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Angmering Parish Council

The Corner House
The Square
Angmering
West Sussex BN16 4EA

Website: www.angmeringparishcouncil.gov.uk

Karl Roberts
Director of Place
Arun District Council
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
West Sussex
BN17 5LF

28 June 2017

Dear Karl

PLANNING APPLICATION A/99/17/OUT LAND SOUTH OF WATER LANE, ANGMERING

OBJECTION

The understanding is that the applicant is seeking agreement to the principle of development being allowed on this site with everything but the highways access being reserved for determination as part of a future detailed application. The applicant could have submitted a detailed planning application with full details provided up front, but decided not to do so.

In the Parish Council's view, the highways access matters are the least concerning with the main points at issue being the Flood Risk to others and the impact on Landscape/Conservation Area. Angmering Parish Council has reviewed the submitted information against the saved policies of the Arun 2003 Local Plan, the Development Plan for Angmering (i.e. the Angmering Neighbourhood Plan) and the emerging Arun Local Plan.

The result is that Angmering Parish Council **OBJECTS** to this application, in the strongest possible manner. The reasons for the objection are as follows:-

a) This application is **Premature.**

Given the status of the Arun Local Plan, and Angmering Parish Council's view expressed in its response to the Arun Local Plan (ALP) Consultation that this site was unsuitable for development, the events leading to the attempt to determine this site through the normal planning process before the Local Plan Examination makes it premature.

b) The outcome of the application is **Pre-Determined.**

It is an attempt to assess and approve the suitability of a proposed Strategic site outside of the Local Plan examination process, before the appointed Inspector can consider any specific points made on the sites suitability for development by the parish council and others via the formal ALP Consultation process, as well as any material which could indicate unsoundness. This includes the consideration of whether the process whereby the sites were chosen and others said to be more appropriate rejected was satisfactory.

There are “pointers” throughout the application documentation that indicate that the developers have been assured that they will get permission, despite the robustness of the evidence put forward. One such pointer is the reference to a **Planning Performance Agreement** in the Planning Statement (Paragraph 1.10) which is not in the public domain, but presumably assumes that permission will be given.

- c) The **Strategic** nature of the **Site Allocation** is not supported by the evidence.

There is little or no evidence that the site is intended to be delivered as part of the overall **North Angmering Strategic** allocation as envisaged in the modified ALP and supporting evidence base.

The application clearly positions the site as a stand alone “small site”. It makes no attempt to demonstrate a Masterplan approach that ensures the delivery of the larger mixed development north of Water Lane, even hinting that the larger site to the north of Water Lane might not be viable.

- d) The stated existence of a **Masterplan** for the delivery of the Angmering North allocations is not public and presumably incorporates the delivery of **Employment** land on the site north of Water Lane.

It is the view of the parish council that the site north of Water Lane should be brought forward first. Not the least because surface water runoff from the much larger site will affect the flows in the Black Ditch that runs through the northern part of the site south of Water Lane. This needs to be assessed before this site is considered.

- e) The impact on the landscape setting of the **Conservation Area** and **South Downs National Park** is substantial and detrimental.

- f) The **Landscape** issues are not sufficiently addressed by the application and remain **insurmountable**, as detailed in all supporting documentation.

- g) The evidence provided in support of the modifications to the ALP and importance of this site in managing **Flood Prevention** for the village centre is completely ignored.

- h) The site is outside the **Built up Area Boundary** and clearly not **Integrated** with the rest of the village settlement and of a proposed **Density** that does not reflect or complement its surroundings.

- i) The **Access Bridge** is clearly secondary in relation to the detail supplied by the application in response to the issues and requirements raised in ADC’s “Pre-Application Advice”.

The application does not explain what the bridge will look like; how it will span the Black Ditch or how its construction or timing relates to any solution required to mitigate against the potential flood risk to others from the larger “Strategic” site north of Water Lane and therefore not prejudice its delivery.

- j) The Transport Assessment in Paragraphs 8.1.1 & 8.1.2 refers to a “Full Masterplan” which indicates that the viability of the **Employment Land** on the north of Water Lane site is in doubt. This again brings into question whether bringing this site forward is going to compromise the delivery of the larger allocated Angmering North allocation north of Water Lane.

- k) Rydon Homes has **failed** to satisfactorily address the guidance provided by ADC’s **pre-application advice**. Instead, choosing to “cherry pick” evidence that better fits its objectives in following key areas:

- Highways Transport & Parking
- Landscape
- Design

- Flooding

- 1) Rydon are clearly **Gaming the System** by choosing to apply for outline approval for the principal of development on this "potential" strategic site through the normal Planning Process and only seeking approval for **Highway Access** for the proposed 175 dwellings.

Taking this route means the most contentious elements of the development of this site; the "reserved matters" of Flood risk to others and the impact of the site layout on Landscape, the South Downs National Park and the Angmering Conservation area remain uncertain and will not be assessed by DCC members until after the "principle" of development on this site is approved.

It is our understanding that re-examination of the Local Plan is scheduled for September. Therefore, bringing this application forward now is obviously an attempt to by-pass the Local Plan examination process, where the Inspector will consider ALL proposed strategic sites against evidence and reports commissioned by Arun as well as specific points on the sites suitability for development submitted by the parish council and others via the formal ALP Consultation process.

It is therefore essential that the current application is not determined before the Local Plan Examination is complete. To do anything other than this would be **PREMATURE**.

The detailed analysis supporting the objections outlined above are attached to this letter, and are part of the submission.

Yours sincerely



R J Martin

Clerk to Angmering Parish Council

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APPENDIX A

VALIDITY OF THE SITE FOR ANY DEVELOPMENT

Strategic Site Removal

1. In all recent planning submissions made by Angmering Parish Council, this piece of land has been identified as one that should not be built on. In addition to its inclusion on Map A8, in the Angmering Neighbourhood Plan, as a rejected site, the responses to the HELAA consultation dated 3rd June 2016, the Small Sites letter dated 5 April 2017 and the Local Plan Consultation dated 30 May 2017 all identified this site as unsuitable for development at all, and certainly not as a strategic site.
2. In the last two of these submissions, the parish council has suggested that the strategic site could be replaced by one that is currently being considered by Barratt Homes to the south of the A259 at Roundstone Farm, so that the overall strategic numbers would be higher rather than reduced and a much-needed bridge over the railway line would result.
3. The only reason that this has not been considered in the past is that it was politically taken off the table, despite the fact that some or all of the site had been recently promoted as a replacement for Chandlers BMW; the possible site for the Rugby Club and for a smaller housing site.

