



The countryside charity
Sussex

Campaign to Protect
Rural England, Sussex Branch CID
Brownings Farm, Blackboys,
East Sussex, TN22 5HG

www.cpresussex.org.uk

Michael Eastham
Case Officer
Arun District Council
By email : michael.eastham@arun.gov.uk

28th January 2021

Dear Mr Eastham

AB/135/20/OUT Outline application with some matters reserved (except for access) for the development of 90 dwellings & associated amenity land. This application is a Departure from the Development Plan, affects the setting of listed buildings & affects the character & appearance of the Arundel Conservation Area. Land at Ford Road Arundel

I am writing to you on behalf of CPRE Sussex – the Sussex Countryside Charity. CPRE Sussex has previously highlighted concerns about this site (see our response to the Arundel Neighbourhood Plan review 2018, attached) due to constraints including landscape, flooding, biodiversity and heritage, however we recognize that the adopted Neighbourhood Plan policy 2 allocates this site for a mix of residential, community facility and green infrastructure uses subject to a number of criteria. In general, the application appears to comply with these criteria insofar as they are relevant at outline stage. However, Criterion b) says that the allocation is on the proviso that:

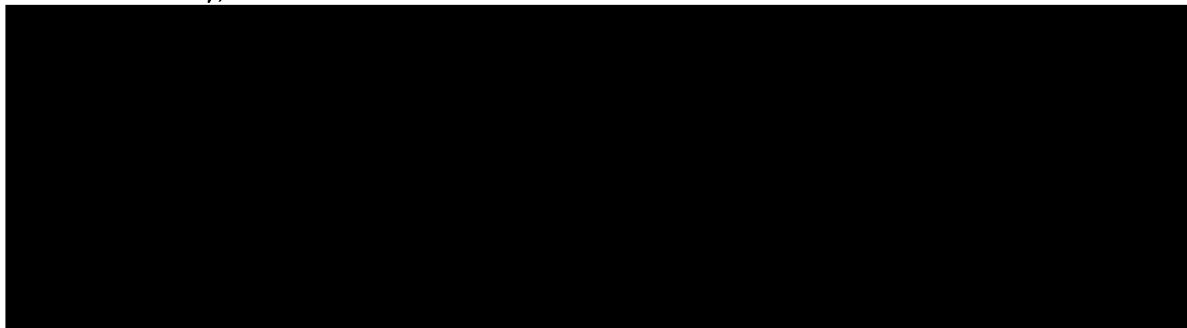
“The residential scheme delivers approx. 90 dwellings comprising a mix of open market, affordable and Community Land Trust homes in accordance with Local Plan policies with an emphasis on homes suitable for first time buyers or those looking to rent their first home”.

Whilst the application proposes 30% of the housing as ‘affordable’, no mention is made of the Community Land Trust. This allocation gained community support through the Neighbourhood Plan process because it offered an opportunity to deliver genuinely affordable homes that would be managed by a Community Land Trust for the benefit of local people in perpetuity.

In contrast, so called ‘affordable’ housing delivered by other bodies such as Housing Associations could be as much as 80% of market rent or sale price and occupied by people from other parts of the district who are considered to be in higher housing need than local people. This would be a breach of trust for those who voted for the Neighbourhood Plan believing it would help to address local housing needs.

Whilst it is understood that the Arundel CLT is still in constructive dialogue with the Norfolk Estate to take over the delivery and ongoing management of the affordable homes, the lack of any mention of this within the planning application is very concerning. It is requested that the situation be clarified with the planning agents and that the involvement of the Community Land Trust in delivering these affordable homes be secured through the s106 agreement.

Yours sincerely,



Michael Warden
Arun Lead, CPRE Sussex



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Arundel Town Council,
The Town Hall,
Maltravers Street,
Arundel
BN18 9AP

4th December 2018

Dear Arundel Town Council

Arundel Neighbourhood Plan Review

This is the formal response of the Sussex branch of the Campaign to Protect Rural England (CPRE Sussex) to the consultation on the Arundel Neighbourhood Plan Review. CPRE Sussex works to promote the beauty, tranquillity and diversity of the Sussex countryside by encouraging the sustainable use of land and other natural resources in town and country. We encourage appropriate and sustainable land use, farming, woodland and biodiversity policies and practice to improve the well-being of rural communities.

We have reviewed the Plan and do not have any particular concerns, with the exception of the proposed allocation of Land off Ford Road (Policy AR2 i) We note that the Key Constraints identified in the site assessment undertaken for the Neighbourhood Plan identifies that a small part of this site adjacent to Ford Road is within both a Biodiversity Opportunity Area and Flood Zone 3, an area with a high probability of flooding.

The assessment also notes the proximity of Tortington Manor, a Scheduled Monument to the south, that the site is within the area to which Policy LAN DM2 of the Arun Local Plan (The Setting of Arundel) applies and is identified in the HRA report as foraging ground for Bewick Swans.

The Neighbourhood Plan Steering Group considers that it should be possible to overcome these constraints by limiting the net developable area (and reserving land for a future plan period), reserving sufficient land for Bewick Swan foraging and by careful design. The Steering Group also considers that land is also well located to deliver a new community facility, public open spaces and other potential public benefits that *"may outweigh the residual harm in respect of the policy constraints"*.

