



PLANNING DESIGN & ACCESS STATEMENT

Clays Farm North End Road Yapton BN18 0DT



CONTENTS

1.0	INTRODUCTION	1
2.0	THE SITE	4
3.0	RELEVANT PLANNING HISTORY	6
4.0	RELEVANT PLANNING POLICIES	10
5.0	WHY THIS REVISED APPLICATION SHOULD BE APPROVED	16

1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement has been prepared on behalf of Domusea Developments Ltd. It accompanies an outline planning application for the erection of 33 no. dwellings, access roads, landscaping and associated works at Clays Farm, North End Road, Yapton, BN18 0DT.
- 1.2 The matter for which approval is being sought is access with layout, scale, appearance and landscaping all reserved for subsequent approval.
- 1.3 The application site currently comprises grazing land for horses with a barn and stables, between the villages of Barnham to the west and Ford to the east, within designated countryside. The site is located adjacent to the Built-Up Area boundary of Yapton, with the boundary running along the southern edge of the site.
- 1.4 The site is sustainably located adjacent to other land at Yapton which benefits from planning permission. As shown overleaf in **figure 1**, land to the south is a Yapton Neighbourhood Plan allocation consented for 38 no. dwellings (LA Ref Y/93/14/OUT). Adjacent land to the north at Street Buildings, North End Road (LA Ref: Y/49/17/OUT) was granted outline consent for up to 45 no. dwellings in February 2018. Land at Stakers Farm, North End Road (LA Ref: Y/44/17/OUT) was granted outline consent for 70 no. dwellings in December 2018. And land on the other side of North End Road (Y/80/16/OUT) was allowed on appeal for up to 100 dwellings in January 2018. The application site can link up with the other consented sites as part of a single comprehensive scheme or developed as a standalone development with its own access.

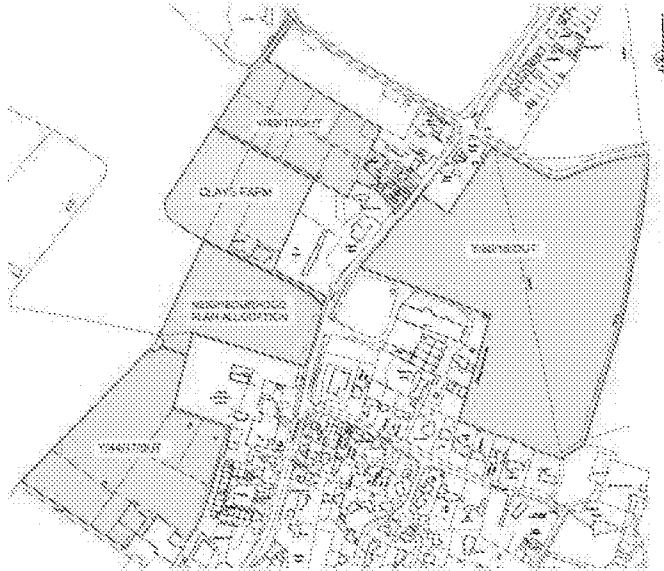


Fig 1 – Site Context

- 1.5 The application proposal has been prepared in light of an earlier duplicate application for the same site (LA Ref Y/62/18/OUT which was recommended for approval by planning officers but was refused by planning committee on 27 June 2019. It was refused because of allegations that it comprised high quality agricultural land. However, it is not grade 1 quality and is only grade 2. Over the last 40 years it has never been in agricultural use and has only been used as a pony paddock which is its current use. For these reasons an appeal against the refusal has been submitted to the Planning Inspectorate (APP/C3810/W/19/3234972) with a request that it proceed as a Hearing.
- 1.6 However in the interests of saving on unnecessary time at appeal to consider the sole agricultural land quality issue, the appellant has decided to submit this further planning application. Apart from 33 dwellings to help meet need, it will also help secure a footpath link with the adjoining sites and a pedestrian crossing across the main road via a Unilateral Undertaking. These have been recognised by Yapton Parish to offer significant benefits to the local area and the support of the Parish would be welcomed for this fresh application. If it is approved, the appeal will be withdrawn.