'Policy Off' or 'Policy On'

4. The current position, verified at the Parish Briefing on 13 June 2017, is that the land supply is still 1.9 years and that is the **'Policy Off'** position. The **'Policy On'** position contained within the Housing Implementation Strategy is that there would be 5.04 years of land supply.
5. Surely, the **Policy Off** position means that the Development Plan consists of the saved 2003 policies and the Angmering Neighbourhood Plan, both of which rejected this site for development. In this context the site is being assessed by Rydon's as a non-strategic "small site".
6. Conversely, the **'Policy On'** position, which currently has this site as Strategic, shows a 5.04 year supply (ADC HIS) meaning that there is no need to bring any schemes forward before the Local Plan has more weight following Examination.
7. In other words, ***if the Local Plan Inspector agrees with Angmering Parish Council then this land will not be considered at all, but, if not, then the site will become Strategic and the application can then progress through the planning system accordingly.***
8. It is therefore essential that the current application is not determined before the Local Plan Inspection is complete. To do anything other than this would be PREMATURE.

Definition of a Strategic Site

9. Indeed, the whole matter of the **selection** of sites as being **Strategic** by ADC **lacks clarity**.
10. The site involved in this application has the statement in the HELAA supporting analysis that the landscape issues are **insurmountable**, yet no reference is made to this.
11. On its own, this site does not meet ADC's criteria for being considered Strategic, and, as such, because of its size (175 dwellings compared to the minimum of 300 for a strategic site) was not subject to a sustainability appraisal in its own right, only as part of the wider ALP allocation of **Angmering North**.
12. The concept of being lumped together with other potential sites in this area of the village in the consideration of its allocation is flawed, and is undermined by this application that

contains statements about the uncertainty of the other sites coming forward – footpath provision across the bridge is not being provided for instance. This does not sound very Strategic.

APPENDIX B

RYDON OUTLINE PLANNING APPLICATION

Planning Statement

13. The planning statement is the usual mixture of tendentious interpretations of the sections of each of the Local Plan(s), Neighbourhood Plan and the NPPF that have been selected or ignored to suit its desire to build on this site, whatever the consequences.
14. Paragraph 1.10 contains reference to '**A Planning Performance Agreement**' which is undefined and not available on the planning website. What does this contain, and what restrictions are placed on the District Council?
15. If, as it appears, there is some timescale within which the District Council will determine the application, presumably in favour of the developer, this is once again an indication of collusion and the **pre-determination** of the decision.
16. The application was submitted less than a month after the parish council Local Plan 'Small Sites' letter was submitted to ADC, in which it expressed concern at this site being considered for development at all, let alone making it a Strategic site. The decision date is given as 28 August, just days before the Local Plan is to be considered by the Inspector and the only conclusion that can be reached is that the developers have made this application, outline only, BEFORE the arguments for its exclusion from the strategic list are properly considered.

ADC Land Allocation: Selection of this site as Strategic

17. The Parish Council believes that the inclusion of this parcel of land in the Strategic allocation is wrong for many reasons, as laid out in its Local Plan "Small Sites" letter to Arun dated 5th April.
18. The parish council has concerns about the process whereby this site was selected as strategic, when there are other sites in the parish that are available for development, which we believe to be more appropriate for development than this site, that were not even considered.
19. As detailed in Angmering Parish Council's Local Plan Submission 4 – Sustainability Assessment the parish, the site was **REJECTED** for housing development following extensive testing as part of the process supporting the EiP version of the Local Plan (2014).

History

- April 2010: This site was promoted as part of a Scoping Option (planning application A/53/10/EIS) for mixed use development to include residential housing (including affordable), employment uses, community uses and public open space. A Decision Notice was issued (dated 6th May 2010) but was never followed up.
- July 2012: The *Arun Consultation Draft Local Plan 2013-2028* was consulted on, which allocated this site for employment.
- February 2013: an "**Angmering Employment Site Assessment**" was carried out for both this site and Site 14 (located north of Water Lane). The **Arun Landscape Study (PESP5)** assesses both sites as having "Substantial" landscape sensitivity with "Low" capacity for housing development. Site 14 received a higher score in terms of transport links, and has been included in the proposed **Angmering North Strategic** allocation.
- **PELP28c: Appendices SA of the Main Modifications to the Arun Local Plan (2011-2031)** at 2.20 says: "*An Intended Full SA report was produced in spring 2013 which appraised the content of the Arun Consultation Draft Local Plan 2013-2028 (published in summer 2012). This SA report sought to take account of emerging evidence and a thorough*

reconsideration containing more detail was carried out in relation to 11 alternative locations considered at the Options for Growth stage”.

- In July 2013: the “Intended Full SA Report”; which is published on the Arun Local Plan Consultation page as “**Sustainability Appraisal 2013**”; tested 3 options:

Option A – No allocated development

Option B – Angmering North [600]

Option C – Angmering East and South [600]

20. Paragraph 8.43 of the 2013 SA concluded: “*The review of the options against the key sustainability factors and the subsequent appraisal against the sustainability framework has concluded that both options B and C would be sustainable.*” and that “*In neither circumstance are there insurmountable issues.*”

21. It should be noted however, that neither **Angmering North**, nor **Angmering East and South**, tested above, included this site as part of the allocation.

