

Salehurst & Robertsbridge Neighbourhood Plan Examination  
Public Hearing & Written Statements

28 September, 2017

Question 8 : Bearing in mind the differences in ground level between the Vicarage Site and Fair Lane, which is in a Conservation Area, can a satisfactory access be created that will allow full access to the site by the range of vehicles likely to be required to serve a residential development of the scale proposed. Can an illustrative plan be prepared to illustrate an acceptable solution?

Respondent: Helen Flanagan, [REDACTED]

Representation reference number: ROB/R16/2017/31

**I formally object to the proposed development of the land referred to in the Robertsbridge & Salehurst Neighbourhood Plan (the 'Plan') as the 'Vicarage Land' (referred to herein as the 'Site') on the following grounds:**

**1. Failure to ensure safeguarding and enjoyment of the ancient conservation area**

The Plan fails to satisfy the direct obligation of the local planning authority (the 'LPA') to illustrate how the proposed development of the Site contributes to the safeguarding and enjoyment of the centre of a designated 'ancient conservation area' – refer to the *National Planning Policy Framework, para. 126*.

Development of the Site will directly contravene the conservation of the appearance and character of the ancient centre of the village and significantly and irreparably detract from the special character and appearance of Fair Lane and the existing historic listed buildings surrounding the Site. Conservation Area Management is enforced to ensure that the local distinctiveness and special character of a place is respected and responded to in a positive manner. The proximity of the majority of the existing listed dwellings on Fair Lane, the road which would provide the only option for access to the Site, a-but a very narrow pavement which, along with the narrow width of the road, fundamentally establishes the special character of Fair Lane as a tranquil residential country lane. Further development and increased through traffic would be harmful to the setting of all the surrounding listed buildings.

**2. Access, highway safety and parking**

Development of additional housing on the Site would demand vehicular access via Fair Lane. Significant excavation would be required to facilitate safe access for road users to the Site and the resulting excavation would have a permanent detrimental visible impact on the special character of Fair Lane as a quiet residential lane. In addition the width of the access from Fair Lane on to the Site would not allow for a safe visibility splay to enable drivers emerging from the Site to see and be seen by drivers proceeding along Fair Lane in either direction resulting in a highway safety issue.

Additional housing would also generate increased road traffic and worsen an existing highway safety issue caused by an already inadequate road system. Fair Lane is a very narrow residential lane and there is already a significant issue with traffic volume and parking the length of Fair Lane and around the T-junction from Fair Lane onto the High Street, including parking on the pavement which is compounded by large articulated commercial vehicles double-parking to load/offload deliveries to the numerous local businesses every day. All these factors combine to cause a chicane, with cars weaving in and out to gain access to Fair Lane and the local amenities. Traffic also uses the entrance from the High Street on to Fair Lane as a turning circle. The addition of a sizeable new access at the heart of an existing congestion problem in this Conservation Area will only worsen what is already a widely acknowledged highway safety issue by residents and serve to increase the risk of an accident and damage to private vehicles.

Fair Lane refuse is collected weekly, with fortnightly recycling collection. Households are permitted one wheelie bin, with an option to purchase up to three additional garden waste wheelie bins and limitless side waste containers provided they have storage for these – a potential total 40 wheelie bins excluding side waste containers. With satisfactory access onto the Site likely not possible for a wide range of large service/utility/industrial vehicles required to serve a residential dwelling of the scale proposed, in this example a refuse collection lorry, an acceptable solution to store wheelie bins along the curtilage boundary of the Site and Fair Lane for collection without impeding any safe visibility splay at the junction required from the Site onto Fair Lane, or detracting from the special character and appearance of Fair Lane does not seem readily obvious. The alternative would be for waste to be collected from the houses on foot while the refuse collection lorry blocks access up Fair Lane for residents and emergency vehicles.

**3. Risk of flooding**

The High Street properties that back directly on to the Site have a history of surface water flooding due to the higher level of the Site in comparison. Development of the Site will increase the indirect flood risk beyond the development site by increasing the amount of run-off from the developed area, as the permeable surface area is reduced, increasing the volume and speed of run –off and could also result in an increased downstream flood risk by decreasing flood plain storage.

**4. Loss of daylight, sunlight, overshadowing and privacy**

Housing developed on the Site would have an overbearing and dominating impact to listed High Street properties which back on to it directly and result in a complete loss of privacy to the detriment of residential amenity, overshadowing their gardens and creating a clear line of sight into their rear facing rooms due to the higher level of the Site in comparison. Owners of the properties which back on to the Site have a right to an acceptable level of sunlight in the gardens and more importantly a right to daylight in the rear facing habitable rooms of their homes which are used every day - namely living rooms, kitchens, bathrooms and bedrooms, for which the windows are the main source of natural daylight. This right to light has been enjoyed by these properties for more than 20 years.

**5. Impact of noise, pollution, disturbance and smells**

Additional housing on the Site in such close and elevated proximity to existing listed properties which line the boundary with the Site would generate significant noise, disturbance, nuisance, smells and pollution.