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28th October 2020

Angela Broughton
Elm Barn
Main Road,
Yapton
BN18 0DX

Case Officer: Mr S Davis
Telephone: 01903 737874
Email: Simon.Davis@arun.gov.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No: Y/98/20/PL
Site Address: Bonhams Field Main Road Yapton BN18 0DX
Description of works: Erection of 75 No. dwellings with associated parking, public open space & the creation of a new vehicular access. This application affects the character & appearance of the Main Road/Church Road Conservation Area & affects the setting of listed buildings.

Thank you for your internet representation made on 27th October 2020 which has been recorded as an objection with the comments as follows:

OWPC30684

Dear Mr Davis
Thank you for your prompt reply.

The fact that an outline planning permission (Y/1/17/OUT) was approved on 7 December 2017 does not in any way restrict the Council's legal duty to determine this new full planning application on its own merits some three years later, in accordance with the relevant up to date national and local planning policies, and taking into account any other changed circumstances and material considerations since December 2017.

The 2017 permission was assessed against the Arun District Local Plan 2003. There is now an updated Arun District Local Plan 2018 and new adopted planning policies on agricultural protection, including SO DM1, must now be given more weight in the 'balancing exercise' you refer to in your email.

The Planning Report which led to the December 2017 outline approval acknowledges that Bonhams Field is Grade 1 (highest grade) agricultural land, but states: "it is considered that the site is limited for agricultural use due to its size/workable area and accessibility." There was no evidence provided to back up this very subjective opinion at the time.

The Planning Report also acknowledges that the four page agricultural assessment submitted in September 2016 did not fulfill the requirement for a 'Soil Resources and Survey Plan', and made this a separate pre-commencement planning condition of the outline approval (Planning Condition 17).

Although the Council approved the discharge of this planning condition on 11 August 2020 they did so by referring to the information in the undated Construction Management Plan as being acceptable. A rather strange interpretation of the requirements and purpose of the planning condition.

Therefore, there has never been a proper 'Soil Resources and Survey Plan' prepared for Bonhams Field, as required by current Council policy, SO DM1.

This policy clearly states that "Development WILL NOT be permitted unless

d. The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site;

e. Site appraisal documents submitted by the applicant MUST demonstrate that consideration has been given to DEFRA's Soil Strategy for England.

f. The productivity of the land is demonstrated using a methodology for assessing gross margins as contained in the Arun Soils and Agricultural Land Assessment Report"; and

g. The applicant has submitted a comprehensive soil resources plan for the development site which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a Productive Green Environment following development".

Given the above adopted planning policy, it looks like the Council's list of validation requirements is now out of date.

It may be that the loss of this agricultural land was "previously sanctioned" by the Council, but it is a legal requirement that this previous assessment based on a "balancing exercise" undertaken in 2017 is revisited when assessing this new full application (note: it is not a variation application), and evidence needs to be available in order for the Council to make this assessment.

From your reply, I anticipate that no up to date 'Soil Resources and Survey Plan' document is expected to be submitted as part of this application, that it will just be reported as a failure to comply with this adopted planning policy, and that this failure will be of no consequence in your final recommendation/decision.

Can you please place this as an objection to the current planning application.

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at [:https://www.arun.gov.uk/planning-decision-process](https://www.arun.gov.uk/planning-decision-process).

Some applications will be determined by the Development Control Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications

have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/weekly-lists>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Development Control Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.