were over capacity (most recently in 2010) and that problem is now even worse and on-site sewage treatment is not a viable option (See Technical Review document).
4. The application is not plan-led and fails to meet the NPPF requirement "with the community fully involved in the decision-making process".
5. The woodland setting of mature trees and scrubland offers a haven for a variety of wildlife (all the more needed by the overdevelopment of the village). The applicant suggests that many of the trees, although under TPO, are only category C and propose to demolish many of these mature trees thereby causing irreparable damage in contravention to our Neighbourhood Plan as well as the National Planning Policy Framework (NPPF) paragraph 174.
6. The application rightly points out that, in the absence of a local policy, the presumption in favour of sustainable development applies". However, NPPF para 180 goes on to say "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". Further in para 184 "The presumption in favour of

sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”

7. While it is recognised that a balance has to be achieved between the advantages and disadvantages of any application, the objections from village residents highlights the many adverse impacts on the local biodiversity of this proposal.

In addition to these fundamental issues of objection, FPC would also like to point out some misrepresentations in the application documents, namely:

Applicant’s **Planning Statement** notes as follows:

Site and Surroundings

2.3 The site comprises vacant land, which is overgrown with trees and hedges and includes a small drain crossing the site in a north-south direction.

This statement vastly underplays the importance of this site which is a well-established woodland with 11 trees covered by TPO and a wealth of other wildlife, fauna and flora including 4 bat species, deer, hedgehogs, many bird and mammal species which will lose their habitat for ever with the disturbance and decimation caused by this development.

Many local residents take part in the annual RSPB bird survey and have recorded the presence of the following birds; blackbirds, blue tits, chaffinches, collared doves, goldfinches, great tits, greater spotted woodpeckers, jays, siskins, long-tailed tits, magpies, robins, rooks, sparrows, starlings, wood pigeons.

CPRE have advised the presence of a bat highway (confirmed by regular local sightings); in addition, there are field mice, foxes, hedgehogs, shrews and slow worms.

Access & Sustainability

2.10 The site is in a relatively sustainable location being approximately 250m ‘as the crow flies’ from bus stops serving both directions on Salthill Road to the east and providing access to Chichester and Bosham.

FPC maintain that ‘as the crow flies’ is not a reasonable measure of distance when considering the distance people must travel rather than crows. The bus stops on the A259 serving Chichester and Bosham are accessed via Blackboy Lane which has no footpaths in the northern section by the proposed development and no street lighting which make it quite unsafe for school children or others who find it difficult to walk, both at night or after school in the winter. The Salthill Rd buses are accessed via Halfrey Rd or Clay Lane and are not direct routes. Given that the local Fishbourne Primary school is over capacity, neither bus route accesses the nearest Primary School in Bosham nor the closest senior school Bishop Luffa.

Planning History

3.9 Following receipt of the above correspondence, the applicant submitted information to demonstrate a pedestrian crossing could be provided, which would address the Highway Officer's concerns.

The applicant has included a pedestrian crossing on the plans but there are concerns as to:

- the location of said crossing which appears to be very close to the Blackboy Lane junction with Clay Lane and very close to the driveways of the 2 houses on the east side of the crossing.
- Blackboy Lane has no street lighting and neither is it considered desirable due to the rural location on the edge of the village and dark sky policies. There is no information as to the type of pedestrian crossing planned – will it have traffic light controls or flashing zebra crossing lights or will it be controlled by bollards in the middle of this very narrow section of road. All of these possibilities appear to be either out of keeping with the street scene or potentially dangerous.

Applications in Surrounding Area

This section appears to be out of date, quoting 21/03704/EIA – EIA Screening Opinion for Development of up to 230 Dwellings.

3.22 In January 2022 the Council issued their decision advising that an EIA would be required for any development of this scale. The submission of this application indicates a planning application for development of this land for a large-scale residential development may be forthcoming.

This application went to Appeal during 2022 which was subsequently dismissed and there is currently no planning application for any large scale development in the area. The implication being that this application can 'piggy back' on other applications which is no longer relevant.

Development Proposal

5.10 Refuse and recycling is proposed to be stored within the curtilage of individual dwellings, with bins then brought to the refuse storage area immediately adjacent to the site access on collection day. This would enable kerbside refuse collection as at other properties in Blackboy Lane.

There appears to be only storage for 2 bins per household which gives no space for green bins. Further, the space for bin collection allows for only 1 bin per household but the green bins are usually collected on the same day as either recycling or refuse bins, therefore there is not enough space for all bins during collection.

Scale, Density, Unit Size, Sustainability

While the applicant purports to be providing 'high quality design' it then goes on to confirm that they are working to 'minimum standards of design' with regard to space.

6.29 It is therefore considered the proposed development would deliver a high quality design, which respects and enhances the character and appearance of the area in accordance with LP Policy 33 and IPSH9.

6.31 This complies with the minimum size standards for 2 and 3 bedroom properties as set out within the Nationally Described Space Standards (2015). The proposed development would therefore provide an acceptable standard of accommodation for future occupiers and as such is acceptable

Equally disappointing and unacceptable is the level of sustainability and regard to global warming and environmental protection in the design. Although each home will have limited solar panels producing approx. 30% energy requirements renewable energy, the use of air and ground source heat pumps have been rejected on economic grounds meaning that each home will have gas combi boilers installed. This seems short-sighted since the government is set to ban the use of gas boilers in new homes by 2025.

Further there is no reference to the provision of electric vehicle charging points either per household or at the 2 visitor parking bays. This seems short sighted in sustainability terms.

In conclusion, Fishbourne Parish Council recommends refusal of this development proposal.

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