

Clerk of the Council
David Tansley

12 The Loop
Felpham
Bognor Regis
West Sussex PO22 7ND

Tel/Fax
(01243) 582122

Yapton Parish Council

E-mail tansley@yaptonpc.gov.uk
Website www.yaptonpc.gov.uk

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Dear Mr Cronin

Planning Application Y/99/13 (250 dwellings on Land to the North & East of St Mary's Church, Yapton)

At a meeting of the Planning Committee of Yapton Parish Council held on 10 January 2014, the Committee unanimously resolved to register an **objection** to the planning application submitted by Mr Keith Langmead for outline permission to build 250 dwellings on land to the north and east of St Mary's Church, Yapton.

Two public meetings have been held in the village to discuss the application. At the first meeting arranged by Nick Gibb MP, some 170 residents attended and unanimously voted to reject the proposal. On the second occasion, 79 members of the public attended the meeting of the Planning Committee which had been called to consider the Parish Council's response to the planning application. All 79 members of the public present unanimously rejected the proposal.

The Parish Council fully supports the overwhelming views of the local community and accordingly requests that Planning Application Y/99/13 be refused planning permission by the District Council.

The basis, background and reasons for the Council's objection are set out in the APPENDIX attached.

Yours sincerely


Clerk of the Council

Cian Cronin MRTPI
Senior Planner (Strategic Development)
Arun District Council
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
West Sussex
BN17 5LF



APPENDIX

Submission by Yapton Parish Council

Planning Application Y/99/13

(250 dwellings on Land to the North & East of St Mary's Church, Yapton)

RELEVANT PLANNING POLICIES AND DOCUMENTS

NATIONAL PLANNING POLICY FRAMEWORK 2012 (NPPF)

Achieving Sustainable Development

- **Para 7 - An environmental role**

The planning system should contribute to protecting and enhancing our natural, built and historic environment.

The presumption in favour of sustainable development

Para 14

This presumption should not be applicable where adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework as a whole. This proposal is far too large and is in a sensitive landscape area adjacent to the most important heritage asset in the village.

- **Core planning principles**

Para 17

The twelve planning principles include conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for the contribution they make to the quality of life of both current and future generations. They also recognise that some open land can perform many functions including food production, recreation, flood risk mitigation and encouraging wildlife. Only land of lesser environmental quality should be used for development. The importance of the intrinsic character and beauty of the countryside is also highlighted.

Chapter 11 Conserving and enhancing the natural environment

- **Para 109**

Seeks to protect and enhance valued landscapes, geological conservation interests and soils.

- **Para 110**

Allocation of land with lesser environmental or amenity value in development plans.

- **Para 111**

Encourages the use of brownfield land

Chapter 12 Conserving and enhancing the historic environment

- **Paras 126 to 141**

Seeks to protect heritage assets by conserving and enhancing the historic environment. It also takes account of listed buildings and conservation areas. This proposal would irretrievably damage the special character and appearance of St Marys Church conservation area.

ADC LOCAL PLAN 2003

The application is not accord with the following saved policies:

- **GEN2 Built up area boundaries**
Development will not normally be considered outside the built up area boundary because it fails to meet the aim of sustainability by locating development in areas with existing services, infrastructure and facilities.
- **GEN3 Protection of the Countryside**
Development will only be permitted if it meets the operational needs of agriculture, is used for quiet informal recreation or is required for the diversification of the rural economy. The countryside is considered an important resource that needs to be protected for its own sake.
- **GEN7 The form of new development**
This policy seeks to protect and enhance the quality of the environment.
- **AREA2 Conservation Areas**
This policy seeks to preserve and enhance such areas.
Supplementary Planning Guidance for Conservation areas
Makes the following statement, *“This is the first of two conservation areas designated by ADC and is based on St Mary’s Church. The loose Grouping of buildings contrasting with the second conservation area where there is a more closely knit pattern of development. High substantial flint boundary walling and mature landscaping, including many substantial trees and tree groups, enhance the rural character of this area, the setting of the buildings and the street scenes.”*

