

The Potting Barn
No.5 Hobbs Court
Bilsham Rd.
Yapton
West Sussex BN18

Aug16th 2025

**Planning Application for Y/32/25/PL for 170 houses for Land
West of Bilsham Rd. Yapton West Sussex**

Objection

**Including for Substitute Plans, Substitute Documents,
Additional Documents and Communications submitted by the
applicant for Y/32/25/PL mainly on 28/7/2025 and in
association, approx. 2 months after the initial termination
date of the Consultation of 6/6/2025. Now extended to
Aug.17th 2025**

1. Introduction

a) It is noted that the extension of Consultation time would be unlikely to be known by the public unless viewing the website accidentally now. Thus, preventing knowledge of changes, and an opportunity for fair debate.

2. Reference to the Gov. Inspector Review Appeal Decision for Y/52/23/PL and ref. s106.

a) It has allegedly been indicated, that because the new application is on the same basis as that of Boklok, for 170 dwellings, approved on Jan. 9th 2025, by the Gov. Inspector after a Review, that any other application on that site would be likely to be 'rubber stamped'.

b) The approval was contingent on the s106 being agreed as submitted and signed at that time, as it was. However, it cannot

be assumed that if the Inspector had been aware that the s106 legal obligations as indicated in the approval, were unlikely to take place in outcome, (no subsequent bids by a Housing Associations or RPs), that the approval would have been given under such circumstances.

c) An s106 legal obligation continues, as it is tied to the land, whoever owns it. It cannot be eliminated from the process to suit, otherwise.

d) As no indication of any S106 has been produced on the website for Y/32/25/PL, it is impossible to know what any intentions are now, in relation to it. Any details regarding an s106 (even as draft), are also required to be made available for public comment and for Cllrs. before a planning proposal goes before Committee.

ie., during a Consultation period, the present one ending on 17/8/2025. Not afterwards, when public comment would be denied. Nor only a short time before the ADC Planning Committee Meeting to discuss the proposal similarly.

e) The public should allegedly also have been made aware in conjunction with an application, that the s106 obligations for the quoted number of affordable houses (51 in this instance) may not materialise, and why the possibility of 'market' housing or any form of money in lieu was also a possibility. Any alleged lack of transparency in a planning application, also raises concerns.

f) Money in lieu, or through CIL contributions for general local amenity/infrastructure contributions instead, is not a substitute for those who have waited for help to have a home of their own. Approx. 1,600 allegedly needing affordable homes or are homeless, from Arun's own figures in 2025.

g) Without an s106 legal obligation included at this time, there allegedly appears to be a conflict between Affordable Housing *proposed* in the application as an intention, as *opposed* to how any such *outcome* is to be undertaken in the present circumstances.

h) The public are supposed to be provided with unambiguous detailing regarding planning applications in generality. At present, there is no clear indication that *any* affordable housing will be provided in outcome from an approval for Y/32/25/PL.

i) Doubt has also been cast that any Affordable Housing will come to fruition either, through any *future* planning applications. Because it is already acknowledged by Arun, in their commissioned Three Dragons Report published in March 2025 that Housing Associations and RPs had ceased to bid for them. A 'Cascade Mechanism' does not build affordable houses on new developments. It is allegedly a 'way out' for Councils and an 'advantage' to developers instead.

3. Alleged Difficulties regarding s106 applications in outcome and with reference to Doves.

a) Although every application is conceded as assessed individually, where relevant details relate to matters of policy, applied to all large developments, I believe it is relevant to include them for discussion points during a Consultation.

b) Recently, there was an application to vary an s106, in an application for K/11/25/Dov, for Kingston, East Preston, West Sussex. I submitted a Rep. objection in connection on 27/6/2025. Rather than insert all that content and legal references submitted then, they are to be included for reference with the objection now.

