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From: Sarah Burrow [REDACTED]

Sent: 25 February 2021 21:25

To: Anita Gardner <Anita.Gardner@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: F/1/21/PL - Objection

Dear Mrs Gardner,

I am writing to object to planning application reference F/1/21/PL. The application is for "Change of use from agricultural land to use as open space (6 hectares) and education (10 hectares)...." Whilst this description is accurate for most of the land shown within the red line boundary, there is a parcel of public open space belonging to the members of the Emerald Gardens Estate (henceforth referred to as "The Estate") which is also included within the application. This parcel of land is critical to the application as it is through this land that the access to the proposed Education parcel is suggested. I have the following comments, which are specifically relating to the inclusion of this parcel of land within the redline boundary and the proposed access points:

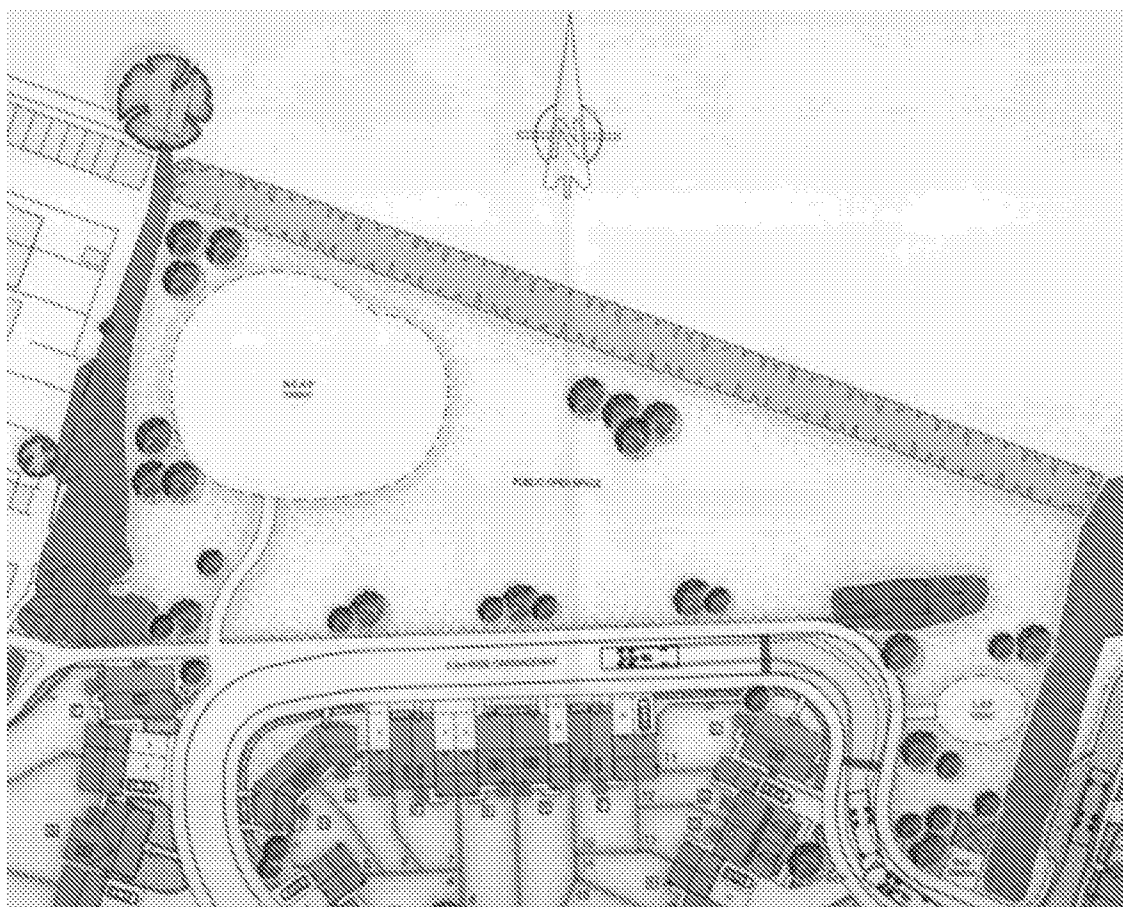
1: The description on the application is inaccurate as it includes land that is already in use as Public Open Space, NOT agricultural land.

2: The parcel of land at the south of the proposed site is owned by members of The Estate and as far as I am aware, notice has not been served to those owners of this application. As a homeowner and member of The Estate I will be strongly opposed to the sale of this land or any efforts for it to be bought by compulsory purchase order which will be necessary for the educational use to be actioned.

3: The parcel of land is designated Public Open Space under the planning application Y/81/10/PL and the associated Section 106 agreement between the landowners, ADC and WSCC dated 17/11/2011, paragraph 6.4 in that legal agreement states that the owners must "provide one neighbourhood equipped area of play ("NEAP") and three local areas of play ("LAPs") within the areas of land on the Site designated as Public Open Space."

Paragraph 6.5 state that; "On completion of the development the Owners and the Applicant will dedicate it for use in perpetuity as public open space (...)"

