



From: Maddi Simpson [REDACTED]
Sent: 29 June 2020 17:15
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Leona Hannify [REDACTED]
Subject: RE: BN/50/20/PL West of Fontwell Avenue - Agricultural Land

Hi Simon,

Hope you're well.

Since we spoke we have assessed Policy SO DM1 (Soils) in further detail. As you know, our position is that the need for housing coupled with the range of social, economic and environmental benefits of this proposal, outweighs any conflict with this policy. Therefore, while this policy can be taken into account in weighing up the overall planning balance, it is considered that only limited weight should be attributed to it.

As set out in the Planning Statement, the Council's housing land supply position was considered as part of a recent planning appeal (Ref: APP/C3810/W/19/3236911). The decision found that the supply position is approximately 2.9 years. Given this substantial shortfall and the limited brownfield sites available in the district, logic dictates that there will inevitably be a loss of agricultural land in Arun to accommodate much needed housing.

The equestrian use of the site is well established and the landowner, who has owned it for 43 years, has never used it for agricultural purposes. The site area that comprises agricultural land amounts to just 1.5 hectares which would not be able to support viable agricultural activities in isolation. Arun also benefits from having a high proportion of land that falls within the best and most versatile classification grades. Based on approximate estimates, Defra statistics show that c. 64% of agricultural land in Arun District is best and most versatile (Grades 1, 2 and 3a) compared to c. 42% nationally. The development of the site would represent an insignificant reduction in agricultural land area in overall terms, particularly where this site falls at the lowest end of BVM scale.

Further to this, there is no policy in the Barnham and Eastergate Neighbourhood Development Plan (2014) that protects against the loss of Agricultural Land.

Clays Farm, North End Road, Yapton (Appeal Allowed)

I trust you are familiar with the Yapton appeal decision dated 25 February 2020 (Ref: APP/C3810/W/19/3234972) in which this policy was considered. In addition, I note that the Yapton NP sought to protect BMV agricultural land.

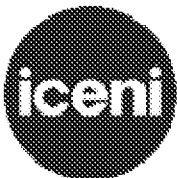
A key consideration of the Inspector was that, as per the land west of Fontwell Avenue, the appeal scheme was used as horse paddocks. At Paragraph 11 of the appeal decision, the Inspector notes that given the use of the land as a paddock, this reduces the level of environmental and economic harm. In weighing up the balance, the Inspector gave moderate weight to the loss of agricultural land and Policy SO DM1, but this harm was outweighed by housing need and the scheme was approved.

The Yapton site was higher in agricultural land classification comprising Grade 2 land, whereas the land west of Fontwell Avenue is Grade 3a.

In view of the above, on balance, it is our view that limited weight should be given to the loss of agricultural land, which is clearly outweighed by the benefits of the scheme.

Thanks,
Maddi

Maddi Simpson
Planner, Planning



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From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 02 June 2020 18:09

To: Maddi Simpson [REDACTED]

Subject: RE: BN/50/20/PL West of Fontwell Avenue - Agricultural Land

Hi Maddi,

Further to our call earlier

Policy SO DM1 states that *The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that:*

- a. Preservation of land of lower agricultural quality has greater benefits in terms of ecosystem services (for example carbon storage, flood water retention, support of biodiversity);*
- b. That any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to the terms of land quality, ecosystem services, infrastructure and proven need; and*
- c. The proposed development meets the requirements of the countryside policy and/or equine development policy.*

I have spoken to our policy team about the 'and' between b. and c. and they believe that these should be separate considerations as clearly residential development in the countryside is not going to meet criteria (c). This will be picked up by the Local Plan review.

We think that a sustainability & options appraisal should take the form of a sequential site assessment similar to what you might do with a FRA (but obviously with different parameters). We also note the NPPF para 171, fn 53 which states "Where significant development of agricultural land is demonstrated to be necessary, areas of poor quality land should be preferred to those of a higher quality." This also suggests that it is necessary to demonstrate that your site is better than others.

I hope this helps

Simon J Davis MRTPI
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From: Simon Davis
Sent: 22 May 2020 15:15
To: Maddi Simpson [REDACTED]
Subject: BN/50/20/PL West of Fontwell Avenue - Agricultural Land

Dear Maddi,

I note in your statement that you argue that the need for housing outweighs the conflict with Policy SO DM1 (Soils).

Please be aware though that on this basis, we will have to report conflict with SO DM1 and if the app is to be recommended for approval, we will have to do so in the overall planning balance. You may wish to consider instead submitting reports to satisfy either criteria (a) or (b) of the policy which would then allow the proposal to be considered in accordance with SO DM1. I just thought I would mention this.

SO DM1 - *"The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that:*

- a. Preservation of land of lower agricultural quality has greater benefits in terms of ecosystem services (for example carbon storage, flood water retention, support of biodiversity);*
- b. That any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to the terms of land quality, ecosystem services, infrastructure and proven need;"*

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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