

PLANNING STATEMENT

Outline planning application with all matters reserved (except for access and layout) for the erection of 40 dwellings with vehicular access from Burndell Road. Provision of associated open space, alongside landscaping, drainage infrastructure, and associated works.



Land off Burndell Road,
Yapton

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INTRODUCTION

This application seeks Outline planning application with all matters reserved (except for access and siting) for *"Development of 40 residential units with vehicular access from Burndell Road. Provision of associated open space, alongside landscaping, drainage infrastructure, and associated works"*.

Whilst the site is outside of the Built-Up Area Boundary (BUAB) where the countryside is recognised for its intrinsic beauty. Policy C SP1 of the ALP states that development is only permitted in the BUAB where it meets one of six criteria. The development does not accord with Policy C SP1. It is material that the site sits adjacent to the southern boundary of the BUAB.

A detailed Design and Access Statement, prepared by the architects, Thrive, sets out the planning background; historic background; heritage and conservation; site and surroundings; site views; constraints and opportunities; sketch site layout; illustrative masterplan; consultant reports; materials and appearance; sustainability and crime prevention.

Accordingly, this Planning Statement concentrates on the relevant planning considerations for this application.

BACKGROUND

There have been previous applications on site. F/5/21/PL was refused on 6 grounds including its countryside location, lack of rear amenity space, the lack of a signed S106 agreement, harm to the ongoing operation of the nearby waste facility, lack of consideration of noise impact and highway visibility.

F/22/21/PL was refused and appealed on similar grounds. At appeal the outstanding reasons for refusal related to the proposals countryside location and noise impacts arising from the operations at the waste facility, farm and flexible generator. The NPPF has been amended since this appeal.

A previous pre-application advice application was recently submitted, this was refused on the following grounds: *'Noise pollution arising from the neighbouring industrial premises has not been adequately mitigated against, notwithstanding the harm to future occupants, there may also be undue prejudice placed upon them for their continuing efficient operation. Further harm to the amenity of occupants is identified as a result of the overbearing effect occurring due to the excessive fence/bund solution.'*

A final pre-application advice application was recently submitted under PAA/25/25 and the Council's response is dated 16th May 2025. That response concluded that various matters discussed did not yet have satisfactory conclusions, primarily due to a lack of information and/or relevant consultees have not been consulted for a response. As such, it was not possible to recommend approval of the scheme at that time.

However, from the details submitted it appeared that the principle of development is established, and in most other respects the proposal is policy compliant. There were various minor outstanding design issues, such as landscaping/trees and parking/pedestrian access arrangements. It was expected these could be overcome via further design revisions, data collection, or condition.

NATIONAL PLANNING FRAMEWORK, December 2024

The latest version of the Framework was published in December 2024 and paragraph 2 makes clear that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions."*

Section 2 of the Framework continues the previous three overarching objectives to achieving sustainable development, namely: economic, social and environmental. Under the environmental objective the need to contribute to protecting and enhancing the natural environment is cited. Moreover, the social objective includes the need to foster well-designed and beautiful places.

Paragraph 10 makes clear that in order for sustainable development to be pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development which is set out at paragraph 11.

Paragraph 11 also sets out those circumstances in which the tilted balance could apply. 11(d) sets a presumption for granting permission where the most important policies for determining the application are out of date, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed⁷;*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination¹¹.*

Footnote 7 makes clear the policies referred to in the Framework include those relating to areas at risk of flooding or coastal change and those relating to National Landscapes.

Footnote 9 sets out the specific paragraphs in the Framework to which this part of 11(d) would apply.

Paragraph 12 makes clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Paragraph 14 sets out that:

- "In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*
- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."

On pre-application engagement, which the applicant has undertaken with Luken Beck as agent, paragraph 40 states:

"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties..."

Paragraph 42 continues:

"The more issues that can be resolved at pre-application stage ... the greater the benefits."