1.7 In all respects, the proposal is the same as the appeal scheme. The Plans and information submitted in support of the application are all the same except for the Agricultural Land Quality Appraisal which is an additional document.

- Location Plan: 1827/100 P01
- Proposed Site Layout Plan: 1827/101 P03
- Site Allocations: 1036 SK06
- Tree Constraints Plan -Lizard Landscape
- Existing Tree Schedule – Lizard Landscape
- Landscape & Visual Appraisal – Lizard Landscape
- Utilities Statement – Civil Engineering Practice
- Drainage & Maintenance Statement – Civil Engineering Practice
- Road Safety Audit - Mayer Brown
- Preliminary Ecological Appraisal & Day Time Bat Roost – Lizard Landscape
- Reptile Survey – Lizard Landscape
- Historic Environmental Record Search Data
- Noise Assessment - GTP
- Local Validation Checklist
- Biodiversity Checklist
- Agricultural Land Quality Appraisal – Reading Agricultural Consultants

2.0 THE SITE

- 2.1 The application site is located on the western side of North End Road within the parish of Yapton and the Neighbourhood Plan designated area. The site is identified in **figure 2** below. It is located close to the existing settlement policy boundary of Yapton in an edge of village location close to the primary school and forms a linear pattern of existing development fronting North End Road. There are bus services along North End Road and a main line railway station all available in the nearby area.
- 2.2 The site enjoys a sustainable location close to a parade of shops and community hall with recreation and sports facilities, primary, secondary and academy education and employment sites all available in the nearby vicinity. As explained in the last section it is surrounded by other consented residential development sites and can link up with these sites as part of a single comprehensive scheme or developed as a standalone development with its own access.



Fig 2 – Site Location

- 2.3 It is used as a pony paddock and comprises grade 2 agricultural land. The land is within flood zone 1 (least liable to flood). For planning policy purposes, it is within designated open countryside in the adopted 2011-2031 Arun Local Plan and the 2014 Yapton Neighbourhood Plan. We deal with the policy issues for the application more fully in Section 4.

3.0 RELEVANT PLANNING HISTORY

The 2017 HELAA

- 3.1 The application site was first identified as a candidate site for residential development in Arun District's Housing and Employment Land Availability Assessment (HELAA) dated November 2017. The HELAA identifies deliverable, developable and non-developable sites across the District using a simple colour coding on an interactive website map. Sites coloured blue are considered to be deliverable and are defined as a site being available now, be in a suitable location for development and be achievable within the next five years.
- 3.2 The Plan extract below in **figure 3** is from the HELAA interactive map and the application site at Clays Farm is coloured blue as a deliverable site. It was considered deliverable because there were no major constraints to overcome and a site to the southern boundary had recently gained planning permission; overall it was suitable, available and achievable with up to 42 units identified for 2019-2020 period. In order to boost housing supply in advance of the adoption of the Local Plan the Council said at the time that it would invite planning applications on sites identified as deliverable by the HELAA where they were considered sustainable.