The Draft Sustainability Appraisal concludes that the allocation of this site *“will have an adverse landscape effect as it comprises greenfield land on the edge of the town that lies within the Setting to Arundel policy area and within the setting of the National Park boundary”*. It further concludes that *“The scale of this effect will be limited by the policy requirements in respect of developable area, scheme layout, building design and landscape scheme”*.

However, we note that this site was assessed by Arun District Council as part of the HELAA Assessment. The Council concluded that *“The site has significant policy and physical constraints including flooding and landscape. The site does not offer a suitable location for development and would not contribute to the creation of sustainable mixed communities”*.

It is clear therefore that this site as allocated in the Plan has a range of constraints: landscape, flooding, biodiversity, heritage, distance from the town centre and location outside the Built Up Area Boundary identified for Arundel on the adopted Arun Local Plan Proposals Map 2.

It is not clear to us how the Steering Group has come to the conclusion that limiting the net developable area would overcome all these constraints. In fact, clause a of Policy AR2 and Inset Map A identify the whole 12 ha site as “developable land” (notwithstanding that the HRA concludes that only a maximum of 7.2 ha is suitable for development). Although it would be possible to exclude the area of land adjacent to Ford Road with flooding and biodiversity constraints from the main development, the access to the development would be off Ford Road across this land. We consider it likely that this access and associated activity would disturb the foraging and roosting of swans.

We note the requirements of Policy AR2 I for a biodiversity strategy and a sustainable drainage strategy (which we presume are intended to be required of a developer but as drafted suggests that they should be prepared by the local planning authority), but we are not clear what evidence the Steering Group has that the objectives of these strategies are possible to achieve.

The HRA to which there is a link on the Arundel Neighbourhood Plan website appears to be a Screening Statement rather than the actual Assessment. However, it states that if this site is included within the draft Neighbourhood Plan *“it will be necessary to undertake an appropriate assessment of the Neighbourhood Plan. That appropriate assessment will investigate whether there is existing wintering bird survey data for the sites which adequately confirms no use by Bewick’s swan. In the absence of such data it will then make recommendations for a) obtaining such data for any planning application through at least 2 years of winter survey and b) ensuring there is policy wording within the Neighbourhood Plan that will ensure any loss of functionally-linked land is mitigated by the provision (or enhancement) of replacement habitat”*.

We are not clear whether the Appropriate Assessment has, in fact, been undertaken. Nor are we sure that the requirement for the biodiversity strategy in Policy AR2 i adequately reflects the very specific requirements of the HRA Screening Statement.

What evidence does the Steering Group have that limiting the development to two-storeys would achieve an acceptable landscape impact in itself and on the setting of both Arundel and the South Downs National Park? Has it undertaken or commissioned any detailed landscape and visual impact assessment to confirm this?

The site is within the setting of the Grade II* listed Tortington Priory Barn and the Tortington Augustinian priory and ponds, including part of priory precinct, Scheduled Monument. The scheduled area is immediately on the south side of Priory Lane opposite the development area (in fact, the area shown on the Local Plan Proposals Map 2 does not correlate with that on the National Heritage List for England).

It is also possible that archaeological interest extends beyond the scheduled area. Has the Steering Group undertaken or commissioned a Heritage Impact Assessment to ascertain or demonstrate that the development of the proposed allocation site would not adversely affect the significance, or appreciation of the significance, of these higher grade designated heritage assets to help justify the allocation?

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. These conditions include;

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the plan;
- the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development; and
- the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.

We consider that it has not been demonstrated that the development of this site would have proper regard to paragraphs 155, 170, 172, 174, 184, 193 and 194 of the National Planning Policy Framework.

Although the Steering Group considers that the allocation site is *“well located to deliver a new community facility, public open spaces and other potential public benefits that may outweigh the residual harm in respect of the policy constraints”*, we do not consider that a site on the very edge of the town is “well-located” for these facilities.

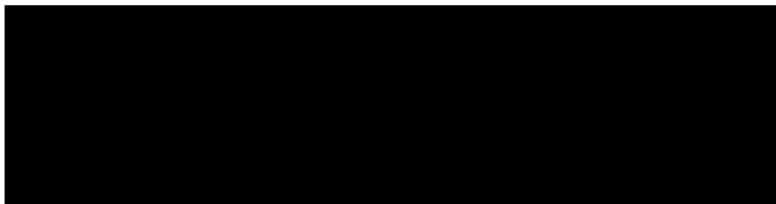
We consider that it has not been demonstrated that the development of this site would not conflict with strategic Policies SD SP1a Strategic Approach, SD SP2 Built-Up Area Boundary, C SP1 Countryside, HER SP1 The historic environment and ENV SP1 (as well as non-strategic Policies LAN DM1 Protection of landscape character, LAN DM2 The Setting of Arundel, HER DM6 Sites of Archaeological Interest and ENV DM1 Designated Sites of biodiversity or geological importance) of the adopted Arun Local Plan. Accordingly, we do not consider that it has been demonstrated that the Plan is in general conformity with these strategic policies of the development plan.

Accordingly, we have significant doubts that the Plan with this allocation, unless adequate work has been undertaken to justify the allocation of this site of which we are unaware, will not satisfy the basic conditions.

In addition to the above, some of our local members are concerned about vehicles using Ford Road and the associated congestion. We would like there to be more specific proposals within the plan to reduce car use and improve safety.

We hope that you find our comments helpful.

Yours sincerely,



Kia Trainor
Director, CPRE Sussex