Chapter 4 deals with Decision-making and paragraph 48 reminds one that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 5 covers delivering a sufficient supply of homes with paragraph 78 requiring LPAs to "identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

Paragraph 65 considers the issue of affordable housing provision and makes clear that *"To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contributions due should be reduced by a proportionate amount³⁰."* Footnote 30 makes it clear that the proportionate amount should be equivalent to the gross floorspace of the existing buildings.

The application site is not greater than 1 hectare so paragraph 73 is relevant in terms of the need to accommodate at least 10% of the Councils housing need on sites no larger than one hectare. This reinforces the need to bring forward small sites, particularly those that comprise PDL / brownfield land.

Chapter 11 covers making effective use of land with paragraph 124 requiring both planning policies and decisions to promote an effective use of land while safeguarding and improving the environment. Paragraph 125 requires planning policies and decisions to encourage multiple benefits from both urban and rural land, including through mixed use schemes.

Paragraphs 129 and 130 provide guidance on achieving appropriate densities with 129 setting out 5 considerations that should be taken into account, and these include:

- (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- (e) the importance of securing well-designed, attractive and healthy places.*

Paragraph 130 supports the use of area-based character assessments to help ensure that land is used efficiently while also creating beautiful and sustainable places.

Chapter 12 makes clear at 131 that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development, creating better places in which to live and work, and helps make development acceptable to communities. In this regard paragraph 135 makes clear that decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 139 states:

"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."*

National Design Guide 2021

The 2021 National Design Guide (NDG) forms part of the suite of supporting planning guidance of the Framework and is based on national planning policy, practice guidance and objectives for good design as set out in the Framework. The NDG addresses the question of how we recognise well-designed places, by outlining and illustrating the Government's priorities for well-designed places through ten characteristics. These characteristics reflect the Government's priorities and provide a common overarching framework.

The ten characteristics set out in Part 2 of the NDG include 'Context', 'Built form' and 'Public Spaces'. In my view the importance of 'Context' is addressed in the NDG as it is the first characteristic listed in how to achieve a well-designed place.

'Context' is defined as *"the location of the development and the attributes of its immediate, local and regional surroundings"*.

Paragraph 42 makes clear that:

"Well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal. A simple analysis may be appropriate for a small scale proposal. Baseline studies covering a wide range of topics are likely to be required for a larger scale development."

Paragraph 43 states that:

"Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:

- the landscape character and how places or developments sit within the landscape, to influence the siting of new development and how natural features are retained or incorporated into it;*
- patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, form and scale.....*
- public spaces, including their characteristic landscape design and details, both hard and soft."*

Paragraph 44, however, highlights that *"well-designed places do not to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems"*.

Paragraph 45 reinforces that to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character.

DEVELOPMENT PLAN POLICY

The site sits within the administrative area of Arun District Council. At the time of writing the relevant planning policy includes the National Planning Policy Framework (NPPF, 2024); the Adopted Arun Local Plan (2011-2031); and the Ford Neighbourhood Plan 2, made on 19 March 2025. The relevant policies are as set out below.

The most relevant development policies in the Local Plan (C SP1 and SD SP2) have reduced weight as Arun cannot demonstrate an adequate supply of housing land (3.23 years). When a Council cannot show a 5 year housing land supply (HLS), its policies which are most important for determining the application become 'out of date' triggering presumption in favour of sustainable development meaning permission can be granted unless adverse impacts significantly outweigh the benefits, effectively tilting the balance towards development and overriding Local Plan policies. On the basis of the foregoing the application should be determined on the basis of the tilted balance within 11(d)(ii) applying.

The site is not covered by any national, local or other landscape designations.

The proposed residential development within Ford parish sits outside of the Built-Up Area Boundary as defined by Policy SD SP2 of the Arun Local Plan and Policy BUA1 of the Ford Neighbourhood Development Plan. Where development is sited outside of the built-up area boundary, development is generally resisted.

Policy SP1 of the Ford NP2 states that development proposals for a minimum of 1545 new dwellings will be supported within the built up area boundary. This figure relates to 1500 units at Ford airfield and 45 on land in Burndell Road which were allocated under Ford NP1 and have since been built out. This site lies immediately to the north of the application site.