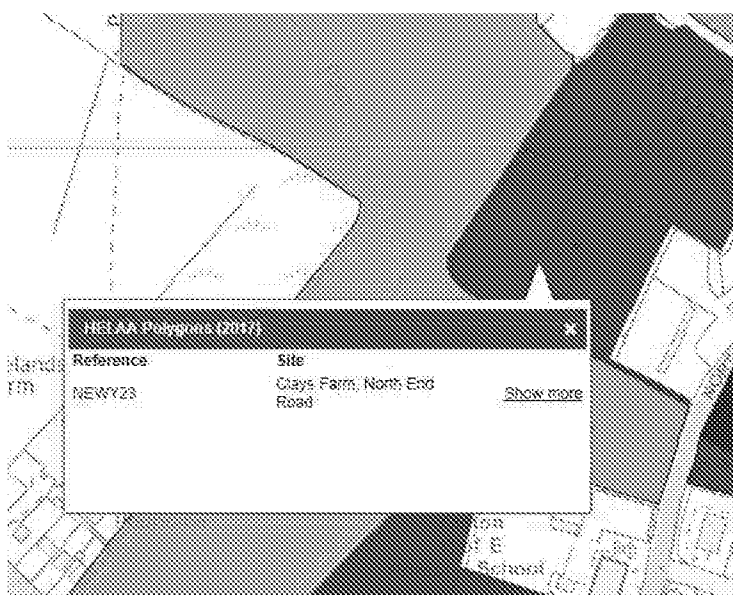


Fig 3 – HELAA Plan showing Clays Farm as a Deliverable site

The Earlier Application Proposal

- 3.3 The earlier planning application for the site (now the subject of the appeal) proposed 33 dwellings, landscaping access and associated works. It was registered as valid on 3rd August 2018 under LA Ref Y/62/18/OUT.
- 3.4 Prior to its determination, a legal opinion from counsel dated 30 April 2019 was submitted to the Council to support the planning application. Counsel considered the application was compliant with Local Plan and Neighbourhood Plan policy; that it would be wrong to refuse it on grounds of prematurity; and it represented a pragmatic approach to maintain an adequate land supply.
- 3.5 The application was considered at the 27 June 2019 planning committee with a recommendation to approve. The planning committee report is attached as **Annex 1**. It should be noted:
- Outline consent for 33 dwellings was sought with all matters reserved except access
 - The site comprised grassed paddock used for grazing horses with an existing access to North End Road and was not in agricultural use.
 - It was regarded as being in a sustainable location in walking and cycling distance of local shops, services and health and education facilities with bus services to the nearby Barnham rail station.
 - The site (page 71/72) was alleged to comprise grade 1 agricultural land and therefore in conflict with Neighbourhood Plan and Local Plan policy which resisted the loss of such land unless the need for the development outweighed the need to protect such land in the long term.
 - The report identified a 5.3 year supply of housing land.
 - But in carrying out the planning balance, bearing in mind 1) the consented sites on adjacent land, 2) the overall sustainability of the site, 3) the need to consider additional sustainable housing developments to contribute to land supply and maintain and improve housing delivery rates and 4) the absence of harm in respect of other considerations of highways, biodiversity, flood and drainage, residential amenity,

affordable housing and open space provision and supporting infrastructure, the recommendation was for approval.

3.6 The officer report update sheet for the application is attached as **Annex 2**. This provided members with an updated statement on housing land supply and showed it was down to 4.7 years, from the 5.3 year supply at the time the application was refused. As noted by the planning officer, the consequence of not having a five-year land supply meant that in accordance with paragraph 11(d) of the NPPF, the presumption in favour of sustainable development was engaged. This required the decision maker to grant planning permission unless other policies that protect areas or assets of importance provided a clear reason for refusing the development or 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.

3.7 The other issue covered in the update report was agricultural land. It reconfirmed the site was grade 1 agricultural land in countryside and accordingly conflicted with Local Plan policies SODM1 and CSP1. However, because of the five-year supply shortfall it said the policies were out of date and had reduced weight. In this case, officers concluded:

‘...the adverse impact of granting permission is solely the loss of grade 1 agricultural land (and conflict with policy SODM1) whereas the benefits are to boost the Council’s housing land supply, the provision of affordable housing and the financial contributions to local education, libraries and medical facilities. There are therefore no changes to the recommendation of the planning officers.

3.8 **Annex 3** is the minute of the planning committee meeting. Plainly some of the committee members disagreed with the recommendation, saying that the site represented a green space and should be protected and that the loss of the agricultural land was unacceptable. Some wanted to refuse it on grounds of traffic impact. In the event it took a committee adjournment for the committee to find a reason to refuse it and they decided that the policy that protected agricultural land did provide a clear reason for refusing the application. The agreed sole reason was:

Reason for Refusal

‘The proposal results in a loss of high-grade agricultural land in conflict with policies SODM1 of the Arun Local Plan, H1 of the Yapton Neighbourhood Development Plan and paragraph 170 of the National Planning Policy Framework’.

