

Further Objection by Cllr Michael Lilley 23.11.2020

RE: LAND SOUTH OF APPLEY ROAD NORTH OF BULLEN ROAD AND EAST OF HOPE ROAD (WEST ACRE PARK) RYDE – REVISIONS AS SUBMITTED BY APPLICANTS OF 20/01061/FUL

I wish as an objector of this application as an the IW Council elected representative of Ryde East to state on behalf of Ryde East residents and myself who object to the application that I have looked at the revisions as sent to IWC on the 12th November 2020 and placed on the portal. I wish to further state the revisions **do not in any way mitigate the core of my objections and the majority of objections on the portal.**

The letter, as dated the 12th November 2020 from the developer, purely targets the statutory consultee questions that in the event the application is approved, the applicant will revise the application to meet their requirements. This is purely window dressing and in no way actually tackles the fundamental material objections of public objectors to the application.

This further objection to my substantive objection already posted on the portal, provides an answer to the principal revisions as made by the applicant on the 12th November 2020 as follows:

- 1) *We have responded to the Island Roads representation and resolved all reasonable requests. This includes all internal swept path analysis, carriageway and footpath design requests, on and off site junction designs (including a pedestrian crossing within Marlborough Road) and confirmation regarding the trigger points applied to the off-site highway junction improvements.*

I do at this junction wish to raise concerns and objections to the new proposed pedestrian crossing on Marlborough Road to facilitate a pedestrian way to the proposed West Acre Park development by knocking down the garage of 125, Marlborough Road which is opposite Salisbury Road. The proposal is to knock down the garage which is built into the fabric of the house Westfield Lodge.

I have inspected the site at 125, and cannot see how the garage cannot be removed without damage to the fabric and design of the Lodge. There are veteran trees near the front of the garage and directly behind it that I would presume would be cut down and would wish comment from Tree Officer. I noticed the Tree Officer and Woodland Trust was highlighting the number of veteran trees in the West Acre Park development. I must raise my concerns that there is no evidence that the Tree Officer or Woodland Trust have physically visited the site and as the application was submitted during the pandemic and the first Lockdown and the revision was submitted in the second Lockdown, I conclude it is highly unlikely they did. ***The absence of evidence of a site visit would render the integrity of the comments submitted by Woodland Trust/Tree Officer as inadmissible to the application on the grounds of procedural impropriety. Please can the Council offer the evidence that the site visits actually took place?***

I am deeply concerned that human traffic and cyclists would come out at this Marlborough/Salisbury Road Junction and how this would relate to the CycleWight Plan for Pedestrian and Cycle Ways Plan for Ryde. I am concerned this creates a cycle and walkway to Westridge/Tesco which will wind through West Acre and cross Bullen Road to go up to Westridge/Tesco and will create a huge increase in pedestrian and cycle traffic as a dangerous crossing point for traffic and pedestrians and cyclists but also infringe the privacy of 127 and other nearby residents living on Marlborough Road and Salisbury Road.

This 125 proposal has not been put directly to households from 119 to 130 Marlborough Road, houses opposite and those living in Salisbury Road. I do think letters should have been sent informing them so residents directly affected should have the opportunity to inform you of their views. I think this should be the case for residents on Bullen Road living near the Coach House.

The 125 proposal will destroy the street scene on Marlborough Road which is a strong material objection and as the position of 125, cause serious safety issues for all residents crossing at this junction which is totally unsuitable access due to thin pavements, lack of suitability for a safe crossing and the speed and density of

traffic at this point. This element of the West Acre application needs to be considered separately and refused. It is totally not in keeping with the character of Marlborough Road and Salisbury Road and the design of the area which goes back to 1880 and infringed on the historic and settled community of Elmfield and residents of Marlborough Road and Salisbury Road in particular.

The other revisions in regard to footpaths fundamentally do not change the fact of the road safety issues in regard Appley and Bullen Roads which are the principal access roads to the proposed West Acre Development.