Policy D DM1 of the ALP requires that the Council seeks to make the best possible use of land by reflecting or improving on the character of the site and the surrounding area. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. New housing should make efficient use of land while providing a mix of dwelling types and maintaining character & local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires that the scale of development is kept within the general confines of the overall character of a locality.

NP2 Policy H1 relates to the 'Quality of Housing' and seeks to ensure that they are of high quality and designed sympathetically to the local design style.

ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. Policy QE SP1 requires development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

Policies W2 and W10 of the West Sussex Waste Local Plan (2014) and policies WM DM1 and QE SP1 of the ALP set out a general presumption against any development which may harm or prejudice the operation of existing/allocated waste facilities, and seek to ensure the amenity of new development is safeguarded from incompatible land uses.

ALP Policy QE DM1 states that to safeguard the continued use of existing industrial and commercial uses and to protect amenity, noise sensitive development should not normally be permitted where high levels of noise will continue throughout the night, especially during the hours when people are normally sleeping and there is a likelihood of complaints about noise from industrial development. Policy EE3 of the NP2 sets out the need for new development to ensure no conflict with existing uses and appropriate mitigation to minimise potential effects to identified to future occupants.

ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) as appropriate to the size of development. FNDP2 policy EH4 requires that wherever practicable, development proposals should reduce the overall level of flood risk.

CONCLUSIONS

As set out in the DAS Summary, Outline planning permission is sought for the construction of up to 40 dwellings, including means of access into the site off Yapton Road and associated highway works, with all other matters relating to appearance, landscaping, scale and layout, reserved.

This submission is supported by a wide range of technical evidence, which demonstrates the proposals can be satisfactorily integrated into the site without long term adverse effects upon the receiving landscape character and visual environment and would conserve (and in some cases, enhance) the natural beauty, landscape and countryside.

The proposed development will deliver a range of traditional and attractively designed homes, which will provide much needed housing within the district. The development would also provide significant public open space, SuDS features, high quality landscaping and pedestrian links to the surrounding areas.

The design has been very carefully considered to respect the local environs including heritage and landscape and will create a real sense of place which future generations (occupiers and visitors) will come to appreciate.

Pre-application advice from officers has supported the principle of housing on this site and the reports and layout have been appropriately amended to address all issues identified by officers.

On this basis – and even without the tilted balance applying, I am drawn to the clear conclusion that planning permission ought to be granted for this scheme.

CONCLUSIONS AND PLANNING BALANCE

The starting point is the fact that the site comprises previously developed / brownfield land and is occupied by a large greenhouse structure [last in commercial use], with large areas of hardstanding [used for outside storage]. The grassed area to the rear will not be affected by the proposed redevelopment scheme.

The site is located on the A286 which is served by a good bus route and the scheme seeks to add connectivity to this service by extending the existing footway.

The scheme is considered to have been sensitively designed with the architects identifying the intrinsic characteristics of the built forms around the site and providing a design and layout which reflects the courtyard farm building style which exists to the south of Croucher's, a listed building. Therefore, its setting is considered to be improved under this scheme.

By 1st July 2026 the Council will be unable to provide a five year supply of housing and the tilted balance will apply, subject to footnote 7.

The proposed development is well screened by mature landscaping as well as the large house to the front of the site such that the setting of Chichester harbour NL is not affected.

Whilst a high density housing scheme – in the region of 20-25 units - was originally considered, the decision was taken that the various constraints, including the setting of the listed building to the south, dictated a low density scheme in the form of a courtyard of barns was the most appropriate form of development for the future mixed use of the site.

On the basis of the foregoing analysis, even on the basis of a flat balance it is considered that the provision of 6 dwellings and commercial officer space is an appropriate form of development; making a small – but cumulatively important - contribution to the Council's overall housing supply.

On this basis I trust that officer support will be forthcoming and that the case officer will be recommended that planning permission be granted.

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14.05.2026