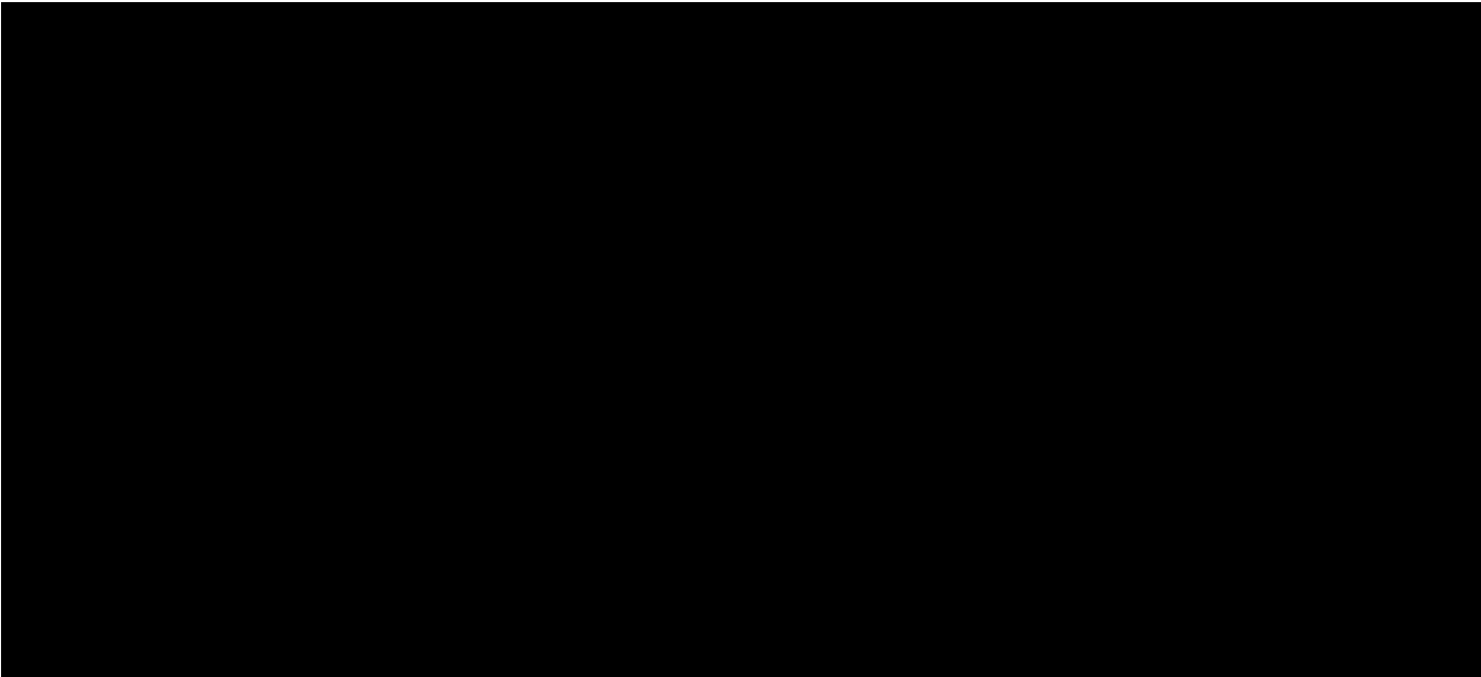




From: Simon Davis
Sent: 13 November 2017 16:58
To: 'Sam Sykes'
Cc: Chris Barker
Subject: RE: P1401 - Stakers Farm, Yapton - Masterplan, S106, A27 Improvements

Dear Sam,

Masterplan

I note your agreement to master planned approach only after permission has been granted for the outline permission. There is likely to be opposition to this standpoint and I cannot therefore currently give any assurances that the application can proceed to Committee or that it will attract a positive recommendation.

Land Gift

In relation to the land gift question, I am seeking legal advice on whether this requires a separate unilateral or can actually form part of the s.106. I have separately tried to ask about whether if a separate unilateral was required, this would hold up the determination of the application at Committee, in the same way that the report cannot go to Cttee until the 106 is signed. I would have thought not as it is a gift and is not required in policy terms. However, I have not been able to get a firm view on this question and therefore cannot currently offer you any assurances on this aspect.

