

From: Amanda Scholes on behalf of Planning.Responses
Sent: 11 February 2021 09:10
To: Planning Scanning
Subject: FW: F/4/20 OUT - Land at Ford Airfield Ford
Attachments: Independent Planning Application Report.pdf

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From: paul collins [REDACTED]
Sent: 10 February 2021 16:52
To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Raymond Cole <Raymond.Cole@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>
Cc: Cllr. James Walsh [REDACTED]; Cllr. Martin Lury [REDACTED]; Cllr. Amanda Worne [REDACTED]; Cllr. Henry Jones <[REDACTED]>; Cllr. Jamie Bennett [REDACTED]; [REDACTED]; [REDACTED]
Subject: F/4/20 OUT - Land at Ford Airfield Ford

Dear All

Please see the attached document being my representation regarding this application and place same on the file

Thank you

Paul Collins BA (Hons) DipTP

[REDACTED]

Independent Planning Application Report – F/4/20

The Application

The application was made on 25-02-20 in outline with all matters except for detailed access reserved for later approval.

As submitted the development proposed is set out on the description of the application as stated on the application form as follows:

- 1,500 dwellings (Use Class C3) (Land area and location within the site unspecified as layout is a reserved matter)
- 60-bed care home (Use Class C2), (Land area and location within the site unspecified as layout is a reserved matter)
- up to 9,000 sqm of employment floorspace (Use Classes B1) (location within the site unspecified as layout is a reserved matter)
- local centre of up to 2,350 sqm including up to 900 sqm retail / commercial (Use Classes A1-A5) (location within the site unspecified as layout is a reserved matter)
- 1,450 sqm community / leisure floorspace (Use Classes D1-D2) (location within the site unspecified as layout is a reserved matter)
- land for a two-form entry primary school (Use Class D1) (Land area and location within the site unspecified as layout is a reserved matter)
- public open space, allotments, new sports pitches and associated facilities and, drainage, parking (Land area and location within the site unspecified as layout is a reserved matter)
- Associated access (As specified on the submitted plans Northern Vehicular Access from Ford Lane, drawing number ITB13091-GA-004 Rev A (1:1000@ A1) , Southern Vehicular Access from Yapton Road, drawing number ITB13091-GA-001 Rev E (1:1000@ A1), Eastern Vehicular Access from Ford Road, drawing number ITB13091-GA-021 (1:500@ A1) as access is not a reserved matter)

Procedural Matters arising

- The infrastructure, landscape, ancillary and site preparation works, including demolition of existing buildings and part removal of existing runway hardstanding mentioned in the description are all the subject of indicative plans and information which do not form part of the application submitted (as all matters except access are reserved) but could be made subject to conditions and/or a s106 Agreement in respect of any outline planning permission granted.
- Access may not lawfully be made subject to conditions and/or s106 Agreement as it forms part of the application as submitted and in the event that the access as proposed is not acceptable to Arun District Council the application submitted should be refused.
- The application has now been under consideration by Arun District Council (at the date of writing) for 51 weeks and in accordance with the law and relevant planning practice guidance the applicant is entitled to a refund of the fee paid¹.
- The applicant is also entitled to exercise their right to appeal against the Councils failure to determine the application within the statutory determination period.

¹ Under the Planning Guarantee, the planning application fee must be refunded to applicants where no decision has been made within 26 weeks (unless a longer period has been agreed in writing between the applicant and the local planning authority) (see regulation 9A of the 2012 Fees Regulations). This only applies to applications submitted after 1 October 2013. PPG Paragraph: 042 Reference ID: 22-042-20141017.

- Use class D1 as specified in parts of the description no longer exists as it was revoked from 1 September 2020². However this matter could be addressed by way of conditions and/or the S106 Agreement as these aspects do form part of the application made.

How the submitted Application must be determined

To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 – these provisions also apply to appeals).

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. This includes the presumption in favour of development found at paragraph 11 of the Framework. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed³.

Framework Paragraph 11 states that for decision making the presumption in favour of sustainable development means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(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.

Therefore if the relevant development plan policies which are most important for determining the application are up to date and the proposals accord with same the application should be approved without further delay,

Alternatively if the relevant development plan policies or the policies which are most important for determining the application are out-of-date permission should be granted unless NPPF Paragraph 11 d i) or ii) apply.

The development plan policies which are most relevant and important for determining the application

The application has been submitted in outline with all matters except for access reserved for later consideration so that it is only the principle of developing the 86.63 ha site with the development specified in the application (see above) and the access to same that are before the Council for determination.

In this case the development plan policies which are most relevant and important for determining the principle of the development proposed and the specified access on this application are Policy

² https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use

³ PPG Paragraph: 006 Reference ID: 21b-006-20190315 Revision date: 15 03 2019

W10: Strategic Waste Allocations and Policy W23: Waste Management within Development from the West Sussex Waste Local Plan April 2014 (as reviewed and updated in 2019) and the following strategic Policies (those with the suffix SP) from the Arun Local Plan 2018 (adopted in July 2018) Policy H SP2c Inland Arun: Ford SD8, Policy T SP1 Transport and Development, Policy INF SP1 Infrastructure provision and implementation, Policy INF SP2 New Secondary School and Policy SA1 Ford Airfield in the Ford Neighbourhood Plan as made on 9th January 2019.

Assessment

I have reviewed the principle of developing the 86.63 ha site with the development specified in the application (see above) and the access to same as specified in the application against all the relevant development plan policies which are most important for determining the application (as set out above) and can only conclude that the development as proposed accords with same so that if those policies are considered to be up to date the outline planning permission sought should be granted subject to legally appropriate conditions and S106 Agreement at the earliest possible opportunity and without further delay.

Alternatively if Arun District Council considers that the relevant development plan policies or the policies which are most important for determining the application are out-of-date permission should be granted subject to legally appropriate conditions and S106 Agreement at the earliest possible opportunity and without further delay because the application of policies in the Framework that protect areas or assets of particular importance do not provide a clear reason for refusing the development proposed and there are no adverse impacts of doing so that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paul Collins BA (Hons) DipTP – 10 February 2021