- 3.9 At this stage we would comment that the planning officer found the proposal to be acceptable as a departure to the Local Plan even when the land supply was considered to be in surplus at 5.3 years because it was considered vital to consider additional sustainable housing developments to contribute to housing land supply and maintain/improve housing delivery rates. When the decision to refuse the application was made, the land supply had fallen to 4.7 years. Importantly members were also inadvertently misled by planning officers that the site was grade 1 agricultural land as it is in fact classified grade 2 land, is a pony paddock and has not been in agricultural use for over forty years. In accordance with national policy at paragraph 170 of the NPPF (referred to in the reason for refusal), there are no opportunities to use poorer quality agricultural land for development around Yapton in any event. Further detail on this is contained in the separate Agricultural Land Quality Appraisal prepared by Reading Land Use Consultants submitted as an additional document in support of this application.
- 3.10 Overall therefore we disagree that the policy which protects agricultural land should be raised against either the appeal or this second application. The presumption in favour of sustainable development is engaged for both and in our view the planning balance is firmly in favour of the proposal as there are no adverse impacts that significantly and demonstrably outweigh the benefits.

4.0 RELEVANT PLANNING POLICIES

The National Planning Policy Framework 2019

- 4.1 So that sustainable development is pursued in a positive way, the 2019 NPPF retains the presumption in favour of sustainable development (paragraph 11). For decision taking, it means approving development proposals that accord with an up to date development plan without delay or where there are no relevant development plan policies or the policies which are most important for determining the application (including applications for housing) are out of date, granting permission unless:

the application of policies in the framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

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’.

- 4.2 Paragraph 14 states that in situations where the presumption applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with a Neighbourhood Plan is likely to significantly and demonstrably outweigh the benefits where all the following apply:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and

d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.

- 4.3 The 2018 Arun Local Plan is out of date in the context of the District Council's 5-year land supply shortfall. This was only 4.7 years in June 2019 when the last application for the site was refused consent. The Yapton Neighbourhood Plan was 'made' in November 2014 and therefore became part of the development plan more than 2 years ago. Therefore, as all four tests in paragraph 14 of the NPPF are not met, the conflict with the Neighbourhood Plan should not outweigh the benefits of the proposed residential development and the presumption in favour of sustainable development must apply with full force for this appeal.
- 4.4 Without prejudice to the undetermined appeal, the appellant has followed other advice in the NPPF (paragraph 39) in engaging with the Council in connection with this revised application in order to save on unnecessary time in continuing with the appeal. The appeal would be withdrawn in the event planning permission is granted for this application. Bearing in mind the time required from the start date of the appeal to the Hearing itself, this application for 33 houses including 10 affordable would also help to contribute to the government's objective of significantly boosting the supply of homes for all those in need (paragraph 59) more quickly.
- 4.5 Paragraph 170 on the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment including by protecting and enhancing local landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and 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 land, and of trees and woodland.
- 4.6 Annex 2 of the NPPF defines best and most versatile agricultural land and land in grades 1, 2 and 3a of the Agricultural Land Classification.

Planning Practice Guidance

- 4.7 The online Planning Practice Guidance (PPG) states that the Agricultural Land Classification assesses the quality of farmland to enable informed choices to be made about its future use within the planning system. There are five grades of agricultural land, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. Planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land.

Adopted 2011-2031 Arun Local Plan

- 4.8 The Arun District Council Local Plan 2011-2031 was adopted in July 2018 after receipt of the Local Plan Examination Report which found the Plan (with modifications) to be 'sound'. Extracts from the Inspectors Report are attached at **Annex 4**. At Paragraph 89 the Inspector refers to the overall District housing requirement of 20,000 dwellings and the need for at least 1,250 of them to be provided on non-strategic sites. These requirements are now included in Policy H SP1 of the adopted Local Plan.
- 4.9 The Inspector also comments on housing delivery in his Local Plan Report. In paragraph 95 the persistent past under delivery of housing is referred to and in paragraph 96 it is noted there will be peaks and troughs in delivery and potentially periods when 5-year supply will not be achieved. Importantly and to remedy this in the short term, the Inspector refers to the Council's agreement 'to invite planning applications on policy compliant HELAA sites and the first phases of some of the strategic allocations'.
- 4.10 As explained earlier at paragraphs 3.1-3.2 of this Statement, the application proposal is on a policy compliant HELAA site. It is a modest site for 33 dwellings and could bring forward needed housing promptly to help contribute to the Council's five-year land supply shortfall without any of the long lead in times and other shortcomings of the large strategic sites included in the Local Plan. It is a non-strategic opportunity which the Local Plan Inspector and the Council have placed so much reliance on to bolster housing supply in the short term. That of course was the reason planning officers recommended approval for the last application.