A27 Improvements

I had understood that you wanted us to take a pragmatic stand point on this and in effect override the advice of Highways England. However, I then compared your suggested words to those of Highways England and I didn't notice any particular difference. Notwithstanding, I have submitted your proposal to Highways England for them to consider further.

Kind Regards



From: Sam Sykes [REDACTED]
Sent: 06 November 2017 14:18
To: Simon Davis
Cc: Chris Barker
Subject: P1401 - Stakers Farm, Yapton - Masterplan, S106, A27 Improvements

Dear Simon,

As discussed last week, we write to you on three matters regarding the Outline Application for up to 70 new dwellings at the land at Stakers Farm (Y/44/17/OUT).

Masterplan

With respects to your letter dated 31 Oct 2017 regarding whether our clients would be amenable to a Masterplan strategy for the site in conjunction with other land owners in the area, we can confirm that our clients would not however be happy to enter into such discussions prior to the determination of the current planning application. The current application is for Outline permission with details relating to layout reserved for later determination. It seeks to establish the principle of development alongside details of access arrangements. Subsequently, such discussions on the wider Masterplan approach can only be carried out subsequent to the principle being established – we would not wish to pre-empt the determination of the application in this respect.

Notwithstanding this point, there is no adopted or emerging policy which specifically requires the approach to masterplanning sites on the western side of Yapton. The Council has invited applications on HELAA developable sites such as the land at Stakers Farm to boost housing numbers in the short term as set out in the Arun Housing Implementation Strategy. Our clients have reacted to this invitation in good faith. It would be disingenuous to invite applications on the one hand to boost housing in the short term only to then halt such applications due to a lack of strategic policy (which the Council has responsibility to provide). There is no reason why a masterplan approach could not be considered subsequent to the determination of the application in this respect. Our client would be happy to include a clause in the s106 that would require them to use best endeavours to enter into discussions with other site developers subsequent to determination of the Outline application.

While we are cognisant of other proposed development sites in the vicinity, there are issues such as land ownership constraints and ransom strips (which we have discussed with you previously) which prevent the inter site connectivity referred to within your letter. This would need to be resolved subsequent to the determination of the application and it is likely that the Council would need to compulsory purchase land to enable such an approach. We cannot await such matters to be resolved before the determination of the current application – this would be unreasonable.

In summary we would suggest strongly that the application should be determined prior to further discussion and we would ask that the willingness of our clients to enter into such discussion post determination is communicated to Members at committee.

S106 – Land Gift to Yapton Primary

We understand that WSCC has requested a separate unilateral agreement on the land to be gifted as part of the planning application. The application is now well beyond the target determination date and we do not see what is restricting it from being included as part of the s106 agreement. We cannot agree to carrying out a separate unilateral agreement on the gift of this land since this will delay further the determination of the application. The land can alternatively revert to open space if the need for a unilateral will cause further delay to the determination of the application.

A27 Improvements

As discussed we would request that an appropriately worded condition is applied to deal with the concerns relating to the A27 right hand turn. We are concerned with the most recent suggested conditional wording from Highways England which allows for the occupation of up to 50 dwellings at Stakers Farm in relation to the Tye Lane development. We are concerned about the triggers and timing of development since the site at Stakers Farm has minimal impact on this junction yet should it come before the Tye Lane development, would be required to deliver the entire junction improvement. Subsequently, we would ask that the Council take a pragmatic approach with regards to the junction improvement and the timings of sites coming forward and agree to the following planning condition:

Improvements to the right hand turn junction of the A27 to Yapton Road will be delivered prior to the occupation of the 50th dwelling unless agreed otherwise in writing with the planning authority in consultation with Highways England.

Ideally the improvements to the junction would be undertaken on a proportional basis and sites would be required to pay a proportional amount based on their likely impact – the improvement as proposed cannot be provided in isolation solely by the Stakers Farm site in the instance that the Tye Lane site doesn't come forward prior to occupation of the 50th dwelling.

Following this correspondence, we trust you now have all required to determine the application. We would request that the application is considered at the December committee at the latest given the lengthy determination period to date.

We trust this is clear yet should you have any other queries please contact me.

Kind Regards

Sam Sykes MRTPI
Senior Planner

ECE Planning

3 Significant Planning Approvals in the South Downs National Park – click [here](#) to read more



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