Evidence of the Sites Unsuitability for Development

22. In addition to a history of extensive testing, compelling evidence is provided by the comparison between the **2014** and **2016 SA** matrices contained in **PELP28c** that shows this site to have a “*significant negative*” impact on a key SA Objective.
23. The November 2016 HELAA Report considers this site as deliverable ONLY on the basis that it has been promoted and is available for development. This **does not** mean it is suitable for development. In its “Suitability Summary” it says: “*The landscape appraisal for this report suggests that the impact on the landscape is insurmountable and therefore the site is unsuitable for future development*” repeating the findings of the 2012 SHLAA, which **rejected** it for development.
24. It is in a part of Angmering that lacks intrusive development or urban influences on the landscape and is in the forefront of long open views across open fields to the South Downs National Park (SDNP) from the footbridge (bridleway 3692), which is one of only a handful of access points to the South Downs National Park and also abuts and forms the rural setting of the eastern edge of the Angmering Conservation area.
25. It been adjusted to make it adjoin the built up area boundary, by means of a “contrived” link to a parcel of land to the west at Weavers Hill. The site would have an unacceptable impact on the **Conservation Area** which it adjoins. Its access would make a dangerous impact on Water Lane, particularly if the access to the site north of Water Lane (also part of the strategic construct here) goes ahead.
26. **This site (HELAA Site 96: South of Water Lane)** was assessed as having “Substantial” landscape sensitivity with “Low” capacity for housing development. It also falls within an area identified in the **Angmering Neighbourhood Plan** where development can have a negative impact on the setting of the South Downs National Park.
27. The site is on rising ground, the fence line to the east of the site provides the horizon when viewed from footpaths 3605-1 and 2148 from the SDNP across the open field; of which it was a part of before being dissected by the A280; hiding the urban sprawl of Angmering to the west, which is on lower ground. Thus, giving the impression of being miles from anywhere. Developing the site would destroy this and urbanise one of the last open skies views of the countryside which is easily accessible and used by the public.
28. The Black Ditch, the source of flooding in the village, runs through the site and approval of this application without sight of a Masterplan that includes the proposal for a surface water management and flood prevention scheme for the much larger **Angmering North** strategic

allocation would compromise the ability to manage it. See Angmering Parish Council Local Plan Submission 5: Flood Risk to Others.

29. **PELP28c:** The map on page 48 "*Soil: Agricultural Landscape Classification*", as well as the evidence supplied by Rydon agrees that the site falls within an area of Grade 1 soils.
30. The site is **rejected** for development in the **Angmering Neighbourhood Plan (SHLAA Map A8)**.

Conclusion:

31. Based on the above, it is the view of Angmering Parish Council that this is the wrong site included as Strategic in the modified Local Plan for the wrong reasons. This site should be removed from the Local Plan.
32. This site was not promoted until the 2014 Draft Local Plan was put before the Inspector, resulting in the submission from Rydon Homes, claiming that this and other sites had not been considered before that plan had been constructed.
33. The result is that, despite the evidence to the contrary, we believe that this site has been included on the Strategic list because of fear of what developers might challenge, rather than a logical assessment of its merits. Once again, the pressure to achieve the self-imposed high housing numbers has clouded the judgement, with the end result that it is seen to be easier to give the developers what they want.
34. This has been exacerbated by the need to demonstrate the 5-year land bank level with a project that developers say they can develop immediately, all in all, giving the distinct impression is that this site was **pre-determined** before the assessments were done.
35. From a position where the 2014 version of the draft Local Plan submitted to examination and the "made" Angmering Neighbourhood Plan were in agreement in rejecting this site, within the life of both plans, it has not only progressed to being considered, but also become Strategic.
36. There is no additional evidence produced that justifies this apparent volte face, so it is probably worthwhile considering why this might be so. In particular the idea of mitigating against the **insurmountable** landscape problems by planting a few trees which will take decades to grow, is not acceptable.
37. Upon submission of the 2014 Local Plan to the Inspector, the question of the OAN was brought up by Rydon Homes in their submission, claiming that the plan was invalid because their site had not been properly considered. It appears that this was the point at which the Arun District Council started to decide that all previous considerations were now no longer applicable.
38. It is understood that the pressures on ADC to build a higher number of houses are present, although the parish council are not convinced about the precise number. This, combined with the need to have a 5-year land supply, seems to be driving everything from the Local Plan point of view and appears to be to allocate inappropriate land at the expense of all policies and principles.
39. It also looks to be the case that the District Council had concluded its acceptance of this site before any of the supporting evidence was submitted – supposedly July 2016. Rydon Homes produced a plan and presented it to the Angmering Advisory Group as a **Strategic Site** in February 2016.
40. This looks very much as though the whole contrivance has been **PRE-DETERMINED**.

Detailed Planning Application

41. The planning application is for outline permission, but includes a lot of detail. There is little in the application in relation to the access or the bridge construction. This is quite crucial and not even outline permission should be given without the likely details coming forward – indeed it appears that the rush to get this on the books solely to satisfy the perceived 5-year land supply argument. Siting this as material seems to mean that the project has been brought forward before it was ready, rather than wait and make a full application.
42. This has no doubt been done to avoid the scrutiny of the Local Plan Inspector, when he/she takes into account the views of the parish council and other evidence during the Local Plan examination.

Statement of Community Involvement

43. This mentions the engagement with councillors through a local working group – presumably this is the Angmering Advisory Group, dealt with below. The report also mentions a presentation to the parish council in February 2016, but this ignores the fact that the agreement at that meeting was that the parish council were not going to comment, on the basis that it would pre-determine its position.
44. The one thing that was suggested by the parish council as a possibility was a contribution to the Environment Agency flooding scheme, but this has been ignored in the application. More of this later.
45. The analysis shows that, despite the way it is presented in this report, very few people wanted the site to be built. Most of the supposed remedies were just window dressing the things that were being proposed anyway. The fact that this report is dated June 2016, says everything about the amount of real consultation that has taken place since then.

Planning Statement

46. There is a reference in the statement to the **Angmering Advisory Group** in which it states that this meets to ‘...discuss development proposals...’. The Advisory Group was however set up initially to discuss just the delivery of agreed planning permissions, particularly on Roundstone Lane and not new proposals. The other issue is that parish councillors were told from the outset that the meetings were confidential, which they rigidly stuck to, so the concept of this being a consultation process is flawed.
47. This looks as though the involvement of the developer in these meetings once again demonstrates the **pre-determined** position taken.
48. The whole of the planning statement revolves around the lack of the five-year land supply, supported by the statements on this in the pre-application letter from ADC.
49. The argument is that, because ADC cannot demonstrate the necessary supply, it is OK to bring applications forward such as this one on sites on the HELAA before the Local Plan is agreed.
50. This makes a number of assumptions about the status of the HELAA and what happens when consultees, of which Angmering Parish Council are one, do not agree with the strategic sites allocated. The need to achieve a 5-year supply should not mean including an unsatisfactory site at any cost. **PRE-DETERMINATION seems to have taken place.**
51. Parish Councils are constantly being told that the HELAA is not a policy document, the latest being at the briefing on 13th June 2017, at which it was stressed that the HELAA was the ‘starting point’, not the finished article that would only come once the Local Plan was adopted and the local allocations were determined.

