

Planning Application Y/80/25/S73
Land West of Bilsham Road, Yapton

Dear Sir/Madam,

I wish to object to application Y/80/25/S73.

My concern is that the proposal now before the Council (July 2026) has evolved so significantly that it no longer reflects either the development approved on appeal or the proposal originally submitted under this Section 73 application.

Planning History

This site has now been under active planning consideration for almost five years.

During that period it has progressed through:

- the original hybrid application;
- the BoKlok full planning application;
- refusal by Arun District Council;
- a successful appeal;
- a subsequent full planning application by Barratt Redrow;
- refusal of that application; and
- the present Section 73 application.

Throughout that period hundreds of representations have been submitted by local residents. Considerable time has been invested by Council officers, statutory consultees, elected Members and the Planning Inspectorate in determining what form of development would be acceptable on this sensitive site.

The planning history demonstrates that this has never been a straightforward application.

The Appeal Decision

The original BoKlok application was refused for several reasons.

Of particular importance was Reason for Refusal 4, namely:

"The proposal by nature of its design fails to reflect the rural character of Yapton and Bilsham, contrary to Policy D DM1 of the Arun Local Plan and Policy H4 of the Yapton Neighbourhood Development Plan."

This issue became the principal matter considered by the Planning Inspector.

Indeed, the Inspector identified the main issue as:

"The effect of the proposal on the character and appearance of the site and the surrounding area."

The appeal therefore did not simply approve the principle of 170 dwellings.

It approved a specific development, comprising a carefully balanced relationship between the site layout, public open space, structural landscaping, drainage strategy and the transition from the village into the surrounding countryside.

In reaching that conclusion the Inspector specifically found that:

"Open space ...combined with boundary vegetation would provide an appropriate transition to the countryside."

This was not an incidental observation.

It formed an important part of the planning balance upon which the appeal decision was based and directly addressed the original concerns regarding the character of Yapton and Bilsham under Policy D DM1 of the Arun Local Plan and Policy H4 of the Yapton Neighbourhood Development Plan.

Evolution of the Current Proposal

The present application was submitted in December 2025 as a Section 73 application seeking to vary conditions attached to that appeal permission.

However, over the following six months the proposal has continued to evolve.

The Council's own planning register shows that a substantial proportion of the original submission has subsequently been superseded through substitute plans and additional technical documentation.

These include revised:

- planning layouts;
- engineering layouts;
- drainage strategy;
- general arrangement drawings;
- landscape strategy;
- tree protection strategy;
- housing layouts; and
- supporting technical reports.

This is not simply the replacement of engineering drawings.

The applicant's own planning consultants explain that revised drainage requirements have resulted in:

- a reconfigured site layout;
- changes to the green infrastructure network;
- changes to the western boundary;

- changes to the southern development edge;
- changes to dwelling orientation;
- additional frontage onto Bilsham Road; and
- revised landscape proposals.

The applicant concludes that these changes "do not materially alter the Section 73 application."

I respectfully consider that the applicant's own evidence leads to a different conclusion.

The applicant's own description demonstrates that the revised drainage solution has had consequential planning effects across the wider development rather than remaining an isolated engineering exercise.

The Character of the Village Entrance

This, in my view, is the fundamental issue.

The appeal Inspector did not approve a drainage strategy in isolation.

The appeal approved a particular relationship between the development, the southern open space, the boundary vegetation and the transition into the countryside.

The applicant now acknowledges that these elements have been reconfigured.

That conclusion is reinforced by Arun District Council's own Principal Conservation Officer, who states that the enlarged drainage basin has resulted in the removal of a significant area of structural planting within the southern and south-western part of the site.

He further concludes that this planting:

"...previously formed an important component of the site's integration with the surrounding context."

This is highly significant.

The Council's own specialist consultee has therefore recognised that the revised proposals affect the very landscape framework that formed an important part of the appeal Inspector's reasoning.