- 2) *To ensure a suitable freeboard from the Flood Zone (as per the Environment Agency representation) we have ensured that those houses and supporting infrastructure within phase D have been removed. The specific part of the site will now be dedicated to public open space. Those units within phase D have been relocated to Phase B. Via this relocation, the total amount of Public Open Space across the whole site has increased.*

The increase in public space does not remove from the fact that this development is through building on 1000 year old plus natural environment and agricultural land destroying a green field environment to artificially create public space. Whatever, the cosmetic attributions of the design plan it cannot hide from the fact these houses are being built in the wrong place. I give support to my argument further along.

- 3) *We have engaged with the Hampshire Police Authority. They are now satisfied with the revised proposals, as structured by the Crime Prevention Detailing (Plan SP18-A) which will set the principles applied to a planning condition which will be replicated throughout all phases. We have also revised the public access corridors within the woodland which sits between phases G & F so that access is only afforded on an east-west axis. Page 2 12 November 2020*

Again these changes to the design do not mitigate in anyway the overall substantive material objectives to the application.

- 4) *We have noted the representations of the Woodland Trust. To confirm, trees T23, T50, T53 and T187 are all retained and preserved by the proposals. Tree T7 was set to be removed as it only had a lifespan of less than 10 years; irrespective of the proposal. However, as Tree T7 is within the landscaped buffer to the west of the site we have retained this tree; as defined within phase G. We have consultant with the Woodland Trust and they now seem to be satisfied to remove their objection.*

I do object as previously stated that statutory consultees and experts would not have been able to visit the site as the application was submitted during Covid19 and therefore their decisions have been a pure paper exercise. Again this concession on certain trees does not in any way mitigate against the substantive original material objections.

- 5) *For the benefit and assessment by your tree consultant, we have provided shade analysis for phase F and its interaction with the woodland to the south. This demonstrate that the woodland and site layout is acceptable. Under separate cover, we have confirmed with your tree consultant that this woodland will also be managed (and which can form the structure of a planning condition). Species such as Ash (which are prone to Ash die back) can be managed and removed (as a phased and gradual approach) and then replaced with other native deciduous species. Thus, via accepting development, the management of the woodland will be a planning gain, as otherwise it is in a poor condition.*

My points in response to 4 carry for 5.

- 6) *The remaining plans (site layouts/phase plans, elevations and floor plans) have responded to your design requests. This includes, although not exclusive (for example) revisions to the doctors surgery roof (so its lower), landscaping to key boundaries (which can be controlled by landscaping condition), minor revisions to house type elevation/fenestrations and footprint positions. We have also ensured that*

the landscaped buffer to the west and south of the site is not within any domestic curtilage; albeit this was never the original intention.

I again reiterate that the above is window dressing and does not in any way mitigate from the original substantive material objections.

Substantive Material Objections as stated by

I wish to submit further objections to the West Acre Park application based in response to the IW CPRE posted objection in that it is right in surmising the weakness and paucity of the IW Island Core Strategy (2012) and the NPPF (2019) would take prominence in the final officer's report recommending or objecting to the application. I still feel my objections as listed on the portal have credence and do wish to re-emphasise the deficiencies of the road infrastructure particularly Appley and Bullen Roads which as country Roads totally unsuitable for any further developments. However, I have gone through the NPPF and wish to highlight relevant sections which I feel give a framework of grounds within the NPPF to refuse this application as follows:

1. NPPF - 8c - Environmental Objective - this clearly emphasises the importance of climate change and protecting land use. There has to be a focus on the merits of an existing sustainable environmentally friendly grass fed working diary farm which at this time in relation to climate change and protection of this historic natural environment including current nitrate production and protection of Ryde Sands against the argument of 465 houses. This development has to be also weighed up in the context of other developments in the area with outline and full planning applications as these are already taking up capacity in relation to the affects to the environment and climate change, infrastructure etc (Pennyfeathers, Harcourt Sands, Hope Road, Rosemary Vineyard, Nicolson Road). None of these take out a working sustainable farm. There has to be consideration about the balance of already over 1200 plus potential housing units that have outline or full planning permission and whether a further 465 houses are needed but more importantly will they create an imbalance to the environment by increasing carbon emissions and nitrates, excessive waste and pollution. Ryde's growth is already excessively growing and will be about 25% plus of the Island's population in a confined area which creates an environmental imbalance on the whole Island community with under population on West and excessive population on the East. Is not West Acre Park the tipping point from a sustainable and environmental perspective. Its location does mean excessive moving of earth (see current 80 houses on Hope Road) to level off for building purposes compared with say Pennyfeathers as the farm slopes down into a natural valley. The phased proposal over ten years means there is serious risk to the environment by the actual building process.