52. At the same time, this site is being promoted by ADC as part of the answer to its 5-year supply problem. That is not a reason to put forward the wrong site at the wrong time.

Design & Access Statement

53. The very glossy book provides some of the evidence for why development should **not** be allowed on this site. The pictures of the existing site show the views both of the South Downs from the southern side and of the buildings in the surrounding conservation area. **The effect on both of these aspects is going to be devastating.** The concept that buildings that are 12m high will be hidden from view by the planting of trees that will take 30 to 50 years to reach even that height is foolhardy.
54. The concept of the site being made up of an enclosed area does not give the impression of something that is even intended to be part of the village of Angmering. It gives the impression of being an exclusive set of sites that will not access the village for anything much.
55. The question of whether it is the intention to have the highways adopted, and if not how they will be maintained. If they are not going to be publicly maintained then this becomes an isolated private estate with difficulties then in the general public having access, making a mockery of the concept of pedestrian access through the site.
56. The fact that the site adjoins the **Conservation Area** on its western and southern edge means that it will impact on the setting no matter how many trees you plant. The part of the site that is on Weavers Hill is on rising ground, meaning that the homes in that part of the site will overwhelm the existing houses here.
57. The **Housing Density** quoted as 35 per hectare, is not in line with the density in that part of the village. The housing density survey undertaken as part of the Neighbourhood Plan indicates a density of just 11 per hectare in the surrounding area.
58. In any case, as this is just an outline application the proposals will be subject to change, with the experience of the West End Nursery site being that the conversion of the outline permission (195 dwellings) to detailed design (246 dwellings) means that the finest principles are thrown out when the developer pleads poverty and claims to be increasing the agreed number of homes to the number they originally wanted anyway.

Short Term Problems of Land Supply

59. At the Arun Local Plan Sub-committee on 6 December 2016, officers informed members that, if ADC were going to present a sound plan to an inspector in the months to come, council needed to demonstrate that they were being pro-active in addressing undersupply.
60. The recommendation was to invite planning applications from deliverable small HELAA sites as well as on 1st phases of sites being investigated for Strategic allocations. The proviso being that: *"Planning permission would only be granted if the proposed development is able to demonstrate that it does not adversely affect the delivery of the whole allocation and that infrastructure can be delivered as a proportion of the whole allocation."*
61. A number of Angmering small HELAA sites have come forward already with applications either approved or waiting to be reviewed at Development Control Committee. So as far as Angmering is concerned, it is already contributing towards the undersupply. Therefore, there is no reason to rush this application through.
62. However, this application **fails** to consider its impact on the **delivery on the whole allocation**.

Flood Prevention

63. Perhaps the most disappointing aspect of the application is the "head in the sand approach" to the issue of flood prevention.

64. At its presentation to the parish council of the proposal in February 2016, Rydon Homes' representatives asked what the community would need from such a development, and were told that the site was material in terms of managing the flood risk to residents down stream in the village centre.
65. They were informed about the Environment Agency paper dealing with **Angmering Fluvial and Surface Water FAS** carried out by **Mott MacDonald**, dated August 2015, in which the flow from the land both north and south of Water Lane (that from the Angmering North allocation) and through the village centre needed to be controlled. ".....and suggested that an attenuation feature should be built. 50% of the cost would be found by the EA, the remainder having to be found 'locally'".
66. The proposal in this application is restricted to two attenuation ponds, which are designed to accommodate the increase in flood risk on site. The risk to others of flooding has been considered with the building of attenuation basins to mitigate against this effect, but there has been no attempt to even acknowledge that this site is crucial to both the successful fluvial flood prevention for the village and as a solution for addressing the potential risk of increased surface water flooding from the larger Strategic site north of Water Lane.

Employment

67. The Angmering Employment site is a Strategic allocation in the modified ALP (Policy EMP SP3).
68. Rydon's own Transport Study (paragraph 8.11) reveals that a Full Masterplan exists for the delivery of **Angmering North** and that this Masterplan puts forward "*two options for the comprehensive development of the site*" both north and south of Water Lane. However, the study also casts doubts on the question of the viability of delivering 500 dwellings on the larger site north of Water Lane without significantly reducing the size of the employment land from 8ha to 3ha.
69. Without seeing the detail in the full **Masterplan**, it is impossible to understand what this means in the context of the delivery of the overall Strategic site, or whether it has the potential to undermine the Employment aims of the modified ALP (paragraph 1.2) which puts employment as the "central theme of the Plan" and the findings in terms of the importance of this allocation as evidenced by PEPP9a (paragraphs 4.15: 4.16).
70. Footnote 14 that accompanies Table 3.2 Employment Space Supply from Strategic Employment Land Allocations in PEPP9a assumes 8.95ha, but says that "*The resulting floor space has then been discounted by 50% to account for the sensitivities of this site which borders the South Downs National Park taking into account the policies of the adopted Angmering Neighbourhood Plan 2014-2029. This is a high level, conservative assumption to allow for the implementation of mitigation measures; further detailed consideration of site capacity would be required were this site comes forward for development.*"
71. The last bullet-point of paragraph 8.2 under Conclusions concerns itself with not prejudicing the "*strategic residential allocation north of Water Lane*". However, having raised this issue, regarding the viability of the larger strategic site to the north, there is no further mention of it or what impact on viable employment space the proposed reduction to 3ha would have.
72. This brings into question the likelihood of an attempt to lose the need to provide the employment land on the northern site, once again compromising the delivery of the whole Angmering North Strategic Site. This application is definitely the 'thin end of a wedge'.