The issue is therefore no longer simply whether the revised drainage solution is technically acceptable.

It is that the revised engineering solution has altered the design and landscape characteristics upon which the appeal decision depended.

Accordingly, the planning balance established through the appeal has itself changed.

These changes directly re-engage the same design and character considerations that originally resulted in refusal under Policy D DM1 of the Arun Local Plan and Policy H4 of the Yapton Neighbourhood Development Plan.

The Need for a Fresh Planning Application

I fully appreciate why these changes have arisen.

The applicant has clearly had to respond to revised SuDS standards together with comments from the Council's drainage engineers. Equally, I recognise that officers have sought to work constructively with the applicant to resolve those issues.

That is entirely understandable.

However, there comes a point where the cumulative effect of successive amendments fundamentally alters the proposal itself.

In my view, that point has now been reached.

This is no longer simply a proposal to vary a number of planning conditions.

It has become a substantially evolved scheme affecting the very planning issues that formed the basis of the original refusal and the subsequent appeal decision.

Whether those changes are ultimately judged to be improvements or otherwise is almost beside the point.

The point is that they are materially different planning considerations from those that were assessed by the Inspector.

The Wider Public Interest

The consequences of continuing to pursue this proposal through the Section 73 process extend beyond the physical design of the development.

The planning obligations supporting the original permission were negotiated several years ago, reflecting the planning policies, infrastructure requirements and community priorities that existed at that time.

Since then, both national planning policy and local circumstances have continued to evolve. Yapton has experienced significant additional development, placing increasing pressure on highways, schools, healthcare, drainage and other community infrastructure.

Proceeding through the current Section 73 process does not provide the same opportunity for a comprehensive reassessment of those planning obligations as would arise through the determination of a fresh planning application.

I fully appreciate why the applicant has chosen this route. It is undoubtedly quicker, less costly and provides greater certainty than preparing and submitting a new planning application together with a comprehensive review of supporting planning obligations.

However, whilst that approach clearly benefits the applicant, it is difficult to identify any corresponding benefit to either Arun District Council or the residents of Yapton.

On the contrary, it prevents the Council from considering whether planning obligations negotiated several years ago remain appropriate in light of current planning policy, current infrastructure pressures and the cumulative effects of development that have occurred since the appeal decision.

After almost five years of planning applications, appeals and revisions, the community should reasonably expect that a proposal which has evolved to this extent would be assessed against today's circumstances rather than those that existed several years ago.

Five Years On

It must also be recognised that Yapton itself has not stood still.

During the five years that this site has remained within the planning system:

- substantial additional housing developments have been approved and constructed;
- traffic levels have increased;
- pressure on local infrastructure has intensified;
- further planning permissions have been granted across the area; and
- local circumstances have continued to evolve.

Residents have consistently raised concerns regarding the cumulative effects of development upon highways, drainage, healthcare, schools and the character of the village.

Those concerns have not diminished with time.

If anything, they have become more acute.

Against that background it is increasingly difficult to justify determining what has become a substantially evolved proposal through the continued amendment of a permission granted several years ago.

Conclusion

I fully recognise that the applicant has sought to respond positively to the Council's drainage engineers. Equally, I recognise that officers have worked constructively with the applicant to resolve those technical issues.

However, in doing so the proposal has evolved beyond a simple variation of planning conditions.

The applicant's own submissions acknowledge changes to the layout, green infrastructure, southern development edge, Bilsham Road frontage and landscape strategy. Arun District Council's own Principal Conservation Officer has confirmed that these changes have reduced structural landscape screening that previously formed an important component of the site's integration with the surrounding countryside.

These are not merely engineering revisions. They go directly to the planning balance that led the Planning Inspector to allow the appeal, particularly in relation to the character of the village entrance, the transition to the countryside and compliance with Policy D DM1 of the Arun Local Plan and Policy H4 of the Yapton Neighbourhood Development Plan.