2. NPPF 20d - conservation and enhancement of the natural environment.....measures to address climate change (which in the case of IW would mean reference to the Biosphere Reserve Status and Climate Emergency Strategy). This can be interpreted and provide the opportunity to review the existing status quo of the current land use and how it complements the existing strategies against the building of 465 houses within the context of the already approved 1200-1600 plus houses/other development in the Ryde East/South Area since 2014.

3. NPPF 49a & b - This clearly states that a substantive application can be refused if a new plan is being developed and granting planning permission would predetermine decisions in the future Plan. It is clear that the IWC has accepted the limitations and dated assumptions of the 2012 Island Core Strategy and is working on a new plan to supersede it and that in the interim the 2019 NPPF takes prominence in the case of the 2020 West Acre Park Application therefore I argue that 49a & b has relevance and provides the opportunity for the application is refused. There has to be a reflection on whether the vision of the new plan as being formulated now, within the context of strategic strategies such as climate change and Biosphere, and the current risk of overdevelopment in the Ryde East/South Area with 1200-1600 houses with outline and full approval, would mean granting the WAP application as premature and cause predetermination on future applications. I surmise that IW fits within the context of 49a & b.

4. NPPF 72b - I wish to highlight the issue that any new development has to have sufficient employment and infrastructure to sustain the development which I argue is not the case especially as you have to put the 1200-1600 houses already approved applications first in relation to jobs and infrastructure. There has to be

consideration of Ryde's Position Statement and other Ryde documentation that local employment creation and development of Roads, health and community infrastructure, and school provision would sustain this further 465 houses. I argue there is no evidence there is and in fact there is an argument for overdevelopment. **The 2014 SHLAA states clearly just over 1400 new houses allocated to Ryde and the fact that there are between 1400-1600 new houses with either outline or full planning permission in Ryde since 2014 provides clear evidence that this 475 house proposal will create overdevelopment which is a specific MATERIAL OBJECTION** in the argument that this application should be refused. IWC Council has the evidence of this number as the planning authority and should make reference to the details of all the Ryde planning applications approved on all new build within the settlement boundary, adjacent to the boundary, and within the parish boundary of Ryde Town Council. I specifically name Hope Road, Ryde Village, Nicolson Road (flats in development), Harcourt Sands, sites in Ashley and Swanmore, Pennyfeathers, and Rosemary Fields. Due to my calculations the above alone total 1692 new houses and does not include numerous brownfield sites and derelict buildings within the Ryde Settlement boundary that provide suitable sites for housing. I surmise that if housing applications came forward on these known sites such as the old Convent and School off the High Street, a further 1000 housing units would be available. The applicant has in no way provided realistic evidence that the IW or Ryde need this housing development.

5. NPPF 83a,b,c - Rural Economy - this section of the NPPF clearly points to the need to preserve and support agricultural and rural businesses including the importance of tourism. This land at Westridge Farm is a vital part of the the IWC dairy farming sector and one of 10. It is also only one of three that exports milk off Island to the much prized Area Dairy (Lurpak etc) and the loss of this farm will put in danger the economy of scale in Arla sending a tanker over to collect Island Milk. This will have a crippling affect to the dairy industry on the IW and could simply kill it. Both the NFU and the Tenant Farmers Association have objected to the application. The farmer has also plans to develop pasteurisation of milk and sell locally as well as the Arla contract. The development of this farming business will create jobs and have many benefits to the community. There needs to be careful consideration of the benefit and needs of preserving the farm economically, health and social benefits against questionable housing needs when already 1200 plus houses have full and outline planning permission in area alongside underdevelopment of brownfield sites within settlement boundary.

