

BN / 27/09

Neil Crowther

From: PPC Planning [REDACTED]
Sent: 19 January 2010 18:26
To: Neil Crowther
Cc: Claire Rodway; Karen Dower; Ian Sumnall; Karl Roberts
Subject: Re: Angels Nursery
Attachments: Design and Access Statement _Revised January 2009_.pdf

Mr Crowther

As discussed I have revised the submitted Design & Access Statement so as to provide a more detailed explanation of my views regarding the conflict between "saved" policies GEN 2 & 3 and the spatial strategy of the SEP as requested and have taken the opportunity to address some very minor typo errors in the original document. All other aspects remain unaffected

Inevitably this has increased the length of the document considerably and made it far more technical than I had originally intended but I am keen to provide the more detailed information/explanation you have requested so that our application can be properly considered by you and your members.

I have not revised the Housing land supply figures as I do not agree with the interpretation placed by the Council on the GOSE Letter to which you refer. The extent of the acknowledged shortfall is not in any case relevant to whether or not paragraph 71 of PPS 3 is engaged which is the critical point.

Notwithstanding this case and on a more general note I have to say that as a Chartered Town Planner working in your district I was quite simply staggered by the evidence presented to the recent Chalcroft Inquiry on the behalf of the elected members of your Council.

In essence the Councils witness sought to argue that :

1. The SEP Spatial Strategy and Policy was not relevant to the determination of individual planning applications on individual sites and was only intended to guide the formulation of LDF Policy and that implementation of the SEP Spatial Strategy and Policy was entirely dependant on the adoption of an LDF Core Strategy
2. The review of the BUAs in GEN 2 was a function of the emerging Core Strategy thereby implying a) that BUA boundaries would continue to be used as a policy tool in the emerging LDF and b) that any application for any site outside of any defined BUA boundary would be refused PP regardless of its merits in terms of SEP Policy and/or PPS3 Housing.
3. The Council had not assessed that particular housing scheme against PPS 3 Housing policies and that the application/effect of PPS 3 Housing (and for that matter the implementation of SEP Housing requirements) should be lessened by the current economic downturn in any case.

Notwithstanding the outcome of the recent Inquiry (the appeal may turn on different matters) or indeed this current case you should be aware that I do not believe that any Chartered Town Planner working anywhere in the South East could possibly agree with such arguments.

SEP Policies and supporting text make explicit references to their relevance to the determination of planning applications and the SEP is part of the Development Plan.

If the emerging Core Strategy does rely on BUA boundaries (in their current form) as a mechanism for implementing the SEP Spatial Strategy such an approach will be challenged as being unsound at any Examination as such old style policies fly in the face of the spatial strategy concept in the new development plan regime as a whole and the Spatial strategy set out in the SEP in particular.

A refusal of any application purely on the basis of a conflict with "saved" policies GEN 2 & 3 regardless of the merits of the scheme in terms of SEP/PPS3 is simply untenable in planning terms.

PPS 3 Housing has been material to the determination of housing applications since April 2007 (regardless of the SEP/Local Plan issues applicable in Arun) and must always be considered when assessing any Housing application for any site anywhere in the district. Moreover, recent DCLG letters to Chief Planners emphasise the importance that the Government attaches to its application/implementation despite the economic downturn and the supporting text to SEP Policy actually expressly states that the SEP Housing requirements are not ceilings which should not be exceeded in any case.

I hope that you find this information and that provided in the attached revised Design & Access Statement useful.

Regards

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----- Original Message -----

From: Neil Crowther
To: PPC Planning
Sent: Wednesday, January 06, 2010 12:48 PM
Subject: Angels Nursery

Mr. Collins,

I am just going through your D&A Statement for Angels Nursery. I have two initial points from Section 1 (as I have only just picked up the D&A statement) that I would would appreciate your comments on (in the first instance) and you might consider amending (in the second).

Firstly, your paragraph 32 states;

'In our view "saved" Local Plan Policies GEN 2 & GEN 3 conflict with SEP Policy and are no longer compliant with national planning policy so the submitted application should therefore be determined in accordance with the more up to date SEP Policy.'

However, the D&A statement goes into no detail as to how or why you consider that these ADLP policies conflict with the RSS. Your comments on this would be appreciated so that they can be considered.

Secondly, on land supply issues you refer to in para 51, you should be aware that the RSS figures all took into account any pre-2006 shortfalls. This affects the way you have sought to formulate your figures. I believe you have a letter from GOSE confirming this point now.

Once I have had an opportunity to go through the submission in it's entirety I will get back to you with more substantive comments if I need to.

Regards

Neil Crowther