- 4.11 As outline approval is sought with layout, appearance, scale and landscaping all reserved for subsequent approval, other relevant Local Plan policies dealing with design siting and layout can be dealt with at reserved matters stage. Policies H DM1 which requires a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date SHMA recommendations. Policy AHSP2 sets a threshold of 30% affordable housing for 11 units or more. To meet these policies, 10 no. 2 bed, 9 no. 3 bed and 14 no. 4 bed units are provided with 7 no 2 bed and 3 no 3 bed (10 total) as affordable with the balance to be provided as a commuted sum for off-site provision. The Section 106 Planning Obligation will provide for the affordable housing in the usual way.
- 4.12 Otherwise the principal Local Plan policies for the application comprise HSP1, SDSP1, SDSP2 and CSP1.
- 4.13 Policy HSP1 sets out the overall housing requirement of 20,000 dwellings up to 2031. Out of this total 1,250 dwellings are proposed as 'non-strategic sites'. The application would therefore contribute to the non-strategic total. Policy SDHP1 follows the principles for sustainable development in the NPPF. It states when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy SD SP2 - Built up Area Boundary states that outside the Built-Up Area Boundary (BUAB), apart from strategic, site specific and other broad allocations, development will not be permitted unless consistent with other plan policies. Policy C SP1- Countryside states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. The officer report for the last application at Annex 1 recognised the site lies adjacent and in between two defined edges of the BUAB but is outside of the designation. It set aside both policies in light of the consents given on adjacent land which were also all outside the boundary, that the development would contribute 33 dwellings to the non-strategic housing requirement of 1,250 dwellings and because they were out of date by virtue of the 5 year land supply shortfall.

Yapton Neighbourhood Plan

- 4.14 The Yapton Neighbourhood Plan (YNP) covers the period 2014-2029. It was 'Made' in November 2014 and is more than 2 years old. Because of this the Plan cannot outweigh the benefits of the application proposal in the presumption in favour of sustainable development (NPPF paragraph 11 and 14).
- 4.15 The YNP does not allocate the appeal site for development. That said, Policy BB1 specifically allows for development outside of the built-up area boundary of Yapton where development would accord with one of four exceptions identified in the policy. The third exception is where such development would relate to additional allocations for housing land in accordance with Policy H1 of the YNP. Policy H1 states that the minimum housing requirement over the period 2014-2029 will be established by the emerging Arun Local Plan. The emerging Local Plan has now been adopted and Policy H SP1 requires at least 1,250 dwellings are provided on smaller non-strategic sites.
- 4.16 In summary therefore the adopted Local Plan requires additional non-strategic sites to meet its minimum housing requirement and, in such circumstances, the Yapton Neighbourhood Plan allows such sites to be developed outside its settlement policy boundary. The application proposal is therefore consistent with the Neighbourhood Plan. But even if there was conflict there would be no case for the adverse impacts outweighing the benefits anyway as the Neighbourhood Plan is more than 2 years old and the presumption in favour of the application applies because of the five-year land supply shortfall.

Conclusions on Policy

- 4.17 The adopted Arun Local Plan 2011-2031 shows the application proposal in designated countryside outside the built-up area boundary. However, it is a deliverable non-strategic site and is in an area of Yapton that has already been a focus for development on other consented green field sites nearby.