6. NPPF 118b - I wish to bring your attention to the issue of the importance of underdeveloped land in this case and the importance this land is to local agriculture, protection of wildlife, the environment, carbon footprint, the protection of local protected areas such as Ryde Sands, and importance in preventing flooding. I do raise the importance of 118d in that there has not been exploration of many underused brownfield sites in Ryde and many spaces above shops and many derelict buildings such as Old Convent/School off High Street that could be developed for housing. There is also the 1200 plus houses with full and outline planning permission that should be utilised first before a viable greenfield site is considered.

7. NPPF 122a,c,d - I wish to draw your attention to the appropriate densities and that locally there is not the local infrastructures or plans for infrastructure to cope with the planned 1200 new homes let alone a further 465. This is a development to far and the lack of educational, community facilities, and road infrastructure is highlighted in Ryde's position statement. There is a real need for a moratorium in Ryde on all the proposed development as this proposed growth has not taken into consideration of the effects and on Ryde as a whole. The population growth this development will cause will have a negative impact on the Town.,

8. NPPF 14 - Planning for Climate Change - This application is contrast to section 14 of NPPF as it increases carbon emission due to density of housing and the over reliance on cars due to its location. The loss of the farm and its low carbon emissions compared to 465 houses will have a detrimental effect to IWC's Biosphere Status and Climate Emergency Strategy. There is also the real danger in the increase in nitrates that would be harmful to the highly protected Ryde Sands and Solent.

8. NPPF 15,170 - Conserving the natural environment. The proposal damages the natural environment by digging up 1000 years untouched sustainable and environmentally historic pasture and totally destroys the local eco-system and replaces it with a new "natural recreated" environment. This proposal is totally contrary to section 15 and particular 170.

The Demolition of Agricultural Buildings

One of the key parts of the West Acre Park Planning Application is the demolition of the Westridge Farm Buildings which some have been there at least since 1700s. This demolition will simply wipe out this working and sustainable farm which has been the centre and an intrinsic part of the character of the settlement known as Elmfield Village for 100s of years. It is an intrinsic part of the community and in 2018, the Local Boundaries Commission recognised the importance of Appley and Elmfield and the farms these settlements were built around and renamed the Ryde East Ward, Ryde Appley and Elmfield.

I wish to raise further that I believe that the application in regard the demolition of the farm buildings and the destruction of the farm at this location contravenes the Human Rights Act 1998 as it clearly infringes the human rights of three principal parties and is a principal material objection in refusing the application:

1. **The Farmer of Westridge Farm** clearly has his home and farm building demolished as this is stated in the application and therefore by this act alone loses his home and livelihood if this application is granted and this clearly infringes his and his families' human rights as protected under the Act.
2. **The Children of the Farmer** as they not only lose their home but lose their right to farm as in line with the rights of an agricultural tenancy.
3. **IW and Ryde Residents** that lose their local food security as this agricultural land that produces food is lost forever due to houses being built on it. The farm can be and should be viewed in regard to the Localism Act 2011 as a community asset and residents are seeking registration of the farm as a community asset under the Act. The Farmer is working with the Plunket Foundation and Fordhall Community Farm in Shropshire in planning the development of Ryde (Westridge) Community Farm and raise funds to purchase the farm. Fordhall Farm ([Fordhall Organic Farm: 1 Farmer - 8,000 landlords. Eat, Shop & Play at Fordhall \(fordhallfarm.com\)](http://Fordhall Organic Farm: 1 Farmer - 8,000 landlords. Eat, Shop & Play at Fordhall (fordhallfarm.com))) is an example of the tenant farmers working with the community/residents in successfully defeating a planning application which would have involved the loss of the farm and the farmers losing their livelihood and home, Through crowd funding and help from Plunkett Foundation (UK's No1 rural economy charity) funds were raised to purchase the farm by the community in partnership with the farmer. This provides a clear alternative to the planning application in this case which protects the human rights of the three parties above.

I have sought expert Human Rights evidence to be placed on the portal and which is attached. This legal and expert advice needs to be logged as lawful and legal expert advice and should be available to all members of the planning committee.