

Yapton Parish Council – Response to Planning Application

Land at Street Buildings, North End Road, Yapton

Planning Reference Y/49/17/OUT

1. Introduction

Yapton Parish Council (YPC) has given much consideration to the above outline planning application for 45 residential dwellings at land at Street Buildings, North End Road.

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. This statement is further reiterated in the emerging Arun Local Plan 2011-2031 Chapter 12 Housing delivery 12.2.11

'The Council will work closely with Town and Parish Councils to ensure that Small Site allocations are appropriately and sustainably located, taking into account all evidence available.'

Yapton has a large amount of potential small HELAAS and a newly designated Small Strategic Housing Site. The Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new emerging Arun Local Plan 2011-2031 and indeed investigate the potential need to update and amend the village's Built-Up Area Boundary. This process is being promoted within the emerging Arun Local Plan 2011-2031 but to only commence three years from the adoption of the emerging Arun Local Plan 2011-2031

'Additional allocations for small sites will be made across the District through emerging NP or reviews of made NPs. If necessary the Council will commence the production of a Small Sites Development Plan Document **three years after the adoption of the Local Plan** in order to allocate additional small sites in order to meet the requirement of the Plan.' (Policy H SP1 emerging Arun Local Plan 2011-2031

This application is therefore premature and contrary to the ADC LP process and consultation and must be deferred until such time and is totally contrary to the Yapton Neighbourhood Plan.

2. Location and Character of the Site

The site is situated in the north of Yapton village, divorced from the main body of the village and significantly removed from the village's Built-Up Area Boundary (BUAB). It fronts onto the northern approach road into the village, North End Road which is typical of informal rural linear historic built form being only one building deep with agricultural land as a backdrop. The site consists of part old agricultural yard now used as stables and grazing.

The introduction of built form beyond the existing BUAB for such a large and dense housing development would therefore represent an inappropriate incursion into the countryside which would be visually isolated from and fail to relate to the existing natural BUAB of this rural part of Yapton village. In fact it would be contrary to Policy LAN DM1 of the emerging Arun Local Plan 2011-2031. The proposed development would have a detrimental and an irreversible impact on the locality, harming the character and beauty of this historic rural setting.

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 dense 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) and more importantly those of the newly modified emerging Arun Local Plan 2011-2031 which should be a material consideration being at an advanced stage. 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. It fails to allow full and meaningful community engagement as stated above and endorsed in the modified emerging Arun Local Plan 2011-2031 Chapter 12 Housing delivery 12.2.11

‘The Council will work closely with Town and Parish Councils to ensure that Small Site allocations are appropriately and sustainably located, taking into account all evidence available.’

It is also contrary to Policy LAN DM1 of the new emerging Arun Local Plan 2011-2031.

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.

If must also be recognised that the SoS's decision and that of the subsequent High Court Challenge which upheld this decision found that not enough weight was placed on the social element of sustainability in this case. Such factors and weight must also be applied to this proposal being a direct comparable in terms of Parish, location and social impact.

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 stabling and grazing land providing a much needed leisure use for this rural village. To develop this land as housing would be contrary to current planning policy and the made Yapton Neighbourhood Plan E1.

YPC find the following statement made by an inspector when determining a recent appeal very relevant:

“the need for housing, even when it is as pressing as it is in Mid Sussex, cannot be a justification for building new homes in the wrong place.” (ref APP/D3830/W/16/3165199, Turners Hill, Mid Sussex District Council)

YPC believes that these homes would be in ‘the wrong place’ as being outside and distant from the built-up area boundary.

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 emerging Arun Local Plan 2011-2031 Examination in Public findings for the lifespan of that Plan through recent planning applications.

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. Indeed the YNP allowed for a total of 150 new homes during its plan period. 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 and strongly believe that housing above and additional to this allocation would carry a significant social ‘dis-benefit’ to Yapton’s community in terms of social infrastructure and community wellbeing.

Yapton Parish Council and its community have positively approached future housing in the village with allocated sites exceeding the required 100 units. The impact of the new small Strategic Housing site and small HELAA sites, 90% of which now have planning granted or applications running, clearly demonstrates that Yapton’s local housing need is clearly addressed for the foreseeable future. Yapton should not take the full burden of whole District’s shortfall which would amount to a significant and irreversible adverse impact on the social fabric of Yapton’s community and village identity.

