

Supporting Statement

Author: Paul Collins BA (Hons) DipTP - 11 January 2021

Procedural matters

The application is made on behalf of Paula Hilton & Brian Biermann of Meadowsweet, Summer Lane, Pagham, Bognor Regis, West Sussex, PO21 4NG

The application comprises the completed application forms the submitted Location Plan and this supporting statement.

The development proposed is a material change of use of land from agricultural use to use for open space.

The land subject to the application is edged red on the submitted location plan and has a site area of approximately 11.7 hectares.

No operational development, engineering operations or landscaping are proposed as none are necessary in order to effect the change of use of the land proposed and public access to same would be via Summer Lane part of which (being that part outside of the application site shown on the location plan) is an adopted Highway and surrounding public footpaths and no changes to that highway or Summer Lane generally would be needed to serve the recreational land use proposed.

Certificate of ownership C has been completed and submitted because whilst the applicant does own and control land which forms part of the highway in summer lane, the applicant does not own all of the land to which the application relates and does not know the name and address of all of the other owners and/or agricultural tenants.

The Fee payable for application for the change of use of land is £462.00 and this has been paid in full

CIL FORM 1 has been completed and submitted. The development proposed generates no requirement for a CIL Payment.

The above demonstrates that the submitted application meets all national and local validation information requirements.

The intent of the application

Section 336 of the Town and Country Planning Act 1990 defines agriculture as being:

horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly

and it would appear that the subject land is currently being or was last used for such purposes

Section 336 of the Town and Country Planning Act 1990 also defines open space as being:

Land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.

Planning permission is sought for the use of the land for the purposes of public recreation. Such recreational land use could (if granted and implemented) incorporate new swales and ditches (including improvements to the existing) associated with a Sustainable Urban Drainage system for this part of Pagham as well as new allotments without the need for further planning permissions.

Implementation and delivery of this recreational land (if granted) could be achieved via S106 Agreements and/or CIL Contributions (or a combination of both) from Housing developments approved in the locality and public prescription and grants (if required) and its existence would also serve as Alternative Natural Green Space required to offset recreational disturbance on Pagham Harbour caused by the development of such housing in Pagham as required under ALP Policy ENV DM2 Pagham Harbour.

Arun District Council intends that some 620 dwellings are to be built in this locality in the 20 year period 2011 – 2031.

The Arun District Council Open Space, Playing Pitches and indoor and built sports facilities Supplementary Planning Document adopted by ADC at its meeting in January 2020 requires that cumulatively a scheme for 620 dwellings should make provision for 4.36 hectares of open space , 0.7 hectares of play space and a financial contribution of £11,935 towards the provision of allotments (off site) to serve the new residents of such schemes and that such provision should be made in addition to land being made available for sustainable Urban Drainage Schemes to serve that development and land being set aside as open space to be used as Alternative Natural Greenspace to offset the impact of such housing through recreational disturbance on the Pagham Harbour RAMSAR and SSS1 and yet there appears to be no evidence that the proposals for housing in this locality within Pagham will make or intend to make such provisions and it is known that Arun District Council and Pagham Parish Council have no proposals for providing same either.

How the application should be determined by Arun District Council

Planning Practice Guidance at Paragraph: 006 Reference ID: 21b-006-20190315 states:

“To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 – these provisions also apply to appeals).

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. This includes the presumption in favour of development found at paragraph 14 of the Framework. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed”.

The use of the subject land for recreational open space would fully accord with and go some way to support and/or enable the successful implementation of the following development plan policies in Pagham:

- Policy SD SP1 Sustainable development
- Policy SD SP2 Built-up Area Boundary
- Policy C SP1 Countryside
- Policy GI SP1 Green Infrastructure and development

- Policy SD SP3 Gaps Between Settlements
- Policy LAN DM1 Protection of landscape character
- Policy SO DM1 Soils
- Policy H SP1 The Housing Requirement
- Policy H SP2 Strategic Site Allocations
- Policy H SP2a Greater Bognor Regis Urban Area (Pagham South)
- Policy ECC SP1 Adapting to climate change
- Policy ECC SP2 Energy and climate change mitigation
- Policy HWB SP1 Health & Wellbeing
- Policy OSR DM1 Open Space, sport & recreation
- Policy OSR SP1 Allotments
- Policy T SP1 Transport and Development
- Policy T DM1 Sustainable Travel and Public Rights of Way
- Policy ENV SP1 Natural Environment
- Policy ENV DM1 Designated Sites of biodiversity or geological importance
- Policy ENV DM2 Pagham Harbour
- Policy ENV DM3 Biodiversity Opportunity Areas
- Policy ENV DM4 Protection of trees
- Policy ENV DM5 Development and biodiversity
- Policy W SP1 Water
- Policy W DM1 Water supply and quality
- Policy W DM2 Flood risk
- Policy W DM3 Sustainable Urban Drainage Systems
- Policy W DM4 Coastal protection
- Policy QE SP1 Quality of the environment
- Policy INF SP1 Infrastructure provision and implementation

Whereas none of the extant but unimplemented planning permissions or other applications for housing currently being considered for sites in this part of Pagham do.

The proposals also follow policies in the NPPF 2019 in so far as these relate to Pagham which are:

- Achieving sustainable development Paragraphs 7 to 14
- Delivering a sufficient supply of homes Paragraphs 59 to 79
- Promoting healthy and safe communities Paragraphs 91 to 101
- Making effective use of land Paragraphs 117 – 123
- Achieving well-designed places Paragraphs 124 to 132
- Meeting the challenge of climate change, flooding and coastal change Paragraphs 148 to 169
- Conserving and enhancing the natural environment Paragraphs 170 to 183

Whereas none of the extant but unimplemented planning permissions or other applications for housing currently being considered for sites in this part of Pagham do.

Conclusions

Given the planning history of this part of Pagham and the well documented difficulties with lawfully implementing housing development associated with that planning history, it is hoped that the grant of a planning permission pursuant to this application will be viewed by Arun District Council, West

Sussex County Council, Pagham Parish Council and the land owners as a necessary precursor to securing sustainable and lawful housing development in this part of Pagham.

Therefore Arun District Council, West Sussex County Council. Pagham Parish Council and Natural England and the local community generally are invited to support and endorse this initiative and work with us so as to implement same.

However the applicant and the author of this statement remain cognisant that whilst you can lead horses to water you cannot make them drink so that they are prepared to pursue the grant of a planning permission as sought via the Planning appeal system should this, regrettably, prove necessary.