

Bonhams Fields Development - SEAWARD PROPERTIES

February 20th 2017

Dear Sirs

Bonhams Field, Main Road, YAPTON

PLANNING REFERENCE Y/1/17/OUT

1. Introduction

Yapton Parish Council (YPC) has given much consideration to the above outline planning application for 56 residential dwellings, vehicular access from Main Road, public open space, ancillary works & associated infrastructure.

The Parish understand Arun District Council's (ADC's) need to accommodate increasing housing numbers but firmly believe as recommended in the 6th December Local Plan Sub-Committee (LPSC) that this must be done through proper consultation and cooperation between the Council, landowners and the Community. Yapton has a large amount of potential small Housing and Economic Land Availability Assessment (HELAA'S) and small Strategic Housing Sites which the Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new Local Plan. This application is premature to this process and consultation and must be deferred until such time.

YPC would comment that whilst the applicant has carried out extensive community engagement and the proposal follows some exemplar design criteria, especially with regard to build densities, YPC still find that proposal to be totally contrary to the Yapton Neighbourhood Plan.

2. Location and Character of the Site

The site is situated to the west of the Main Road Conservation Area and lies outside the village settlement boundary as defined by both saved and emerging ADC Local Plan Policy. The site provides the essential setting for the Main Road Conservation Area, its listed buildings and the village settlement as a whole.

The introduction of built form beyond the existing Main Road Conservation Area would therefore represent an inappropriate incursion into the countryside which would be visually isolated from and fail to relate to the existing natural settlement boundary of Yapton. The proposal would involve the loss of open land that would erode, to its detriment, the relationship between the Conservation Area, its listed buildings and the surrounding landscape, affecting the ability to appreciate and understand Yapton's historic development. The proposal fronts Yapton Road, one of the last approach roads which have maintained their historic form and setting maintaining the rural identity of Yapton. This approach would lose its rural quality eroding Yapton's rural character.

Both saved and emerging Local Plans seek to preserve this natural environment and places equal weight on the importance of conservation areas and their 'setting', stating that the special character and appearance of conservation areas will be a material factor in planning decisions and that development which adversely affects the setting, character, appearance

of or views into and out of a conservation area will be refused. This clearly mirrors the National Planning Policy Framework (NPPF) in relation to Heritage Assets, paras 126-141: ***‘seek(s) to conserve and enhance the historic environment. Account should be taken of the setting of heritage assets (including Listed Buildings and Conservation Areas)’***

The site itself is grazing farmland reflecting the historic farming practice of both the listed buildings of Elms Barn and Bonhams.

The proposed development would have a detrimental and irreversible impact on the locality, harming the character and beauty of this historic rural setting of the listed buildings and the conservation area. The proposal would not materially benefit the site from such significant change; indeed the development would remove Yapton’s remaining roadside historic landscape removing the village’s sense of place. Thus failing to meet NPPF para 109 which states that development should strive to:

‘protecting and enhancing valued landscapes, geological conservation interests and soils’

The proposal would also fail to meet the high standard of the NPPF, para 17 of which stresses the need to:

‘recognise the intrinsic character and beauty of the countryside’ and ‘contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value..... encourage effective use of land.....brownfield first... recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)’ (NPPF)

The sensitive location for this proposed housing development is therefore totally unsuitable and unsustainable for a scheme that encroaches the site lines and setting of the Main Road Conservation Area.

3. Planning

The proposal fails to meet key policy criteria set out in the NPPF, saved policies within the 2003 Local Plan (2003 LP), policies within the draft 2014 emerging Local Plan (2014 LP) (we still await the emerging Development Plan to replace the latter). Finally, it disregards the made Yapton Neighbourhood Plan and its relevant planning policies.

The site lies outside of the existing built-up areas as defined in the 2003 LP saved policies Gen 2 and Gen 3.