Below I show a snip from the Layout Plan (P/626/01 Rev P) which clearly shows the parcel designated as Public Open Space for the application site and the location of the NEAP aforementioned.



The NEAP is currently the site of a children's play area, a football/basketball court and a wildflower meadow. All of which are well kept and in regular use by not only residents of The Estate but also residents of the rest of Yapton village.

5: I believe this application or any resulting applications if this is approved will be in contradiction of the following Policies from the Arun local Plan:

a) Policy OSR DM1 which states that;

"Existing open space, (...) should not be built on or redeveloped for other uses unless:

a. a robust and up-to-date assessment has been undertaken which has clearly shown the facilities to be surplus to requirements; or

b. the loss resulting from the proposed development would be replaced by equivalent or better provision of open space, outdoor or indoor sport (...) which will be assessed in terms of quantity and quality and suitability of location; or

c. the development is for alternative open space, sports, community, arts or cultural provision, the needs for which clearly outweigh the loss."

An assessment to the description of point a. has not been provided as part of this application and our facilities have not been shown to be surplus to requirements. Indeed I do not believe that they are, the alternative play area in Yapton is currently in a state of disrepair and a number of the units have been removed due to safety concerns. As a result a larger percentage of the wider community are using the facilities on The Estate. It could be argued that the proposed inclusion of an alternative open space as part of this application would meet the requirement of point b, however, without the specifics of what the public open space will include (the definition is wide ranging) we can not guarantee that the provision will be equivalent or better in terms of quality. Finally, whilst the need for an additional educational provision most probably outweighs the loss of this NEAP and public open space, I would

argue that is possible to have BOTH the education parcel, north of and NOT including the parcel owned By The Estate, and our existing public open space.

b) Policy ENV SP1 which states that; "Arun District Council will encourage and promote the preservation, reservation and enhancement of biodiversity and the natural environment through the development process (...)" By removing public open space from The Estate the biodiversity and natural environment offered by the wildflower meadow and the green corridor that runs north of the public open space to the Towpath could be lost.

c) Policy HER DM5 which states; " Development shall be permitted where it would not adversely affect the remaining line and configuration of the Portsmouth and Arundel Canal and features along it." The redline boundary for this application also includes land north of the Towpath which is part of the remaining line of the Portsmouth and Arundel Canal. Whilst no accesses are currently proposed in this area the unnecessary inclusion of this area risks damage to the remnants of the Canal.

d) Policy QE SP1 which states; "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District." This application could result in the needless loss of existing leisure and recreational facilities which may not be replicated in the new public open space parcel of the site. In addition, as stated in point b) the application could result in the loss of a green corridor which would have a negative impact upon the natural environment.

e) Policy T SP1: Without a transport assessment it is not possible to verify what the transport effects of the proposed change of use will be on the unadopted roads of The Estate. This policy also states that proposed developments should provide a "Travel Plan, which is effective and deliverable (...)" I would argue that no Travel Plan could show that the proposed access routes are deliverable without the applicant owning the land through which those access routes are proposed. In addition I would argue that two junctions within a short stretch of road between two blind bends is unlikely to "create safe and secure layouts for traffic cyclists and pedestrians whilst avoiding street clutter" (Part f).

e) Policy C SP1: As the application site falls within the Countryside (as it is predominantly outside the Built-Up Area Boundary (excluding ONLY the parcel on the Estate, as defined by the Policies Maps) it is a stipulation of this policy that; "The Council will take into account cumulative impact of development in the consideration of planning applications." the same policy states that, "early consideration will need to be given to landscape and biodiversity enhancement, woodland management, recreational provision and access routes". Therefore, although at this stage this application is only for change of use, I would strongly argue that now is the time for the council to consider the access routes for the proposed site and the detail of the recreational provision for the reasons already discussed above.

6: Because of the relatively modern nature of The Estate the parcel has not been formally recognised as designated Public Open Space in the Arun Local Plan. However, I believe this parcel of land meets the criteria as set out in paragraphs 99 and 100 of the NPPF to be designated in the next local plan or neighbourhood plan and will support the inclusion of this via Yapton Parish Council. It is in close proximity to the community it serves, it is owned by and is therefore important to the community it serves, has historic significance (with the inclusion of the former Portsmouth and Arundel Canal), has recreational value, provides areas of tranquility and wildlife, is local and not an extensive tract of land.

As previously stated, all of the above comments relate ONLY to the inclusion of the parcel of land owned by The Estate. I support the change of use of the land north and north-east of this parcel. I appreciate that an education facility is necessary in Yapton/Ford and think that this would be a suitable location for it. However, I cannot and will not support the access routes and compulsory purchase of well used amenity land when there are alternative options available via proposed developments south of Ford Lane or the strategic Ford Airfield site. It makes no sense to direct traffic through unadopted roads, which are maintained financially by residents rather than the local authority, and were not designed for this purpose, when there is the opportunity for other sites to be designed to link in to this parcel of land and provide a safe and adoptable access for the school.

I look forward to hearing of your decision and would welcome notification of any further updates or amendments to this application.

Kind Regards

Sarah Burrow
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