- 4.18 The application site has been identified as a deliverable opportunity in the 2017 HELAA. These sites have expressly been prioritised for early release by the Council to meet the short-term housing needs of the District for at least 1,250 dwellings. This was requested by the Local Plan Inspector for the Plan to be found 'sound'.
- 4.19 The last application for the site was recommended for approval when the Council could show a 5.3 year land supply. By the time of the June committee the land supply had fallen to 4.7 years meaning that the presumption in favour of sustainable development was fully engaged for that proposal. It remains engaged for this revised application as well.
- 4.20 At the local Parish level, the planning application is not conflict with the made Yapton Neighbourhood Plan as it allows sites to be developed outside the settlement boundary to meet the housing requirements in the new adopted Local Plan. But even if there was conflict there is no case for it outweighing the benefits of the application as the Neighbourhood Plan is more than 2 years old and the presumption in favour of the development applies because of the five-year land supply shortfall.
- 4.21 The development causes no harm to surrounding residential amenity and there is no highway safety or other environmental reason for withholding planning permission.

5.0 WHY THIS REVISED APPLICATION SHOULD BE APPROVED?

Sustainable Development

- 5.1 The application site enjoys a sustainable location within walking distance of the services and facilities at Yapton. Bus routes 66 and 66A provide services between Yapton and Bognor. The 700 route also provides regular bus services between Brighton and Chichester. Yapton Surgery is located close by on North End Road. Yapton Primary School is located 150m from the site entrance, also on the western side of North End Road. It is located adjacent to the Built-Up Area boundary of Yapton, with the boundary running along the southern edge of the site. It adjoins other land at Yapton which benefits from planning permission. Adjacent land to the south is a Yapton Neighbourhood Plan allocation, land to the north at Street Buildings, North End Road has consent for up to 45 no. dwellings, land at Stakers Farm, North End Road (LA Ref: Y/44/17/OUT) has a resolution to grant outline consent for 70 no. dwellings subject to the completion of a S106 Agreement. And land on the other side of North End Road (Y/80/16/OUT) was allowed on appeal for up to 100 dwellings in January 2018.
- 5.2 As explained earlier, the 2018 Arun Local Plan is out of date in the context of the District Council's 5-year housing land supply shortfall of 4.7 years and the presumption in favour of sustainable development is engaged for this application. The Council did of course recommend approval for the last application even when the land supply was slightly in surplus at 5.3 years. This was because its location adjacent to other recently consented sites led it to conclude there would be no harm to the character of the wider area and would contribute to the non-strategic site allowance of 1,250 dwellings on a deliverable HELAA site anyway.
- 5.3 No other harm to any policy that protect areas or assets of particular importance or any other adverse impact was identified by the planning officer in connection with the last application. The only policy harm identified by the planning committee was that the proposal would lead to the loss of high-grade agricultural grade 1 land. As explained in Section 3 of this Statement that of course was a factual error as the land is only grade 2.

5.4 The remainder of this section explains why planning permission should be granted for the application in terms of the presumption in favour of sustainable development and the following considerations:

- Adverse Impacts
- The Benefits
- Balancing the Relevant Material Considerations

Adverse Impacts

i) Designated Countryside

5.5 The application site is within designated countryside outside the Yapton Settlement Policy Boundary on land unallocated for development in the Yapton Neighbourhood Plan. Ordinarily these considerations would justify refusal of planning permission. But in this case, there are very good reasons why it should be allowed as a departure to the development plan. Firstly, the boundary is out of date as the Council is only able to show a 4.7 year supply of deliverable housing sites. The boundary is also 'time expired' in the Yapton Neighbourhood Plan as it was drawn in 2014 only to provide for a minimum of 100 new dwellings between 2014 and 2029 in accordance with Arun District Council's Draft Local Plan.

5.6 Neighbourhood Plan Policy H1 states that the minimum housing requirement over the period 2014-2029 will be established by the emerging Arun Local Plan and that additional allocations will be made if the emerging Arun Local Plan requires such action. The emerging Local Plan has now been adopted and Policy H SP1 requires at least 1,250 dwellings are provided on smaller non-strategic sites. Therefore, as the adopted Local Plan requires additional non-strategic sites to meet its minimum housing requirement, we consider that H1 of the Yapton Neighbourhood Plan can allow additional sites to be developed outside its settlement policy boundary as the Local Plan requires such action to be taken.