Yapton’s growing Housing burden is clearly demonstrated in the table below:

	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	Y/60/14 ADC refused. Appealed. SoS call in on grounds of contradicting the YNP					

Action Y/40/16/OUT Land South Ford Lane	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 TOTAL 70units		+9
Planning applications agreed since 01/04/2013	34 (Y/30/13)		11 Y/56/15/OUT			
	6 (Y/07/15)					140
OUTSIDE THE YNP AND PARISH ALLOCATION 2016 HELAA SITES						
NEW Y21 (Bonhams)			Y/01/17/OUT 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)

The recent HELAA has identified sites that could increase housing numbers in the village by a further 405+ homes if this application is allowed, excluding the 208 units currently awaiting appeal.

Yapton's Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the new emerging Arun Local Plan 2011-2031. This wish is in the spirit of Localism, the foundation of Neighbourhood Planning and aligns with the new emerging Arun Local Plan 2011-2031. 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 in order to work with ADC and its Housing Strategy.

5. The Proposal

5.1 Layout

The Parish fail to understand how a scheme of this density improves or enhances the setting or the rural nature of this part of Yapton. The housing would be isolated and incongruous with the sporadic ribbon development fronting this part of North End Road.

The whole scheme appears to only meet a spurious housing need beyond that of Yapton. It fails to consider or address the site's environmental and social impact on Yapton's rural community and overstretched infrastructure and facilities.

5.2 Access/Transport

The Parish has grave concerns regarding the transport solution/access to the proposed site. The access solution relies on significant upgrading of a farm track with single access on the very narrow Maypole Lane which is heavily used by farm vehicles which will be further increased with the expansion of Wall's greenhouses for which planning was recently approved. The parish would seek additional information confirming the suitability of Maypole lane for such a significant increase in traffic movements.

The Parish would also seek additional information advising the likely accumulative impact this proposal along with other running applications will have on this section of North End Road, Maypole Lane and nearby junctions before any decisions are taken on this application.

The Parish also note Network Rail's consultation regarding application Y/80/16/OUT which states concern on the impact any new housing development in the North End area will have on both the roads and the North End Level Crossing.

The Parish are disappointed to see that cycle ways are not considered. We would seek cycle ways linking Yapton safely to Barnham enabling Yapton's younger residents' safer access to the rail network and secondary schools for the area.

5.3 Social

It must be recognised that this site will place unprecedented strain on the village Primary School where it is already at full capacity and similarly the village's surgeries and other key limited facilities. As a Parish we fail to understand the genuine social benefit of this proposal.

YPC accept that considerable weight should be given to the provision of housing in circumstances where the Council is unable to demonstrate a five year supply of housing land. YPC also accept that the provision of affordable housing is a substantial benefit arising from the proposed development. However, these benefits would be claimed for any development that provided additional housing in the District.

It seems that the applicant has solely relied on a housing shortfall in the District which is being addressed in the emerging Arun Local Plan. YPC believe the applicant has failed to show any public or social benefits that outweigh the conflict with the Neighbourhood Plan. The Framework sets out the three dimensions of sustainable development: economic, social and environmental (para. 7). YPC accept the benefits resulting from the provision of housing, particularly affordable housing, which meets both economic and social dimensions. However, recent planning permissions and developments more than meet YPC social housing need. Therefore it can be argued that this deficit in social gains fails to meet the key criteria in satisfying a sustainable development.

6. Community Engagement

It should be made clear that at no time has the applicant tried to engage with the village as a whole or via the Parish Council. The Parish find this lack of engagement disappointing especially where the applicant has already failed to communicate with the community on a separate application of theirs also within the parish. This simply demonstrates a total disregard for the community and Localism.

The community involvement should be viewed as integral with any proposed scheme especially one which would significantly change the fabric of the village both physically and socially. The Parish would insist that full community engagement should be tackled by the applicant prior to this application being considered any further.

7. Conclusion

Yapton Parish Council with support from its community considers the proposed development of 45 homes at Land at Street Buildings North End Road to be wholly inappropriate for the reasons outlined above.

In short, the proposal ignores the made Yapton Neighbourhood Plan and impacts both the rural nature of the location and its rural setting 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;'

The proposal is contrary to the emerging Arun Local Plan 2011-2031 especially in relation to policies H SP1, Policy LAN DM1 and will have a significant and adverse impact on both the environmental and social fabric of Yapton's community.

Finally, Yapton Parish Council is of the view that the Parish has 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. 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 and these houses are in the wrong place.

All future small HELAA sites must be considered at a more appropriate time with the full engagement of the community and in the spirit of Localism and Neighbourhood Planning.

We therefore seek planning permission to be refused.