

YAPTON PARISH COUNCIL

RESPONSE TO PLANNING APPLICATION Y/40/17/OUT

August 3rd 2017

Dear Sirs,

Bonhams, Hoe Lane, FLANSHAM

PLANNING REFERENCE Y/40/17/OUT

1. Introduction

Yapton Parish Council (YPC) has given much consideration to the above outline planning application for 34 residential dwellings with vehicular access from Hoe Lane.

The Parish understand ADC's need to accommodate increasing housing numbers but firmly believe as recommended in the 6th December LPSC that this must be done through proper consultation and cooperation between the Council, landowners and the Community. Yapton has a large amount of potential small HELAAS and small Strategic Housing Sites which the Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new LP and indeed investigate the potential need to update and amend the village's Built-Up Area Boundary. This application is premature to this process and consultation and must be deferred until such time. YPC find the proposal to be totally contrary to the Yapton Neighbourhood plan.

YPC would comment that whilst the applicant has held positive meetings with YPC it has not engaged in a meaningful manner with the residents' of Flansham.

Finally, YPC would like to draw attention to the past YPC and Flansham residents' discussions during the emergence of Site 6 and the Bognor Regis Relief Road (BRRR). YPC was assured that the BRRR would delineate a clear boundary between the built-up boundary to the south of the road ie Site 6 and that of Flansham with land south of Flansham abutting the BRRR being considered as open space. This proposal totally ignores this locally agreed principle.

2. Location and Character of the Site

The site is situated in the southernmost tip of the Parish and has its own individual identity, Flansham. It is totally isolated from Yapton's BUAB and consequently the village's facilities. Indeed it remains one of the few 'untouched' and 'complete' rural coastal hamlets along the Arun Coastal area.

Flansham is a small and ancient hamlet of just 50 houses clustered around a single lane (Hoe Lane). Of these buildings there are 4 Grade 2 listed properties and 5 locally listed buildings with Bonhams only in the last few years having its listed status removed upon request by the current owner. The hamlet of Flansham is set in an agricultural landscape

which has changed and grown slowly over the decades through sympathetic conversion of existing agricultural buildings. Whilst Flansham is not a designated conservation area its whole essence reflects that of one.

The introduction of built form beyond the existing natural built form in Flansham of any significant size or density would therefore represent an inappropriate incursion into the countryside which would be visually isolated from and fail to relate to the existing natural settlement of Flansham and more importantly Hoe Lane.

The site itself is open space reflecting the historic setting of both the listed buildings and streetscape of Hoe Lane.

The proposed development would have a detrimental and irreversible impact on the locality, harming the character and beauty of this historic rural setting of the listed and locally listed buildings along Hoe Lane. The proposal would not materially benefit the site from such significant change. Thus failing to meet NPPF para 109 which states that development should strive to:

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

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

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

The sensitive location for this proposed housing development is therefore totally unsuitable and unsustainable.

3. Planning

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

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

3.1 Yapton Neighbourhood Plan (YPN)

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

16. The Secretary of State finds that the proposal is in conflict with Policy BB1, as it is not in the built up area boundary and does not fall within any of the exemptions listed in the policy. He agrees that policy BB1 is out of date (IR11.10) in the absence of a 5 year HLS. However, given his conclusions on Policy H1 at paragraph 15 above he gives it significant weight. The Secretary of State considers that neighbourhood plans, once made part of the development plan, should be upheld as an effective means to shape and direct development in the neighbourhood planning area in question. Consequently, in view of Framework paragraphs 198 and 185, and his guidance on neighbourhood planning that this is the case even in the absence of a 5 year housing land supply, the Secretary of State places very substantial negative weight on the conflict between the proposal and policy BB1.

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

(SoS letter signed by Phil Barber dated 13th September 2016)

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

3.1.2 The site fails to reflect the made Yapton Neighbourhood Plan housing policy H1 and is not an allocated site.

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

3.1.4 The proposal will have a significant and detrimental impact on the listed buildings along with their settings which is contrary to both Yapton Neighbourhood Plan and NPPF in relation to Heritage Assets, paras 126-141:

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

4. Housing Need

YPC are of the view that whilst acknowledging Arun District Council's shortfall in a 5 year housing supply and irrespective of the eventually agreed ADC LP Housing numbers, on a local level, Yapton has met its current and future local parish allocation. Furthermore, Yapton has also met any additional housing requirement that may result from the ADC emerging LP Examination in Public findings for the lifespan of the emerging ADC LP through recent planning applications on small HELAAS sites.