Masterplan

73. Hidden amongst the supporting documentation is confirmation that a "**Full Masterplan**" for the proposed Rydon Angmering North Strategic site exists, but indications in the

documentation supporting this application are that it will not deliver the objectives of the modified ALP in regard to housing numbers or employment land.

74. Understanding the full Rydon Masterplan is **material** to the decision making process and should be part of any application which comes forward as a 1st Phase if this application is to be treated as a Strategic site allocation.

Transport

75. The Travel Plan and supporting reports ignore the fact that the Traffic Management scheme is being introduced, within the next year. This will make many of the assumptions being made on highway needs out of date, before the development takes place. Other problems are thrown out when the lack of compliance with ADC's pre-planning advice is taken into account, see below.

APPENDIX C

ADC Pre-Application Advice

76. It is the view of Angmering Parish Council that Rydon has **failed** to satisfactorily address the guidance provided by ADC's pre-application advice. Instead, choosing to "cherry pick" evidence that better fits its objectives in following key areas:

Principle

77. The 2nd paragraph In Arun's pre-application advice, under "Principle" says: *"The proposed site is outside of the built up area of Angmering in a location that has not been allocated for housing in the Publication Version of the Local Plan (2014)".*
78. This is not correct. This site (SHLAA Site 96) was assessed for both housing development and as an employment site by Arun and **REJECTED**.
79. The 3rd paragraph says: *"The made Angmering Neighbourhood Plan (2014) identifies three sites to meet its housing requirements for the parish (set at 100 in the draft Local Plan). The site at Water Lane is not included as an allocation."*
80. Again, this comment is misleading. The site was **REJECTED** with additional sites to the north of Angmering being allocated in Map A8 with potential for future development.

Rydon Response

81. Following our review of the documentation submitted in support of this application, Angmering Parish Council believe that the applicant has blatantly chosen to adopt an approach which ignores the latest evidence commissioned by ADC as part of the pending ALP Examination, where it did not "fit" their desired outcome.
82. By submitting the application at this point in time (at the end of the ALP Consultation period and start of the independent ALP Examination process) with so many sensitive "matters reserved"; Rydon is clearly **gaming the system**.
83. Rydon has **failed** to satisfactorily address the guidance provided by ADC's pre-application advice, choosing to "cherry pick" evidence that better fits its objectives. This is clearly an attempt to misdirect the reviewer and Arun Development Control Committee (DCC) members. Examples can be seen in the following key areas:
- Highways Transport & Parking
 - Landscape
 - Design
 - Flooding
84. **Flood Risk and Landscape impact should NOT be left as reserved matters.** All the evidence submitted to ALP Examination shows that Flood Risk from both this site and the larger proposed strategic allocation north of Water Lane (both of which Rydon control) should be the number one priority along with Landscape impact, NOT Highway access.
85. By submitting the application through the normal planning process and labelling it as **Phase 1** of the proposed **Strategic Angmering North** allocation, Rydon are relying on it being given more weight and waved through without being challenged too much at Arun's DCC meeting.
86. This application is clearly an attempt to get the site accepted through the "back door" and avoid it being scrutinised against supporting evidence at the pending ALP Examination. In fact, Rydon's submission to the modified ALP Consultation in regard to **Policy LAN DM1 "Protection of landscape character"**, the wording of which was suggested by the Inspector at Examination in order to clarify and strengthen its intent in regard to Matter 2, Issue 2.4 at APL Examination (IDED03 Draft Matters and Issues.pdf [pdf] 103KB) is revealing.

87. Rydon says: "We do not object, in principle, to the provisions of **Policy LAN DM1** insofar as they seek to ensure that new development has special regard to the conservation of the setting of the South Downs National Park. However, with regard to sites allocated in the Local Plan, the application of this policy in due course must have regard to the fact that the principle of development on some sites within the setting of the South Downs National Park is established by this Local Plan. **Policy LAN DM1 must not be used at the development management stage as a means to delay or frustrate the delivery of much-needed housing on sites identified as appropriate for such development by the Council.**"
88. The parallel can be seen in paragraph 6.8 of the Rydon Planning Statement for A/99/17/OUT, which says: "*It is further noted that the residual impacts noted within the LVIA [Landscape Visual Impact Assessment] would be outweighed by the substantial benefits that the Proposed Development would deliver in providing much needed housing and affordable housing.*"
89. Again Rydon uses the phrase "principle of development" in an attempt to raise the status of this site by inferring that ADC has ALREADY confirmed this site as appropriate for development. Regardless of whether it is a proposed Strategic site or an ordinary planning application, it is our view that Policies contained in the Arun Local Plan should be applied equally in assessing a site's suitability for development.

HIGHWAYS TRANSPORT & PARKING

90. On "Highways Transport & Parking", ADC gave the following pre-Application advice:

*"The emerging Transport Study for the Local Plan will also be identifying requirements for improvements in relation to the road network in the Angmering area, if the site identified as 'Angmering North' were to be allocated as strategic sites in the Local Plan. Any transport assessments to be submitted for this application will need to take into account the relevant findings of the **Local Plan study** to make sure that the application contributes to wider transport improvements that may be necessary to ensure that the impact of the development on the local road network is acceptable in isolation and in combination with other potential development in the area."*

91. However, the Rydon Transport Assessment **fails to** make reference to; or acknowledge; the existence of the Local Plan Study **PECP9: "Arun Transport Study Stage 3 Final Report 2016"** as advised by ADC, which was published at least 3 months before the final version of the Rydon Transport Assessment.

Comments:

92. Instead of referencing **PECP9**, the applicant chooses to interpret the phrase "*relevant findings*" to reference the out of date **PECP1: Arun Transport Study (March 2013)** as its baseline, NOT the up to date "*Local Plan study*" as requested, and then:
- **Fails to use** up to date information on committed housing numbers for the Strategic allocation east of Roundstone Lane
 - **Fails to include in its calculations** committed planning applications in Angmering that have come forward since the 2013 report was published.
 - **Fails to include in its calculations** other potential Strategic sites e.g. west of Dappers Lane, but includes the Rugby Club in the Roundstone Lane allocation as 195 dwellings when it is now a Strategic allocation (Angmering South & East) expected to deliver 250 dwellings in the modified 2016 ALP
 - **Fails to reference or re-assess** the recommendation made by **PECP1** that, "*The Angmering Link is complementary to this scheme, as it relieves pressures on the A259 and provides an alternative point of access for existing local traffic.*" This was

recommended in addition to the A259 improvements and is a material consideration should the Angmering North allocations come forward.