5.7 The site is located amongst 4 other sites which were also outside the built-up area policy boundary, but all have been granted planning permission. Land immediately to the south is an allocation for 38 houses in the Yapton Neighbourhood Plan. The consents have resulted in a

new built up area for Yapton and the appeal site now appears as part of the new urban area. The planning officer recognised this on pages 72-73 of the committee report for the last application (Annex 1) saying that in the context of the surrounding approvals and the change in character of this part of Yapton,

‘...it is not considered appropriate to conclude that the development of this site with houses would harm the character and appearance of the locality.... The proposal would not result in significant harm to the character of this part of Yapton and on the grounds of density and character the proposal would not conflict with development plan policies’.

5.8 This part of Yapton has been a focus for approved development because it is a very good sustainable location for housing, close to local facilities and public transport. If this application is approved, it could create a ‘joined up’ development of the adjoining sites with a footpath link to Yapton primary school via an existing footpath no. 326 that runs along the southern boundary of the site. Along with the footpath, a pedestrian crossing across the main road to the school could also be provided and delivered via a Unilateral Undertaking.

5.9 The parish has always expressed support for the pedestrian link and crossing and as a missing piece of the jigsaw this development would help secure it. The Parish Council has been made aware of this fresh application and their support for it would be welcomed.

ii) Loss of Agricultural Land

5.10 The last application was refused because of an alleged loss of high-quality agricultural land. The planning officer identified the land as grade 1 but felt this was not an issue that justified refusal anyway. The officer said in his report (Annex 1) that the land was used for horse grazing and that if permission was refused there would be no guarantee that it would become agricultural land.

5.11 Of course, as the Agricultural Land Quality Appraisal submitted with this application shows the officer advice was incorrect that the site is grade 1 land. The Agricultural Appraisal prepared by Reading Land Use Consultants shows that the Parish and the District Council used provisional ALC mapping data which showed the site to be grade 1. The provisional maps are however unsuitable for assessing the land quality of individual sites. The detailed ALC survey

carried out on behalf of MAFF in 1998 is suitable and this shows the site to be grade 2 land. It has also been used as pony paddock grazing land since 1978. There has therefore been no agricultural production at the site for over forty years.

5.12 Within the context of development around Yapton, the Land Quality Appraisal also shows that the site is of the same quality as other agricultural land for which permission has been approved, and there are no grounds on which to differentiate this site from other agricultural land in terms of its agricultural land quality, and that there are no opportunities to direct development to land of poorer quality.

5.13 Therefore, in terms of paragraphs 170 and 171 of the NPPF, it is apparent that:

- there has been no agricultural production associated with this site for over 40 years, and
- the inherent quality of the land does not provide any economic or other benefit that needs to be recognised by planning decisions;
- the development of 1.5ha of land that has not been in agricultural use for over 40 years is not a significant development of agricultural land;
- there are no opportunities to use areas of poorer quality land to those of a higher quality around Yapton.

5.14 Both Local Plan policy SODM1 and Neighbourhood Plan policy E1 allow development on high quality agricultural land where the need for the development outweighs the need to protect such land in the long term. The need for the development does outweigh the need to keep the land undeveloped as it can help boost significantly the supply of housing land in the District in the short term. It is complimentary site to the much larger strategic sites in Arun and represents an important component in overall land supply. The loss of the non-agricultural land to needed housing is not therefore considered to represent an overriding adverse impact that would justify refusal of this second application.

The Benefits

i) Boosting the Supply of Housing

- 5.15 The National Planning Policy Framework paragraph 59 requires planning authorities to boost the supply of housing and produce Local Plans that meet objectively assessed housing need. The Local Plan is already out of date because of the five-year land supply shortfall. Planning permission should therefore be granted unless the adverse impacts outweigh the benefits.

ii) Affordable Housing

- 5.16 Apart from contributing to the overall housing target with 33 dwellings to benefit land supply, the proposal will deliver 10 affordable dwellings comprising 7 no 2 bed and 3 no 3 bed units to contribute to a pressing housing need in the district.