ADC EMERGING DRAFT LOCAL PLAN 2013

- **General comment**
The application is not included as a specific site in the emerging ADC 2013 Draft Local Plan. A development of this size should be considered in conjunction with other strategic developments in the Arun District because of its affect on the whole area.
- **SP1 Sustainable development**
Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or Specific policies in that framework indicate the development should be restricted.
- **SP2 Built up area boundary (BUAB)**
Protection of the countryside is an important resource in its own right
- **SP3 Countryside**
Outside the BUAB the countryside will be protected for its own sake
Development will not be permitted unless:
 - It meets the operational needs of agriculture
 - It is used for quiet informal recreation
 - It is used for diversification of the rural economy
- **DM1 Protection of landscape character**
Development will only be permitted where:
 - Landscape character, including its natural features, is conserved or enhanced
 - The historic character and development pattern of settlements is respected, taking into account their distinct identity and setting

- It does not undermine the integrity or predominately open and undeveloped character of the area
- It does not negatively impact upon the setting of, or views into or out of the South downs National Park

This will conserve and enhance the landscape character of the District and its contribution to sense of place and enjoyment of both residents and visitors.

- **DM 10 Soils**

Unless designated by the Local Plan or Neighbourhood Development Plan, the use of grades 1,2 and 3a agricultural land for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless the need for the development outweighs the need to protect such land in the long term.

- **SP21 Transport and Development**

- **DM23 Sustainable Travel and Public Rights of Way**

This development fails to reduce dependency on the car as the main means of transport. The bus services are not suitable for travel to employment centres or shopping centres.

- **Policy SP24 The historic environment**

Developments likely to prejudice the character and appearance of the Conservation Area and its setting will be refused

- **16.4 Conservation areas**

- 16.4.4 The Council's aims in respect of Conservation Areas are protection from inappropriate and damaging development.
- 16.4.6 "The spaces between and around buildings and views are very important in Conservation areas, and the council will resist any proposals which will detract or impinge on spaces or views which contribute to the character of the area."
- 16.4.13 "Developments which adversely affects the setting, character, appearance of or views in to or out of a Conservation Area will be refused."

- **DM27 Conservation Areas**

- Development will not be permitted if it does not retain historically significant boundaries, important open spaces and other elements of the established pattern of development, character and historic value, including gardens, roadside banks and verges.
- Development will not be permitted if it harms important views into, out of, or within the Conservation Area.

- **DM28 Area of Special Character**

Seeks to protect those areas which are important for their character and the contribution they make to the local environment.

SHLAA STUDIES

- The site falls within the 2009 and 2012 SHLAA site 71 Ford Eco Town site (387.57 ha) but is 25.40 ha or 6.55 per cent of the site area. It has always been the intention that the site be treated as one comprehensive strategic scheme to benefit from infrastructure improvements that will make a new settlement sustainable.
- The ADC 2012 SHLAA identifies sufficient land allocations both within and outside settlement areas which are of lesser environmental value and/or brownfield land.
- In the 2009 SHLAA adjacent site 70 on the corner of North End Road and Ford Lane was rejected because it was *“too remote and inaccessible from village facilities.”* It is also noted in appendix 6, rejected sites outside settlements that *“This site is not adjacent to a study settlement, is poorly related to facilities, and is therefore not in a sustainable location for housing development.”*
- Rejected site 132 for land at 2 Church Farm Cottages also adjacent to this site, was rejected under para 1.3.74 of the Broad Locations and Windfalls section of the 2012 SHLAA because of the clear visual relationship with the Conservation Area, making the point that development in this location would represent a harmful projection of development out from the clearly defined village edge. The landscape setting of this site is described as extremely sensitive in appendix 6, rejected sites outside settlements of the 2009 SHLAA study.

ADC 2009 OPTIONS FOR GROWTH DOCUMENT

- **Para 1.3.77** “The village itself has a fairly limited range of facilities and the immediate vicinity is not an area of high housing need and offers limited availability to employment provision. Much of the surrounding landscape is relatively sensitive to change and there are areas of flood risk. In terms of limited range of facilities and landscape constraints, the area was not considered suitable for major development, although small scale future provision to meet local needs was not ruled out.”