It is important to note that PECPI based its calculations and recommendations on the 2003 local road infrastructure requirements on a predicted **490 to a maximum 1,185 dwellings**; 490 being the housing numbers expected to be delivered by the Strategic allocation east of Roundstone Lane at the time.

- **Fails to take into account the impact of the site on other potential development in the area identified in PECP9: "Arun Transport Study Stage 3 Final Report 2016**, which identifies the impact on the wider area network and apportions it against each of the proposed Strategic developments that generate the trips at the impacted locations.

Table 25 of the study shows the final apportionments for the **twelve** junctions identified as having 'severe' impacts and for which mitigation is proposed", including Angmering North. Despite promoting the application as Phase 1 of this allocation, Rydon has chosen to commission its own assessment that ignores the findings of the ADC report.

Conclusion:

93. The Rydon Transport Assessment needs to be revisited to include in its calculations, ALL revised and new committed development in Angmering since the 2013 Arun Transport Study: its contribution as part of the proposed **Angmering North** to highway infrastructure mitigation as identified in the Arun Transport Study Stage 3 Final Report 2016 and to take forward the recommendation for a link road between Roundstone Lane and the A280.

LANDSCAPE

94. On "Landscape", ADC gave the following comprehensive and detailed pre-Application advice:

"Planning policies and Central Government advice emphasise that the conservation of the natural beauty of the landscape and countryside should therefore be given great weight in development control decisions."

"Policy EH2: 'Protect the landscape setting of the South Downs National Park' of the NP and emerging Policy LAN DM1 of the Local Plan both seek to ensure that development adjoining the boundary of the SDNP or in close proximity to the boundary has to have regard to the setting of and views in and out of the SDNP."

"The NP identifies that the landscape setting of the land south of Water Lane plays an important role in maintaining views in to and out of the National Park and this will need to be taken into account"

"As referred to at the meeting, the emerging landscape evidence to support the Local Plan, which will include an assessment of this site, is suggesting that the landscape capacity of the site is 'low'. When the final report is published, the findings and recommendations in relation to the site should be taken into account and addressed as part of the LVIA and supporting documentation."

"Pre-application advice could also be sought directly from the South Downs National Park Authority in order to get an early view on the likely impact of development in this location on the setting and views from the SDNP. This would ensure that the LVIA also addresses any concerns that the SDNPA may raise."

"ADC's Greenspace officer has made the following comments in relation to landscape: "Comprehensive LVIA and character assessments would need to be detailed and issued for approval. The proximity bordering the South Downs National Park would need to be considered for local and far reaching views from the ground that rises to the north. Forming part of the application and prior to any consent being given a full landscape scheme should

be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained in the locale, so that a clear picture of the proposals can be seen. These details are required to assure the adjacent land setting is maintained, the setting is uncompromised and the proposals are appropriate to their setting."

"Overall, the landscape sensitivity will be a key issue that will need to be carefully considered and addressed through the application, taking the setting and views from the SDNP into account."

Comments:

95. The site rises gently to north to a point where it is several metres above High Street to the south and as a result, plays an important role in completely hiding the urban sprawl of Angmering from:

- (Receptor 1) the footbridge (bridleway 3692) across the A280, one of only a handful of access points to the National Park.
- (Receptors 2 & 3) views from footpath 2148 within the National Park across the open field which it was part of before being dissected by the A280.

Note: the A280 was cut into the landscape approximately 4 metres below the site to hide it from views out of the National Park.

96. The ability to effectively mitigate against the impact on landscape of development on this site is one of the most contentious elements of the application. For this reason the site was REJECTED in both the published version of the 2014 ALP and the Angmering Neighbourhood Plan.

- **Fails to seek pre-application advice** from the South Downs National Park Authority. There is no evidence in the LVIA (Landscape Visual Impact Assessment) that any contact has been made or advice sought from the SDNPA.
- **Fails to show the impact of the height and density of the proposed development** on the Conservation Area and views from the National Park. Choosing instead to rely on broad-brush statements about the height of existing planting now and in 15 years.

For example, on existing vegetation, the LVIA states: "7.14 Any views of the site from the South Downs National Park would be limited to those areas east of the site and would be limited to glimpses of roofs over the **existing vegetation**".

97. This is clearly incorrect. The "existing vegetation" on the site's eastern boundary (below) is not capable of screening the development.



98. The trees on the A280 embankment are still immature. It has taken 15 years for them to attain their current height. There are gaps in the planting and as you look further along, the growth rate of the young trees slows significantly.

- **Fails to address ADC's Greenspace officer's request that information detailing species choice, position, densities and size of trees at time of planting is provided.** It this is obviously intended to be a comprehensive LVIA but is missing the most important evidence i.e. that the proposed screening will be acceptable. The current layout proposes leaving a 5 to 9 meter strip on the eastern boundary to accommodate this planting.

Assuming the trees selected will reflect the surrounding landscape and embankment planting (beech, ash, evergreen oak etc.) this strip is clearly not sufficient to address the issues of shading, the temptation to prune back branches, leaf fall etc. once the trees reach maturity. More information is needed before the site layout can be considered.

- **Fails to consult the Arun Landscape Study 2016** which ADC refers to during the pre-application meeting that specifically assesses this site. Instead, the applicant chooses to base its assessment on the Arun Landscape Study 2006 alone, which assesses the wider landscape character of which this site is part. Mitigation of landscape issues are assessed by the 2016 study as "insurmountable". Hence its rejection by the Angmering Neighbourhood Plan and the published version of the ALP 2014.

Conclusion:

99. It is obvious by the detail provided by ADC in its application advice that the landscape impact of this development; in particular on the setting of the South Downs National Park; is **too important to be left to "reserved matters"**.