The emerging 2016 Local Plan has designated two small (400 unit) Strategic Housing Sites within Yapton Parish Y11 Land South of Tack Lee Road and NEW19 Land at Drove Lane. These sites will adequately accommodate the suggested increase.

It should be noted that Arun District Council originally allocated Yapton PC 100 new homes over the new Local Plan period which the YNP adequately accommodated including the advisory 20% buffer. YPC have always taken a robust approach to housing numbers with the view of maintaining the integrity of its NP and community's vision for the village.

The table below clearly sets out how Yapton Parish Council and its community have positively approached future housing in the village with allocated sites exceeding the required 100 units. It also highlights the impact of the new small Strategic Housing sites and small HELAA sites 90% of which now have planning granted or applications running on them which clearly demonstrates that Yapton's local housing need is clearly addressed for the foreseeable future and it should not take the full burden of whole District's shortfall.

	Housing with pp and constructed	Housing with pp and under construction	Housing with pp but not being built out	Land with outline planning outstanding	November 2016 HELAS SITES	TOTAL
Planning applications between 2003-13	123	187				310
Outstanding appeal site Y/19/16 Burndell Rd	Y/19/16 ADC approved SoS call in on grounds of contradicting the YNP					(108)
Outstanding High Court Action Y/40/16/OUT Land South Ford Lane	Y/60/14 ADC refused. Appealed. SoS call in on grounds of contradicting the YNP SoS dismissed the appeal Appellant challenging decision in High Court decision 21/03/2017 Second appeal outstanding on tandem application					(100)
Yapton NP plus additional planning permissions forming the agreed Parish allocation						
SA1 (Y/93/14)			38			
SA2 (Cinders Lane)				51 units Y/5/17/OUT 19 units Y/32/17/OUT		+9

				TOTAL 70units		
Planning applications agreed since 01/04/2013	34 (Y/30/13)		11 (Y/56/15/O UT)			
	6 (Y/07/15)					140
OUTSIDE THE YNP AND PARISH ALLOCATION 2016 HELAA SITES						
NEW Y21 (Bonhams)			PP GRANTED		56	
Y8				70 units Y/44/17/OUT	88	-18
NEWY23					42	
74				45 units Y/49/17/OUT	56	-11
74a					40	284 (255)
SMALL STRATEGIC SITES (off Tack Lee/Drove Lane) NEWY19 Y11			IN emerging ADC LP		200+ 205	405+
TOTAL PROPOSED ADDITIONAL ALLOCATED HOUSING IN YAPTON DURING THE NEXT LP PERIOD (excluding appeal sites 208 units)						849+ (820)

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

These housing numbers exceed Yapton's need substantially. The Parish understand ADC's need to accommodate increasing housing numbers but firmly believe as recommended in the 6th December LPSC that this must be done through proper consultation and cooperation between the Council, landowners and the Community. Yapton has a large amount of potential small HELAA sites which the Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new LP. This application is premature to this process and consultation and must be deferred until such time. Indeed YPC is currently running a survey to examine how the community may consider a change in its BUAB.

5. The Proposal

5.1 Layout

The Parish acknowledge that the overall proposal has been amended to reflect comments from the Parish Council. However, the Parish fail to understand how a scheme of this density

improves or enhances the setting or the rural nature of Flansham. The scheme appears isolated and 'on a limb' with poor open space provision.

5.2 Transport

The Parish has concerns regarding the transport solution/access to the proposed site and circulation within the scheme.

Access to the site is proposed at the most dangerous section of Hoe Lane, where the road narrows into a tight bend coming straight off the A259 roundabout. The Parish would like additional information with regards to the accumulative impact along Hoe lane at its junction with the BRRR/Felpham roundabout.

The increased traffic movements will have a detrimental impact on both the existing cycle ways and footpaths but there appear to be no mitigating measures.

6. Conclusion

Yapton Parish Council with support from its community considers the proposed development of 34 homes at Bonhams Hoe Lane Flansham to be wholly inappropriate for the reasons outlined above.

In short, the proposal ignores the made Yapton Neighbourhood Plan and severely impacts the setting of both Hoe Lane's rural nature and its listed buildings - Paragraph 14 NPPF confirms a 'Presumption in Favour of Sustainable development' unless:

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

Yapton Parish Council is of the view that the Parish has to date contributed positively towards Arun District Council's housing supply on a District level and more than adequately allowed for the Parish's actual immediate local need and significant weight must be placed on the Social Benefits this scheme brings to the Parish as a whole rather than the narrow view of Housing supply alone. YPC are of the view that the social benefits and environmental benefits of this proposal are extremely weak.

We therefore seek planning permission to be refused.