3.1 Yapton Neighbourhood Plan (YNP)

The Secretary of State found in the recent appeal for a similar site in Yapton, Land South of Ford Lane (Y/60/14/OUT) that the made Yapton NP was not out of date and should carry significant weight contrary to the applicant’s planning statement.

16. The Secretary of State finds that the proposal is in conflict with Policy BB1, as it is not in the built up area boundary and does not fall within any of the exemptions listed in the policy. He agrees that policy BB1 is out of date (IR11.10) in the absence of a 5 year HLS. However, given his conclusions on

Policy H1 at paragraph 15 above he gives it significant weight. The Secretary of State considers that neighbourhood plans, once made part of the development plan, should be upheld as an effective means to shape and direct development in the neighbourhood planning area in question. Consequently, in view of Framework paragraphs 198 and 185, and his guidance on neighbourhood planning that this is the case even in the absence of a 5 year housing land supply, the Secretary of State places very substantial negative weight on the conflict between the proposal and policy BB1.

36. The Secretary of State has noted the Inspector's conclusions at IR11.51 and IR11.55. However, he does not agree, given his findings on neighbourhood planning. As such, he weighs the harms caused by conflict with the YNP and the provisions of paragraph 198 of the Framework against the benefits of the proposal, as set out by the Neighbourhood Planning Guidance he has issued. He gives very substantial weight to this conflict. As such he concludes that the proposal does not comply with the social element of sustainability, and he gives very substantial weight to this against the proposal. (SoS letter signed by Phil Barber dated 13th September 2016)

3.1.1 The site is a departure from the made YNP being outside the designated built-up area boundary, policy BB1.

3.1.2 The site fails to reflect the made YNP housing policy H1 and is not an allocated site. Indeed the site was firmly rejected during the Neighbourhood Plan process by the Community and YNPG.

3.1.3 The site is currently used as agricultural land and to develop as housing land would be contrary to current planning policy and the made YNP E1.

3.1.4 The proposal will have a significant and detrimental impact on the listed buildings and the Main Road Conservation Area along with its setting which is contrary to both YNP and NPPF in relation to Heritage Assets, paras 126-141:

'seek(s) to conserve and enhance the historic environment. Account should be taken of the setting of heritage assets (including Listed Buildings and Conservation Areas)'

4. Housing Need

The applicant suggests that Yapton's Parish allocation is to increase to 400 units. The emerging 2016 Local Plan has designated two small (300 unit) Strategic Housing Sites within Yapton Parish Y11 Land South of Tack Lee Road and NEW19 Land at Drove Lane. These sites will adequately accommodate the suggested increase enabling the Parish and its residents' time to consider any additional small HELAAS sites prior to the ADC LP EIP as requested by ADC Officers.

Furthermore, Arun District Council originally allocated Yapton PC 100 new homes over the new Local Plan period which the YNP adequately accommodated including the advisory 20% buffer.

The table below clearly sets out how Yapton Parish Council and its community have positively approached future housing in the village with allocated sites exceeding the

required 100 units. It also highlights the impact of the new small Strategic Housing sites and small HELAA sites.

	Housing with pp and constructed	Housing with pp and under construction	Housing with pp but not being built out	Land allocated for housing without detailed pp	November 2016 HELAS SITES	TOTAL
Planning applications between 2003-13	123	187				310
Outstanding appeal site Y/19/16	Y/19/16 ADC approved SoS call in on grounds of contradicting the YNP					(108)
Outstanding High Court Action Y/40/16/OUT	Y/60/14 ADC refused. Appealed. SoS call in on grounds of contradicting the YNP SoS dismissed the appeal Appellant challenging decision in High Court decision 21/03/2017					(100)
Yapton NP plus additional planning permissions forming the agreed Parish allocation						
SA1 (Y/93/14)			38			
SA2 (Cinders Lane)				51 units pp registered 02/02/17		
Planning applications agreed since 01/04/2013	34 (Y/30/13)		11 (Y/56/15/OUT)			
	6 (Y/07/15)					140
2016 HELAA SITES						
NEW Y21 (Bonhams)				PP registered	56	
Y8					88	
NEWY23					42	
74					56	
74a					40	284
SMALL STRATEGIC SITES (off Tack Lee/Drove Lane) NEWY19 Y11					200+ 205	405+
TOTAL PROPOSED ADDITIONAL ALLOCATED HOUSING IN YAPTON DURING THE NEXT LP PERIOD (excluding appeal sites 208 units)						849+

