

Recommendation Report for Application for Approval of Details To Satisfy An Obligation

REF NO: P/143/25/AOO

LOCATION: Land north of Hook Lane
Pagham

PROPOSAL: Application to approve details required under the S106 dated 02/09/2019 in relation to P/30/19/OUT, relating to Schedule 1, Part 5, Clause 5.1 and 5.2 (on site provision of public open space).

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy Schedule 1, Parts 5.1 and 5.2 linked to planning permission P/30/19/OUT (Hook Lane) relating to the Public Open Space Scheme for the Western Public Open Space Area including the ELEAP.

POS Scheme means a scheme for the provision of a Public Open Space Area which shall include the following:

- a) identify the location and extent of each POS Area;
- b) Outline the location of and specification for the ELEAP to be provided within the Western POS Area;
- c) identify how the POS Area are to be laid out, paved, planted or equipped.
- d) Contain details of the funding arrangements to ensure that there is sufficient funding for the management of the POS areas for a period of not less than 25 years in accordance with the Habitats Regulation Assessment which for the avoidance of doubt may comprise the levying of reasonable estate management charges through the management company;
- e) include the proposed programme for delivery of the POS Area;
- f) Include details of the Management Company to be responsible for the management and maintenance of the POS Areas and ELEAP or such other proposal for the future management of the POS Areas and ELEAP as the Council may approve;
- g) Include an annual maintenance scheme for the POS Areas and ELEAP.

This application follows previously approved application, under reference P/42/24/AOO. This approved the following plans, relevant to Schedule 1, Parts 5.1 and 5.2.

Central Play Equipment drawing 'The Pier' April 2024
(Provided by Duncan & Grove)

Typical details: fencing and gates 167-UW-P-205
Typical details: landscape mounds 167-UW-P-204
Typical details: street furniture 167-UW-P-202
Typical details: paving and edging 167-UW-P-201
ELEAP soft landscaping schedule 167-UW-P-106
ELEAP soft landscape plan 167-UW-P-105
ELEAP hard landscaping plan 167-UW-P-104
ELEAP landscape sectional elevations 167-UW-P-103
ELEAP equipment 167-UW-P-101 A
ELEAP illustrative masterplan 167-UW-P-100 B

Additional details have also previously been approved under reference P/43/24/AOO. Specifically parts (a), (c), (d) and (f). However, details have not been previously provided or approved in relation to the parts:

- e) No phasing details have been provided for the POS delivery, and as such this part of the obligation cannot be discharged; and
- g) No annual maintenance scheme detailing how often litter/dog bins are emptied, grass cutting, hedgerow trimming, watering of plants will take place. A summary of the schedule should be provided in order to demonstrate that adequate landscaping measures are being undertaken and plans are in place in the event that landscaping (trees/shrubs) fail. This part of the obligation is therefore not approved.

This submission was accompanied by hard and soft landscaping plans for land located in the south-east corner of the site which was previously omitted from P/42/24/AOO and P/43/24/AOO. The details proposed for the land are not supported, and the proposed hedgerow removal to provide additional pedestrian accesses would conflict with previously approved landscaping details.

The submission was accompanied by an 'Open Space Landscape Management Plan' which sets out the future maintenance requirements for the residential development at Hook Lane, Pagham. Whilst, the general principles of maintenance in this document are acceptable it includes details in relation to the land in the south-west corner of the site (Hook Meadow) which are contrary to the approved landscaping details and would not be supported by officers.

Consequently, the details provided cannot be approved due to reference to an unsupported landscaping scheme in the south-west corner of the site, and omission of the POS delivery / phasing details. This application is therefore refused.

REASON FOR DECISION

The information has been reviewed by Hannah Kersley, Principal Planning Officer, and has been found to be insufficient to discharge the obligations under Schedule 1,

Parts 5.1 and 5.2.

No phasing details have been provided for the POS delivery as required by (e), and the submitted details include landscaping and maintenance plans for 'Hook Meadow' in the south-west corner of the site. The details submitted for this land are not supported, and conflict landscaping details which have previously been approved.

DEVELOPMENT PLAN POLICIES

RECOMMENDATION

REFUSE