As of 15/8/2025, I was advised by planning that the application for K/11/25/Dov had been 'withdrawn'.

c) 'Correspondence' on the website prior between the planning department and those acting for the applicant regarding that application, were advised of the ADC position regarding the 'cascade mechanism' requirement for applicants, (July 24 2025). Indicating that if this was not done as prescribed, the application would not be supported.

d) As there were allegedly no details in support that there had been attempts by the applicant to obtain bids by the prescribed method, it is allegedly what drew the comment from the planning officer. Also perhaps, why the application was withdrawn.

e) As there are no details on the website to indicate any s106 in connection with the application for Y/32/25/PL, nor that any bids have been obtained or in process, it is hoped that an even-handed approach regarding the 'cascade mechanism' would be applied now regarding this application too.

f) Without such details made known in requirement, it is questioned how the ADC Planning Committee can make a balance judgement regarding this proposal. It is allegedly no longer possible to approve an application 'subject to an s106 agreement', if there is no certainty that the obligations would be able to be fulfilled as *originally* stated.

g) Other applications have been approved including for affordable housing, and a Dov applied for later, to seek to deny affordable housing altogether, to be replaced by other forms of 'market housing' instead in Yapton, too.

h) The application, Y/92/17/PL for Ryebank Gate (Drove Lane by Barratt) was approved to include 90 affordable houses. A Dov was agreed on 7/8/2023 uploaded on 8/8/ 2023 which permitted that the 90 houses would now be 'market' in the absence of RP bids.

i) A review of the Drove Lane website advises of 'deposit boost', 'keyworker deposit contribution scheme', and 'stamp duty paid'. All 'incentives to buy' but not affordable housing requirements as per RPs and Housing Associations. The s106 affordable housing numbers in supply allegedly abandoned.

j) If the application is approved for Y/32/25 PL there is no guarantee that the 51 affordable houses will be on offer to the public either. If not, **140** affordable homes will be denied to be available for those most in need in Yapton. Meanwhile approx. 200 market houses that locals do not want or need, wait months to be sold.

k) That not a single resident apart from me has mentioned this aspect in any objection, is because such details were not included in the application proposal or since with any updated details. Only that 51 affordable houses would be included if the application was approved, but as allegedly misleading.

4.Details from the Department for Communities and Local Government 'Review and Appeals' (April 013).

a) I was unable to locate any alternative more recent details to discount these at time of writing. As from that document: -

b) Viability Tests Requirements

i) Part 2. Evidence

Refer to Sections 11, 12 and 13. Including, 'Requires that the developer submits their viability details to the planning authority

and to the Inspector in Review’. The comments are deemed relevant now because of alleged claims that 170 dwellings were approved, on the details then submitted, and because of the Inspector Review outcomes.

ii) The ‘viability’ parameters having changed since the application for Y/52/23/PL was approved, which could allegedly now be challenged in result.

iii) Part 3. Form of Viability Evidence

Section 18 *‘The revised appraisal should be based on current market conditions. It should make the same policy assumptions and should assume that all obligations remain the same as the permitted scheme’.*

The earlier permitted scheme did not allow for ‘cascade mechanisms.’

iv) Part 4. Delivery

Section 23 . *‘Section 106BC ensures that if an inspector modifies an affordable housing obligation on appeal, that modification is valid for 3 years’.* There was a modification in the S106 after the Review, but the details to which it referred originally for Y/52/23/PL were not on that website for comparison or comment. Nor during extended Consultation, nor the earlier one from 1/5/2025.

Section 25 states *‘That any changes 106BA and 106BC should not be more onerous for the applicant than the existing obligation.*

Section 26 states, *‘In the event of an appeal..... should the Inspector issue a new affordable housing obligation for a 3- year period, it will include provisions to reapply the requirements of*

the original agreement for the part of the site which remains uncomenced'.

c) It appears from details submitted for Y/32/25/PL, from the applicant, and planning authority, that the outcomes in relation to the Inspector Review are not straightforward, because of changed circumstances since.

d) Also, that the 'Cascade Mechanism' may/may not be able to be applied in relation to the Inspector decisions for Y/52/23/PL, and Y/32/25/PL in association now.