For that reason, I respectfully consider that the proposal before the Council is no longer the same development that was assessed through the appeal process.

Furthermore, after almost five years of continuous planning applications, appeals and successive revisions, Yapton itself has changed significantly. Additional development has been built, infrastructure pressures have increased and planning priorities have evolved. Continuing to determine an increasingly revised proposal through the Section 73 process also limits the opportunity for a comprehensive reassessment of the planning obligations and wider public benefits that should accompany a development of this scale in today's circumstances.

I fully understand why the applicant has pursued this route. It is likely to be quicker, less costly and procedurally simpler than submitting a fresh planning application. However, whilst those advantages clearly benefit the applicant, it is much less clear what corresponding benefit this approach offers either Arun District Council or the residents of Yapton.

In my view, the public interest is now best served by refusing this application and inviting the submission of a fresh full planning application. That would allow the revised scheme—rather than the appeal scheme from which it has evolved—to be considered openly and transparently against current planning policy, current infrastructure pressures, current community needs and the planning balance that now exists.

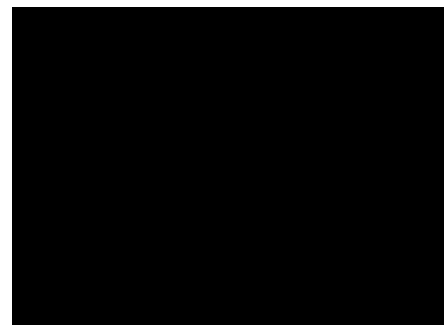
After five years of continuous planning consideration, I believe that is both the fairest outcome for the applicant and the community, and the one most consistent with the principles of good planning.

Yours faithfully,

Andrew Knight



PL- Rep



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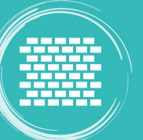
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Sent: 06 July 2026 16:25
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Fw: Objection to Planning Application Y/80/25/S73

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Please note my working days are Monday, Tuesday, Wednesday and Friday.

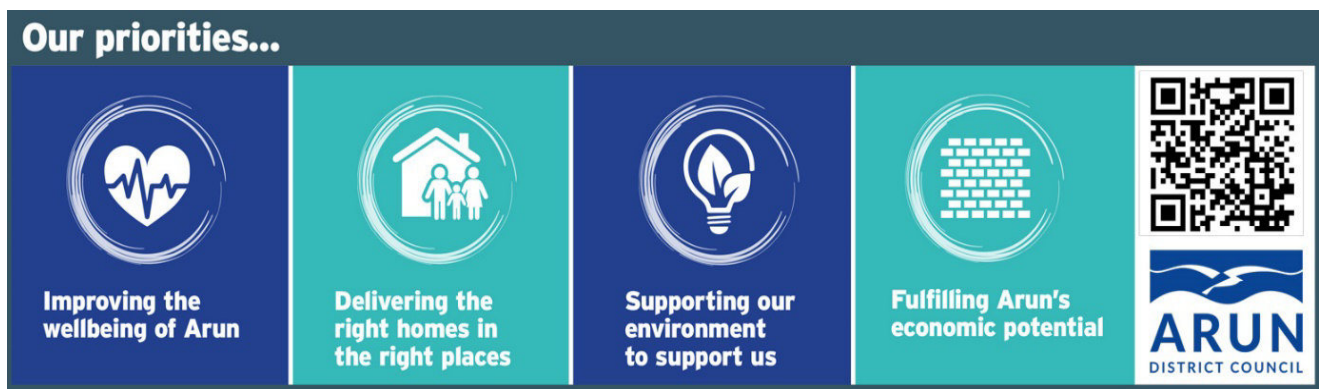
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Subject: Objection to Planning Application Y/80/25/S73

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Hello

Can you please include the attached objection letter to this planning application.

Many thanks and kind regards

Andrew Knight