However, you will note that the recent HELAA has identified sites that could increase housing numbers in the village by a further 405+ homes excluding the 208 units currently awaiting appeal or High Court ruling.

These housing numbers exceed Yapton's need substantially. The Parish understand ADC's need to accommodate increasing housing numbers but firmly believe as recommended in

the 6th December LPSC that this must be done through proper consultation and cooperation between the Council, landowners and the Community. Yapton has a large amount of potential small HELAA sites which the Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new LP. This application is premature to this process and consultation and must be deferred until such time.

5. Sustainability

Sustainability should be considered not simply for the present, but should run into future generations' needs. There is no evidence that the applicant has taken into consideration the new developments in the village that are still in build, Emerald Gardens (178 homes) and Fellows Gardens extension (34 homes) plus the adjoining site which lies in Ford Parish (45 homes) a total of 257 new homes all within 350m of each other. A further 208 units await appeal and High Court ruling.

The proposal will place further stress on all the village facilities, shops, doctor's surgery and most importantly the primary school which will reach full capacity in 2017.

6. The Proposal

6.1 Layout

The Parish acknowledge that the overall proposal is well thought out with housing densities that reflect this part of the village and good use of green areas within the development. The Parish also recognise that both existing hedges and trees are preserved with sympathetic use of new plating to reflect the rural nature of the site.

However, the Parish fail to understand how house number 33 blends or enhances the setting of the listed buildings and adjoining Main Road conservation area. The building appears isolated from the main bulk of the proposal and sits in a key area of open space which defines the rural approach to Yapton as well and enhances the historic rural nature of Elms barn.

The Parish would seek to see this area remain open space.

6.2 Drainage

The Parish have concerns regarding drainage for both surface and foul water.

It is also accepted that foul water drainage has insufficient capacity in the local network at present and as such details for an adequate solution are required.

6.3 Transport

The Parish has concerns regarding the transport solution/access to the proposed site especially with such close proximity to bends in Yapton Road along with potential exit traffic from Drove Lane in relation to Small Strategic Site NEW19/Y11.

The Parish would like additional information advising the likely accumulative impact this proposal along with the future small Strategic Housing Sites (NEW19/Y11) will have on Main Road/Yapton Road. The Parish also note Network Rail's consultation regarding application Y/80/16/OUT which states concern on any new housing development in the North End area and its impact the North End Level Crossing.

The Parish would also encourage any proposal to contribute towards an improved cycleway linking Yapton safely to Barnham enabling Yapton's younger residents' safer access to the rail network and secondary schools for the area.

7. Community Involvement

The applicant engaged with both the Parish Council and immediate residents affected by the proposal. The Parish Council would have welcomed a more extensive engagement with the whole village where the site falls outside the Yapton NP.

8. Conclusion

Yapton Parish Council with support from its community considers the proposed development of 56 homes at Bonhams Field Main Road to be wholly inappropriate for the reasons outlined above.

In short, the proposal ignores the made Yapton Neighbourhood Plan and severely impacts the setting of both the Main Road Conservation Area and its listed buildings - Paragraph 14 NPPF confirms a 'Presumption in Favour of Sustainable development' unless:

'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole;'

Yapton Parish Council is of the view that this proposal will have a significant adverse impact on the community in terms of sustainability, impact on local facilities and on the rural nature of the village and its infrastructure.

We therefore seek it to be refused planning permission.

Yours faithfully

Andrew Gardiner

Andrew Gardiner
Clerk to Yapton Parish Council