ADC HOUSING LAND SUPPLY

- ADC identified a land supply of 5.34 years, compliant with the NPPF at the Local plan sub committee meeting on 30th November 2013.

YAPTON NEIGHBOURHOOD PLAN

- The site has not been included in the emerging Yapton Neighbourhood Plan.
- The Neighbourhood Plan has allocated 120 homes exceeding the Parish allocation of 100 homes set by ADC in the Draft Local Plan.
- Further comments included in the plain English guide to the Localism Act which refer to Neighbourhood Planning are:

“Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live. The Act introduces a new right for communities to draw up a neighbourhood plan.

Neighbourhood planning will allow communities, both residents, employees and business, to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go – and what they should look like”.

These plans can be very simple and concise, or go into considerable detail where people want. Local communities will be able to use neighbourhood planning to grant full or outline planning permission in areas where they most want to see new homes and businesses, making it easier and quicker for development to go ahead.”

THE PROPOSAL

- The proposal site is located on grade 1 agricultural land [Source DEFRA].
- Both development sites A and B will be isolated from the village and facilities of Yapton. Both plots A and B are described as being sustainable in their own right and not dependent on the parkland that is envisaged for plot C. If this is the case, it is considered that there should be two separate planning applications and not one for a combined site.
- Lack of detail precludes any accurate assessment being undertaken of the impact of these two sites on Yapton, the existing local community and also the rural landscape that is a feature that surrounds the village. A demographic profile which needs to be considered in any future growth, is not possible without some detail of the proposed housing types and mix. The Neighbourhood plan works to this level of detail in their draft Plan.
- The applicant states that there is no recorded incidence of surface water flooding on the site. However, a photograph taken on 28 May 2008 (*copy enclosed*) clearly shows that the area has experienced problems in the recent past. (*Site B is located to the right of the car travelling through the flood water*). This cannot be ignored when determining this application.

GENERAL COMMENTS

- Pre-application consultation is required to have taken place with all representatives of the local community [The Localism Act 2011].
- The plain English guide to the Localism Act makes the following statement on page 13 “*To further strengthen the role of local communities in planning, the Act introduces a new requirement for developers to consult local communities before submitting planning applications for certain developments. This gives local people a chance to comment when there is still genuine scope to make changes to proposals.*” This responsibility is clearly identified in the Localism Act, c 20, Part 6, Chapter 4, para 122.
- The only opportunity the Yapton Neighbourhood Plan Group (YNPG) has had to discuss the planning application with the applicant was at a YNPG meeting on 21 November 2013. This was two days after the application was submitted to the District Council. Considering the significance of the application to the village community and its importance and potential impact on the emerging Neighbourhood Plan, this is considered wholly unreasonable and unacceptable.
- 200 homes and 20 flats have received planning approval in the parish of Yapton since 2003. A great number of these are affordable homes. The new housing has resulted in more people arriving in the village without the opportunity of local employment. New arrivals have no alternative but to use cars to travel to employment in surrounding towns or even further afield.

- Currently 6 Band B applicants (*High priority to move*) require housing in Yapton as recorded in the latest Arun District Council Housing Register list issued on 6 January 2014. There are no Band A applicants (*Urgent need to move*).
- The existing provision in Yapton for local health care is considered inadequate. This is evidenced by the waiting time for general practitioner appointments. The influx of more patients from the new development of 173 dwellings under construction at Goodhew Close will exacerbate the existing pressures. The local GP practices do not have the capacity to take even more new patients onto their registers. At both surgeries there is a lack of clinical consulting space and existing parking space for patients is limited.
- There is a lack of primary school places within the area. Full capacity of 316 pupils at Yapton CE Primary school is predicted to occur in 2017. This takes account of current committed housing developments in Yapton. Source : School Organisation Officer, WSCC. There is no spare capacity at any of the primary schools in the neighbouring villages.

