

Land north and east of St. Mary's Parish Church, Yapton - Planning Application Y/99/13

Notwithstanding the arguments advanced in the Planning Statement accompanying this outline application, CPRE Sussex submits that it should be refused in the interests of maintaining the primacy of democratically-decided Local Plan policies (reflecting the NPPF 'core planning principle' that local development should be plan – ie. not developer – led).

The application site is one where development of the kind proposed would not normally be permitted as it lies outside the Yapton settlement boundary and is therefore classed as countryside within the scope of Arun Local Plan 'saved' Policies GEN2 and GEN3. The applicants argue that these policies should however now be disregarded as out-of-date and their development therefore permitted because, contrary to the National Planning Policy Framework (para. 49), the Council cannot demonstrate that it has a five-year (plus 5%) supply of deliverable building sites. Curiously however they nowhere in their Statement specify the actual house-building requirement that would produce the need for the five-year land supply that the Council allegedly cannot meet and, though they may have had in mind the requirement imposed on Arun by the now-revoked South East Plan, this is nowhere made explicit (cf. # 40).

Neither is it the case that the Planning Inspectorate will invariably allow on appeal applications for housing developments beyond the settlement boundary simply because, in the absence of an "up-to-date" local Plan - taking into account more recent evidence of housing requirements - an LPA lacks the five-year land supply necessary to meet its housing allocation under the former Regional Plan. Thus in a recent appeal decision upholding the Council's refusal of residential development east of Woodgate Road, Westergate (Appeal Case APP/C3810/A/13/2196029), the Inspector placed particular emphasis on the fact that, because it would be relatively isolated from the existing built-up area, 'the proposed development would be in an unsustainable location. It would not provide development sufficiently accessible to local services and would encourage travel by car...' (# 52). The fact that vehicular access to the residential areas proposed in the present application would be entirely from Ford Lane – i.e. to the north of the existing built-up area of Yapton – would arguably have the same isolating effect, and lead to residents making longer car journeys in order to access village facilities, in preference to using – at least in winter - the local footpaths which the applicants suggest would make theirs a 'sustainable' development (Statement # 52-55).

Also with regard to the applicants' contention that their proposals constitute 'sustainable development' which, in the absence of an "up-to-date" local Plan, should therefore be approved under NPPF para.14, it may be asked how an admitted housing density of only 27 d.p.ha. can constitute an efficient use of the land concerned (in respect even of the part of the site to be developed), and therefore not be contrary to the NPPF emphasis on sustainability as well as the stipulation of Arun Plan Policy GEN7 of at least 30 d.p.ha. With regard to the loss of agricultural land that would result from their development, the applicants allege that this comprises "only" Grade 2 land and is therefore by implication expendable (Statement # 5, 6), whereas the NPPF in fact includes this category in its (Annex 2) definition of the 'Best and most versatile agricultural land', the 'economic and other benefits' of which LPAs 'should take into account' (para. 112). It is therefore arguable that the loss of prime agricultural land on the scale envisaged (25.4 hectares or 63 acres) would indeed constitute an adverse impact that 'significantly and demonstrably outweighs' the (alleged) benefits of the development, which should indeed be 'restricted' (under NPPF para.14) as contrary to a specific Framework policy, namely that contained in para. 112 (infra).

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