5. Additional Documents, Substitutions and Correspondence added to the website after the closure of the initial Consultation date of 6/6/2025.

a). The CIL Payment

i)) **CIL1Form - 23/4/2025.** gives details as requested.

ii)) **CIL form 1 Additional information 21/5/2025.**

iii) **Item 5. Exemption or Relief states:** *'Does the proposed development include Affordable Housing which qualifies for mandatory or discretionary Social Housing relief'.* The Response was 'Yes'. Affordable Housing would have to exist 'in outcome' otherwise such information is a paper exercise.

b) Under **Additional Document CIL Area Schedule R3 on 21/5/2024** contains a spread sheet of different types of housing, 'affordable' and otherwise. 14 housing styles were listed originally.

bi) When the substitute details were added it allegedly contained 5 entirely new house styles, which constitutes approx. 1/3 additional to the original planning application.

bii) A list was included to indicate the GIA for the original types of housing for the site. Gross internal area proposed 17,926.36 Affordable 4,789.74. Total 22,319.10. There does not appear to be a revised referencing for 2 sets of figures shown side by side for comparison, for the house changes presented, as this would relate to any Cil payment differential.

6. Statement of Community Involvement

a) The applicant originally submitted such details on 23/4/2025, regarding local participation in the initial proposal details.

b) Locals are supposed to be included in all the decision-making of planning applications, not excluded by default.

c) When an extension of time was awarded to the applicant and advised on the website, 2 months after the close of the Consultation on 6/6/2025, there was no additional indication given to the public to promulgate such knowledge.

d) The Planning Department advised when questioned, that no yellow notice was required to be given out because it was not a new application. However, this allegedly flies in the face of requirement to allow public debate regarding developments. Lack of knowledge unless accessed by accident on the website, allegedly ensured that public comment was stifled.

e) The Planning department have also advised that they consider all the 'Substituted Plans' and 'Amendments' are not 'material considerations'. Such decision is also in objection because there is a change from the initial submission: site design and layout, style of houses (modular to conventional), positioning, window type and heights, roof heights, footprints, elevations, and changes to garages as indicative.

As stated, substitute plans and house styles allegedly added/changed 5 out of 14 originally submitted, which represents approx. 1/3 of the site (60 houses on that reckoning).

f) In 'Correspondence' between the planning officer and the agent uploaded on 12/8/ 2025 advised of the following planning concerns, not allegedly yet resolved in the superseded plans and in association. As follows indicated with details in lists from the planning officer:-

fi) *'Rear gardens in part do not allegedly conform to the ADC Design Guide,7, either new, or not identified in details.*

5 of 7 homes are sideways on in frontage to the site, The Boklok development as approve, has all the properties fronting onto Bilsham Rd.

'Interfaces' also questioned regarding 9 properties.

Also commented that details relative in the Boklok application were all compliant except 2.

Also advised that opportunity had already been given to make adjustments, and because of requirements in the Arun Design Guide were not yet compliant, unless remedial details were undertaken to satisfaction by Aug. 26th 2025, and under present circumstances 'The application cannot be supported and would be refused.'

fii) Such extensive changes submitted are also allegedly indicative of lack of necessary preparation, as 'getting it right' in the first instance would seem necessary in any planning application, if an approval is anticipated.

7. Substitute Document; Flood Risk Assessment and Drainage Strategy submitted 27/8/2025. Part 1 of 3 , June 2025

a) The 'revised' details submitted in the Odyssey report, are allegedly in part a 'rehash' from those submitted earlier. They also appear to rely on desktop and other 'National' details that are in part allegedly incorrect/not applicable. Referencing from more local sources, would allegedly prove more accurate in some instances.

c) Under 23.5. Any reference to the River Ryebank Rife as stated in Odyssey details, is completely inaccurate. There is NO river of that name. There is a Ryebank Rife but it is NOT a river nor situated anywhere near the proposed site either. Alleged 'slavish' referencing in acceptance from desktop data, without accessing appropriate local maps is concerning.

d) The 'drainage' ditch to the West of the proposed site is one of many in the area, which are also not part of the Ryebank Rife.

e) Ryebank Gate in Drove Lane to the North and West of Yapton is located near part of the Ryebank Rife, but it is not connected to the ditch on the proposed site either.

f) What has been *inaccurately described in referencing, as the River Ryebank Rife*, is a *drainage ditch* to take run off water from adjacent fields and any nearby existing development to the North. The ditch follows terrain from North to South and *joins* the **Ryebank Rife** which is in Bilsham Lane, where there is another field drain .

fi) The Ryebank Rife itself, is situated to the South of Bilsham Lane, which then then drains from West to East..... and under Bilsham Rd. near a private property and then to the East to join the A259. It then continues parallel to the A259 towards the RIVER ARUN at Littlehampton into which it also drains.

fii) As a resident close by to the proposed site for approximately 10 years, I know where the Rife is located and where it is not.

g) If Odyssey continue to allegedly make unsustainable statements in report, it also alleged questions other inclusions.

h) Odyssey state under 21.2 as nearest location postcode for the site as BN18 0JX. That is the postcode for Bilsham Lane, which nowhere near the proposal site. Ordinance Survey details are not necessarily up to date, recent local details would confirm instead.