iii) Other Benefits

- 5.17 The applicant will provide financial contributions towards primary and secondary education, 6th form education, libraries and fire and rescue at reserved matters stage. A contribution of £41,957.00 towards the NHS for medical improvements at the Croft Medical Centre will be made and included in the Unilateral Undertaking for the appeal.
- 5.18 With regards to detailed design and layout matters, appearance has been reserved for subsequent approval and can be dealt with in the usual way at Reserved Matters Stage. The proposed dwellings will however accord with design policies in the adopted Arun Local Plan (Policy DSP1 and DDM1), and the 'made' Yapton Neighbourhood Plan. Some will be provided as lifetime homes as required by policy.
- 5.19 The proposed indicative Site Layout Plan of Curtis Leever submitted for illustrative purposes shows the likely density of the 33 dwellings as approximately 19.8dph. It allows for future connection points with adjoining land to the north and south. It includes a Local Area of Play/Local Equipped Area of Play in the south west corner with housing facing onto it to ensure adequate supervision. Separation distances between the proposed dwellings and their orientation prevent overlooking or overshadowing of each other.

- 5.20 Importantly for the Parish it allows for a pedestrian link with the adjoining sites and a pedestrian crossing at North End Road. These benefits of local importance are justified as they meet the tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the proposed works.
- 5.21 The development is accessed from North End Road with a 2.4m x 43m visibility splay. As explained in the Transport Note of Mayer Brown all landscaping within the splay will be kept at 600mm so as not to obstruct sight lines. Over a daily period, the proposed residential use will generate a total average of 80 two-way total person movements and up to 19 vehicle trips during both peak hours, equivalent to less than 1 movement every 3 minutes. Overall the impact on the operation of the surrounding highway and transport networks would be negligible.
- 5.22 The car parking standard of the highway authority is expressed as a maximum and for each dwelling up to 3 bedrooms 2 car spaces and 1 space for visitors are suggested where possible. For each dwelling with 4 or more bedrooms the maximum of 3 garages or car spaces and 1 space for visitors is suggested. The 33 no. houses comprising 10 no. 2 bed, 9 no. 3-bed and 14 no. 4 bed units have a parking provision of 60 spaces including 8 visitor spaces which is within the maximum.
- 5.23 The site benefits from well landscaped boundaries with mature trees and planting. The landscape Master Plan shows this and proposed reinforcement planting along the east boundary. The proposals have been fully informed by a tree survey including a tree constraints and protection plan to ensure the proposed development would not adversely affect existing high-quality landscaping that positively contribute to the amenity of the area. A number of low-quality trees are proposed to be removed in order to facilitate the development. The landscaping proposals will in any event be controlled at reserved matters stage in the usual way.
- 5.24 The site is within flood zone 1 which is least liable to flood. The site will connect to the existing foul water sewer in North End Road. Proposed surface water drainage will use a combination of soakaways and permeable paving. This proposal will utilise the preferred option for surface water drainage from a new development as defined by the Environment Agency in their

Sustainable Urban Drainage System (SUDS) hierarchy of sustainability. Any infrastructure costs contribution arising from the development will be paid in accordance with the Council's Infrastructure Delivery Plan (IDP) for the strategic development allocation.

Balancing the Relevant Material Considerations and Recommendation

- 5.25 In our view, all these reasons provide individual and cumulative weight to the conclusion that there are significant and overwhelming benefits to the application proposal and as set out above they clearly outweigh the alleged adverse impact of harm to high grade agricultural land which has been disproved in this statement.
- 5.26 In accordance with the presumption in favour of sustainable development, planning permission should be granted unless any adverse impacts of the development outweigh the benefits or other policies indicate otherwise when assessed against the NPPF. As this statement has shown, there are no adverse impacts arising from the development that would significantly and demonstrably outweigh the benefits and there are no other policies that protect areas or assets of particular importance that provide a clear reason for refusing the development.

Recommendation

- 5.27 In the absence of any other policy conflict or harm we therefore request that the application is granted planning permission at the earliest opportunity. In the event this is approved and in the interests in saving on unnecessary appeal preparation for all parties, the applicant undertakes to withdraw the appeal pending for the same site.