100. The application clearly underestimates the impact of the proposed development on the landscape, Conservation Area and the South Downs National Park. Rydon's Planning Statement at paragraph 6.78 says: *"It is further noted that the residual impacts noted within the LVIA would be outweighed by the substantial benefits that the Proposed Development would deliver in providing much needed housing and affordable housing."*

101. This is yet another example where Rydon has **failed** to satisfactorily address the guidance provided by ADC's pre-application advice by NOT seeking advice from the South Downs National Park Authority, choosing to "cherry pick" evidence that better fits its objectives and providing panoramic views in the LVIA from that are clearly meant to mislead the viewer as to the impact of development at this location.

102. As an example of the photographic deception being used, reference should be made to the panoramic pictures from Viewpoint 6 in the LVIA and compare the picture shown in the Design and Access Statement labelled 'View looking north across application site', which were taken from the same point, but give totally different perspectives, dependent on what each was trying to portray.
103. An assessment of the LVIA should not be done from the office, but requires a site visit to understand the effect of this application.

DESIGN:

104. On "Design", ADC's pre-Application Advice was as follows: *"Planning Policies and National Planning Guidance support the efficient and effective use of land. Policy GEN7 (i) requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Central Government Advice further indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted. Furthermore new development should be well integrated with and complement the local area in terms of, for example, layout."*
105. The advice quotes Policies that form part of the Development Plan for Arun and that *"The Design and Access Statement should set out how these policies have been addressed by the proposals"*. We have commented on a number of these below.

Integration:

106. *"Of particular importance for this site is the integration with nearby development and the landscape setting."*

Comment:

107. In its "Local Plan Small Sites Letter" to ADC dated April 2017, Angmering Parish Council raised their concerns about the site being clearly separated from the built up area boundary (BUAB) by paddocks and the "questionable construct" of a narrow access road to a smaller site at Weavers Hill in an attempt to try to make the site abut the BUAB.

Conclusion:

108. The proposed development clearly **fails to meet this requirement**, as well as *"integration with nearby development and the landscape setting"* in regard to Landscape; Density and its effect on the Conservation Area and Listed buildings; covered elsewhere in this appendix.

Bridge Access:

109. ADC's pre-application advice says: *"Policy HD5: 'Built Form' of the NP seeks to ensure that new development reflects the character of Angmering. Of particular importance for this site is the integration with nearby development and the landscape setting. Policy HD6: 'Housing Layout and Design' also seeks high quality layouts and design."*

"As discussed at the meeting, the central greenspace and footpath/cyclepath running through the site is a positive feature, and should provide opportunities to link up with the central open space area proposed, and being delivered on the sites to the south. This would provide safe walking and cycling routes north and south. The scheme should ensure that links to the north for pedestrians and cyclists can be achieved, although it is acknowledged that the northern part of the site is constrained by the watercourse. The solution discussed at the meeting was to ensure that the vehicular access over the bridge is designed to allow pedestrian and cycle traffic."

In paragraph 4.8, Rydon's Planning Statement says: *"It is proposed that the Site is accessed via a single vehicular access point off Water Lane which would use a simple priority junction. In order to avoid building within the flood plain to the north of the Site, it is proposed that a clear span bridge design be used. Further details on the proposed access layout together with other highway infrastructure improvements details on the proposed access layout together with other highway infrastructure improvements are detailed within the submitted Transport Assessment."*

However, at Paragraph 4.10 the statement confirms that: *"Pedestrian access **is not** proposed across the main vehicular access but the bridge would be of sufficient width to accommodate pedestrian footways should the north of Water Lane come forward in the future and a cohesive joined up approach to walking routes northward be adopted."*

Comment:

110. The dependency of the provision of pedestrian access on the larger site to the north of Water Lane being approved undermines its claim that it is a "stand alone" application by placing a dependency on a yet to be determined strategic site north of Water Lane.

- **Fails to provide pedestrian access across the Bridge.** Rydon do not explain why they have decided not to provide pedestrian access across the Bridge when there is already public footpath (2149) on the opposite side of Water Lane that, regardless of the larger site coming forward could be accessed from this site.
- **Fails to provide a footpath/cyclepath to provide opportunities to link up with the sites to the south east of Roundstone Lane** to an existing footpath (2149) that provides access to amenities north of Water Lane.
- **Fails to provide any information about the bridge itself** and more importantly; as it will cross the Black Ditch floodplain; what mitigation/engineering works would have to be carried out in relation to the known risk that surface water run-off from this site (and the larger site north of Water Lane) poses to residents downstream.
- **Fails to provide any indication as to** the apportionment of costs between the 2 sites, or whether this site were to be delivered as a first Phase, how the mitigation required for the larger site could be delivered independently.

Conclusion:

111. There is no explanation as to why, if the bridge is wide enough to provide pedestrian access, this cannot be provided now. It is also clear that should this site be approved, it would **prejudice** the wider delivery of the larger site north of Water Lane in regard to flood risk mitigation.

Density:

112. *"Policy HD7: Housing density of the NP seeks to ensure that the density of new development is in keeping with the surrounding area."*

*"Subject to comments from our Heritage Office, **a lower density layout** which reflects the surrounding property types may be more appropriate in this area."*

Paragraph 4.15 of the Planning Statement says: "The layout, based on a density of 35dph, is designed to reflect the density of the surrounding area, whilst building heights would be limited to 2.5 storeys (12 metres) as shown on the submitted Parameters Plan. Density would decrease towards more sensitive areas adjacent to the site."

Comment:

113. The pre-application advice in density is reflected in the modified ALP at paragraph 3.11 and 13.2.15 which say: *"The density of urban settlement and the number of expanded villages means that the open countryside between settlements are valued parts of the local landscape" . . . and that "The density of proposals should be sympathetic to the site and its surroundings."*

114. On Scale, Policy D DM1 says: *"The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."*

115. **The site density and scale of the proposed development clearly fails to reflect that of the surrounding area.** The Angmering NP assesses the density of surrounding development as 11dph. Significantly lower than the density which paragraph 4.15 of the Planning Statement claims: *"would be similar to that within the surrounding area and in accordance with the Local Plan (2003) requirement for a minimum of 30dph to ensure the efficient use of land."*

Conclusion:

116. There is no evidence that the application has addressed the issue of over-development of this site in relation to the density of surrounding properties, landscape setting or its impact on the National Park.