7a Flood Risk Assessment 28/7/2025 (1)

a) Item4. Planning Policy

4.2.1 Advises that Suds drainage is recommended. The ADC Drainage Engineers had already recommended that this system should not be used, (for Y/52/23/PL on the same site), because the water table is too high. There has been no additional report from the ADC Drainage Engineers for the application Y/32/25/PL.

b) The Odyssey report gives listings from boreholes allegedly from Nov. 2024. These were undertaken over only a few days and at a time of year when water reading levels blg. would be at their lowest..... Recording water levels of between 2 -4.5m, as not representational over all. NO recent reading have been presented by Redrow for 2025. Readings taken by Leap Environmental between October and April 2023 as 2.85 and .27 bgl are more accurate. (approx, 1 ft at highest blg.)

c)Gov. Details; National Standards for Sustainable Drainage Systems (SUDS). updated July30th 2025 .

Under 1.15. Suds Installation for households (runoff water) states as follows:-.

‘The base of Infiltration Drainage systems shall not be within 1m of the maximum likely groundwater level on the site with levels determined in accordance with 4.16.1’. That reference echoes this.

d) It is clear that the highest water table level recorded, over 7 months by Leap Environmental in 2023 ,was only approx. 1ft.blg. nowhere near the 1m advised for lowest depth of SUDs infiltration units as required.

e) The LLFA also indicate on 21/5/2025, that SUDS should be installed to fulfil design criteria, and other requirements to be approved by the LA in due course.

f) If the high water table continues to be ignored, irrespective of flooding details in association, and infiltration units are installed and flooding occurs, this objection detail in connection will confirm the difficulty. Also, if the Gov. details are ignored.

g) Run- off water is also advised as intended to go into the ditch. . Odyssey have submitted no calculations as to how the runoff from the 250 houses above the proposed site may impact onto the site for Y/32/25/PL. Nor how the same number of houses would impact into the sewerage calculations submitted. Also, in relation to any local flooding that may impact from the above development too.

h) That such allegedly important aspects in relation to the site have been omitted would seem an unfortunate omission, especially since the applicant was given an additional 21 days for any corrections to be made. Terminating on Sept.17th 2025

Yours sincerely,

Dilys Lownsborough

Nicola Oktay

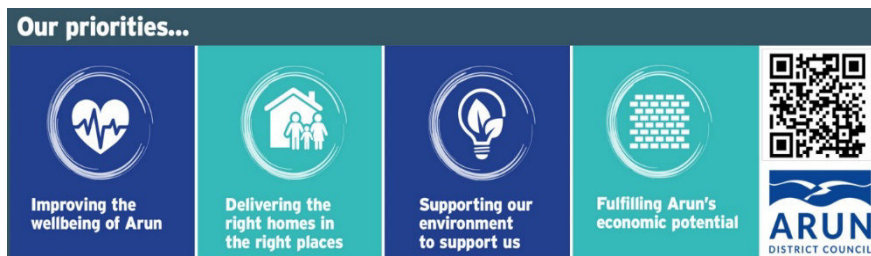
From: Susan Haley on behalf of Planning
Sent: 18 August 2025 08:22
To: Planning.Responses
Subject: FW: Objection to Y/32/25/PL Lownsborough
Attachments: Updated Planning details in Objection for Y 32 25.doc

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Please note: I am out of the office every Thursday.

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From: [REDACTED]
Sent: 16 August 2025 23:05
To: Planning <Planning@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Objection to Y/32/25/PL Lownsborough

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Dear Planning,
Please find as attachment, Objection to Y/32/25/PL during extended Consultation time until 17/8/2025. For Redrow application for Land West of Bilsham Rd.
Yours sincerely,