THE CONSERVATION AREA

The loose grouping of the buildings contrasts with the second Conservation area where there is a more closely knit pattern of development. High substantial flint boundary walling and mature landscaping, including many substantial trees and tree groups, enhance the rural character of this area, the settings of the buildings and the street scenes. This is the northern edge of the village and the views across the fields to Arundel and South Downs National Park underline Yapton's contribution to agricultural production on the Sussex coastal plain. The importance of these fields in enhancing the character and setting of the conservation area cannot be overstated. It provides a distinctive northern boundary for the village and looking north from this point the fields and significant reduction in house numbers emphasises the rural nature of the area very effectively.

TRANSPORT FACILITIES AND LOCAL ROAD ISSUES

Yapton has seen a loss of employment with the closure of two garages, two public houses and two industrial estates, the sites being used to provide housing. A third public house has also recently closed. As a result few employment opportunities now exist in the village. Residents of the proposed new development would therefore need to travel for the purpose of employment.

Likely destinations are Littlehampton, Worthing, Chichester and Bognor Regis although there are few employment opportunities at these locations and salaries/wages are low. Because of the unreliability of bus services in peak hour, travel would be by car. Higher salaries/wages do exist for those prepared to travel further afield to places such as Brighton, Horsham, Crawley, Gatwick Airport, Croydon and London. Travel to these locations would be by car for the whole journey or to the station at Barnham where longer journey's are more practical by rail. Parking at Barnham Railway Station is oversubscribed and there is no capacity in adjacent residential roads for further parking. Transport is therefore not sustainable from the application site. Neither is it easily accessible to local shops and services particularly in inclement weather which will encourage travel by car.

Yapton rail level crossing in North End Road has become a dangerous pinchpoint for large and HGV movements seriously affecting the operation of the railway to the detriment of other road users and rail passengers. The Office of the Rail Regulator issued Network Rail with an improvement order and as a result the speed of trains has been reduced from 75mph to 30mph to mitigate level crossing misuse. Allowing a change of use to nurseries off Lake Lane has left the area with a serious problem and this application must not be allowed to compound the situation.

Network Rail and WSCC are presently reviewing the operation of the crossing to permanently minimise the risk of a serious collision between a train and road vehicles using the crossing and Lake Lane. The likely safest option of installing a fully gated crossing will decrease significantly the time available for road vehicle movements over the crossing as presently occurs at Ford station railway crossing. Many vehicle movements from this application site will use these rail crossings to access the A27 to the north.

THE SUSTAINABILITY APPRAISAL

The following extracts taken from Arun District Council's Local Plan Sustainability Appraisal relate to Yapton and Clymping:

- **Para 3.10.5**
"However in terms of the highway network there are only two key routes by which to access these locations and especially the A259 is prone both to high congestion and also flooding."
- **Para 3.10.15**
"Overall, though these locations would significantly address housing need and provision in the area, they would be unlikely to affect many other aspects of the sustainability framework and there would be no benefits more widely to the wider community. The main detrimental impact that would result would be through the loss of agricultural land and as such soil that is in these locations."

The following comment in the report by Mr RJ Marshall, the Planning Inspector, made on 30 October 2013 after conducting the inquiry for an appeal in respect of Planning Application AL/106/12 at Woodgate is also relevant and pertinent to the Yapton application:

"52. However, the proposed development would be in an unsustainable location. It would not provide development sufficiently accessible to local services and would encourage travel by car which would impact adversely on the use of natural resources and the need to adapt to climate change including moving to a low carbon economy. I find this to be the decisive consideration in this case and it is so regardless of which parties' housing land supply assessment I take into account. Even on the lower figure propounded by the appellant the harm referred to above would outweigh the advantages of the proposal. I am of this view notwithstanding the delays to the production of the emerging Local Plan and consequent delays in allocating sites."

CONCLUSION

For the reasons set out above Yapton Parish Council sees no merit in the proposed development. It is located outside the defined built up area where the countryside is protected and new development is strictly controlled. It is unsustainable and, most importantly, the development completely fails to retain the views from and to St Mary's Church, as well as the character and setting of the Conservation area and its surrounds.

David Tansley

Clerk of Yapton Parish Council
30 January 2014