117. The intention to build 175 dwellings on this site hasn't change since the conceptual plan was put to the community at a public exhibition on the 19th of April 2016. This is another example of how Rydon has again **failed** to satisfactorily address the guidance provided by ADC's pre-application advice

Impact on the Conservation area:

118. *"As discussed at the meeting, the layout of this part of the site will need further consideration, particularly as this is the area closest to the Conservation Area and with the greatest potential to impact on the setting of listed buildings, including Avenals Farmhouse."*

"Policy EH1: 'Development in the Conservation Area' of the NP requires that the Design and Access Statement provides sufficient detail for proposals to be properly understood and the policy contains detail about specific drawings to be provided."

119. In paragraph 6.73, Rydon say the overall landscape effects identified include:

- a moderate effect on the Angmering Conservation Area;
- no effect (once proposed planting has matured) on the setting of nearby Listed Buildings;

Comment:

120. **Fails to reflect the density of the surrounding property types** when considering the setting of the surrounding Listed Buildings and Conservation Area.

121. **Fails to meet the requirements of NP Policy EH1.** The application does not provide sufficient detail for the proposals to be properly understood.

122. With a height of between **10 and 12 metres**, the proposed dwellings will tower over the existing listed buildings on the High Street, which have a ridge height of approximately **6 metres**. The site also rises from south to north which will further exacerbate the problem.

123. There is an over reliance on vegetation and trees reaching maturity. Screening the perimeter of the site seems to be the only mitigation measure. Because of the topography

of the site, it is impossible to assess the impact of the proposed development from a desktop study and the images supplied with the application.

Conclusion:

124. The modified ALP under design says *"When designing to the local character of building forms, patterns of development and the natural environment, the scale of new development should:*
- *Avoid obscuring public views, vistas and skylines;*
 - *Ensure the height and massing does not interrupt or debase the rhythm of an existing building/roof line and overall streetscape, or detract from the local and wider area's character"*
125. The application **fails on all counts**. To properly understand the impact of the proposed development, Policy EH1 of the Angmering NP requires three-dimensional drawings from at least two viewpoints to be provided. There is clearly a mismatch between the height of the proposed dwellings and the density of the site when viewed from the High Street, which will have an adverse impact on the Conservation Area and existing public views across the site.

FLOODING

126. *"The conclusion of the FRA that 'there are potential flood risks related to the site but that it is considered that the likely risks and impacts can be managed to an appropriate level with the adoption of mitigation measures employed as part of the proposed development and the provision of new off-site foul and possibly surface water sewers' is noted and the mitigation measures referred to should be detailed in the application submission."*

"It is recognised that a Flood Risk Assessment has been carried out for this site, which includes the site to the north and that the area of the site within Flood Zone 3 will not form part of the built development on the site"

Comment:

127. Angmering Parish Council believes that there will be increased flood risk to others by increased run-off from any urbanized development in north Angmering. Existing flows in the Black Ditch already exceed the highway culvert capacity at times and flooding to people and property results. **This should not be made worse.**
128. The assessment referred to by ADC is PEPTP10: Arun 2016 Level 2 Strategic Flood Risk Assessment. The report assesses the flood risk across all 3 sites, treating them as though they were a single parcel of land, whereas in reality they are 3 physically separate plots of land each with a different topography and flood risk.
129. In our submission to the ALP Consultation, the parish council has stated that they believe this approach to be flawed. It "dilutes" the results as 99% of the "site" is assessed as being in flood zone 1, which isn't the case when each site is assessed separately.
130. Addressing the flood risk from this site and the larger proposed strategic allocation north of Water Lane should be the applicants number 1 Priority. All the reports and studies commissioned by Arun in support of the modified ALP contain evidence that underlines the risk. In its response to this application the Environment Agency says *"The community of Angmering, downstream of this development is at risk of flooding from the Black Ditch. A significant contributor to flood flows is runoff from this site."*
131. The application does not consider the risk of increased flooding downstream as a result of development at **Angmering North**. Angmering is listed as one of WSCC's top 10

areas for Flooding and is the subject of an Environment Agency Flood Alleviation Study. There is also sufficient evidence to show that the site should have been included in the list of Strategic development sites submitted to be assessed by the Arun Strategic Surface Water Management Study (PEPTP7) commissioned by ADC.

- **Fails to address the risk of flooding as part of a wider flood prevention scheme,** thus prejudicing the wider delivery of the larger allocated site north of Water Lane.
- **Fails to provide sufficient information on provision of new off-site foul and surface water sewers** proposed for the northern part of the site. There is no outline strategy describing how increased surface water flows that may leave the site will be managed and monitored and who will be responsible for maintenance.
- **Fails to mention the Angmering Flood Alleviation Study being undertaken by the Environment Agency.** The Arun Infrastructure Capacity Study & Delivery Plan (ICS DP) 2016 referring to the proposed Angmering North strategic site says: *"Known flooding of Angmering Village. Currently being investigated via Angmering Flood Alleviation Study. SUDs will need to be incorporated as well as potential off-site improvements to alleviate flooding."*

Conclusion:

132. Surface water runoff from all 3 sites that make up the **Angmering North** allocation is known to impact upon flooding down-stream in Angmering. There needs to be a clearer understanding of the increased risk of flooding from development on each of the separate sites that make up this **Strategic** allocation; the surface water drainage measures that may be required; the role that the site south of Water Lane plays in this; the impact on site lay-out and cost allocation all 3 sites before this Outline application is approved.
133. It is obvious by the detail provided by ADC in its application advice that the potential risk of surface water flooding from this site to properties downstream in the village centre; is **too important to be left to "reserved matters"**.
134. The application also fails to mention or explain how the Angmering North sites will work together to prevent and reduce flood risk to residents downstream of the proposed development. Failing to address this risk as part of a wider flood prevention scheme as part of this Outline application **prejudices the wider delivery of the larger allocated site north of Water Lane.**
135. Again, the only conclusion we can reach is that Rydon; for whatever reason; are confident that they only need to do enough to get Outline permission on the least controversial element of the application i.e. highway access; in order to give the proposed site's inclusion as part of the larger **Angmering North** allocation more weight in at Arun's DCC meeting, and the eyes of the inspector at the re-examination of the modified Local Plan.