

From: Paul White [REDACTED]
Sent: 15 October 2019 12:52
To: Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: National Design Guide - Response to Planning Applications with ADC - Clays Farm Yapton Y/83/19/OUT

Hi Simon,

Thanks for your email. You refer to policy SO DM1 in connection with the agricultural land issue and I've copied it below in full:

Policy SO DM1

Soils

Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term.

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.

Where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development. Development will not be permitted unless:

- d. The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site;
- e. Site appraisal documents submitted by the applicant must demonstrate that consideration has been given to DEFRA's Soil Strategy for England ⁽²⁸⁾;
- f. The productivity of the land is demonstrated using a methodology for assessing gross margins as contained in the Arun Soils and Agricultural Land Assessment Report ⁽²⁹⁾; and
- g. The applicant has submitted a comprehensive soil resources plan for the development site which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a Productive Green Environment following development.

Developments shall also be consistent with all other Local Plan policies.

My reading of it is that it resists the loss of grade 1,2 and 3a agricultural land in principle unless the need for the development outweighs the need to protect the land in the long term. Whilst the policy does say that sustainability and options appraisals can be used to demonstrate how the need to protect the agricultural land can be set aside, we believe such appraisals would be academic as your council has already explained in connection with the last application why the need for the housing development outweighs the need to protect the agricultural land. The planning officer report including update sheet is attached and it states:

'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'.

The main officer report also noted that whilst there was conflict with the development plan in respect of the loss of potentially high value agricultural land it was pointed out that the land was currently used for the grazing of horses and there was no guarantee that if permission was to be refused, that the land would become agricultural land. So even before your council recognised there was a 5 year land supply shortfall, the policy conflict with SO DM1 was not considered to carry sufficient weight to justify a refusal anyway because the practical reality was that the land was not in current agricultural use and to assume it would become agricultural land for the future was not a matter you could rely on.

So in summary we don't believe the production of further sustainability and option appraisals are necessary in a case where 1) the land has not been used for agricultural purposes in the past (it has been shown to be in non-agricultural use for the last 40 years in the Agricultural Assessment), 2) is highly unlikely that the current use would be given over to agricultural use in the future, 3) your council already accepts the policy is out of date by virtue of the 5 year land supply shortfall and 4) the submitted Agricultural Land Quality Assessment demonstrates that the inherent quality of the land as grade 2 does not provide any economic or other benefit that needs to be recognised by planning decisions in accordance with paragraph 170 of the NPPF.

Kind regards

Paul D White BA(Hons) Dip MRTPI
Director of Planning



RIBA



PLANNING

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

Sent: 14 October 2019 14:41

To: Paul White

Subject: RE: National Design Guide - Response to Planning Applications with ADC - Clays Farm Yapton Y/83/19/OUT

Dear Paul,

Thanks for providing this to me.

I note that the planning submission includes an Agricultural Appraisal which refers to our policy SO DM1. You will note that the second part of this policy states that if development is permitted by the policy, the applicant should submit sustainability & options appraisals, mitigation measures and a soil resources plan for the development site. I was unable to find any references to a soil resource plan in the submitted report and so am unsure whether this and the other items are included?

Kind Regards

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