

REPORT UPDATE

Application no: Y/62/18/OUT
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Location: Clays Farm North End Road Yapton
Description: Outline application with some matters reserved (appearance, landscaping, layout & scale) for 33 No. residential dwellings, access, landscaping & associated works. This application is a Departure from the Development Plan.

UPDATE DETAILS

Reason for Update/Changes:

(1) HOUSING LAND SUPPLY

Following the Authority Monitoring Report (AMR) considered at the Planning Policy Local Plan Sub-Committee on 18th June the Council can no longer demonstrate a 5 year Housing Land Supply (HLS) as required. The AMR shows there is currently a 4.7 year supply - down from the 5.3 year supply on adoption of the Arun Local Plan in July 2018.

The reasons for the lower projected delivery include; recent planning refusals on some Strategic Allocations; poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; and developer/market factors outside of local authority control.

The consequence of not having a 5-year HLS means that paragraph 11.d of the NPPF (2019) and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

It is not considered that either (i) or (ii) apply to this determination and therefore this adds weight to the recommendation to approve the application.

(2) AGRICULTURAL LAND

The officer report has determined that the proposal does not comply with Arun Local Plan Policy SO DM1 and that therefore, there is conflict with this policy. This is on the grounds that the land is designated as being Grade 1 agricultural land and the policy is clear that development will not be permitted on such land unless certain documents are provided to demonstrate that the site is the best location and to set out mitigation measures. None of these documents have been provided and this further supports the view that there is conflict with the policy.

Members should also note that paragraph 170 (b) of the NPPF states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by: (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland"

Officers Comment:

Members are reminded that the relevant development plan policies (SO DM1 and C SP1) are out of date because the application is for housing, and the LPA cannot demonstrate a five year supply of deliverable housing sites and therefore has reduced weight. Therefore permission should be granted unless 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.

In this case, the adverse impact of granting permission is solely the loss of grade 1 agricultural land (and conflict with policy SO DM1) whereas the benefits are the boost to the Councils Housing Land supply, the provision of affordable housing and the financial contributions to local education, libraries & medical facilities.

There are therefore, no changes to the recommendation or to the conditions.