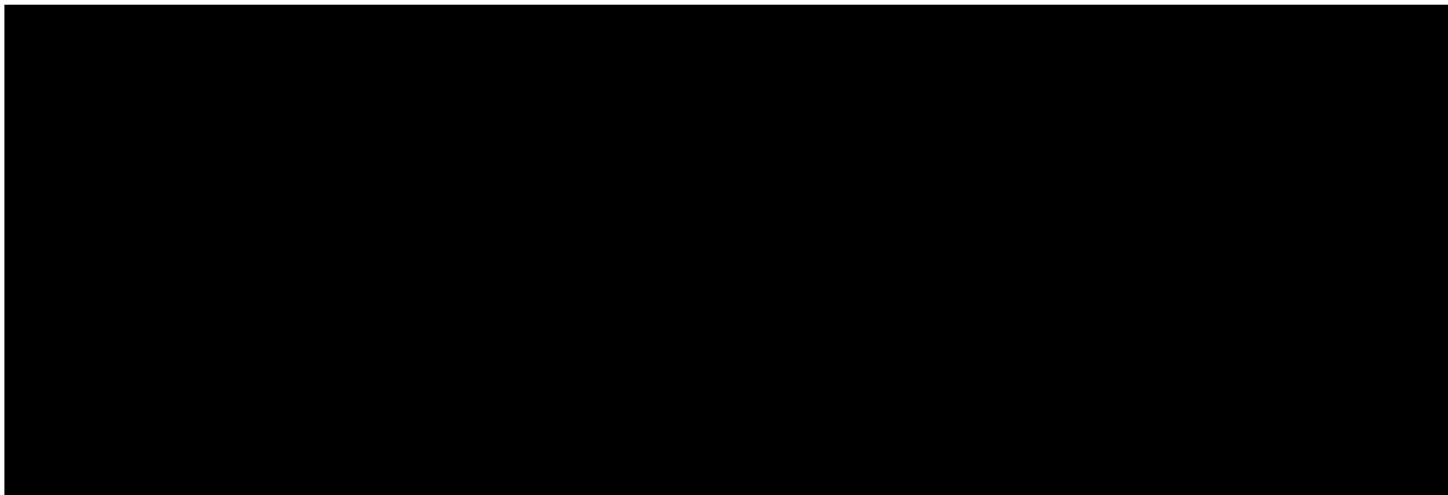
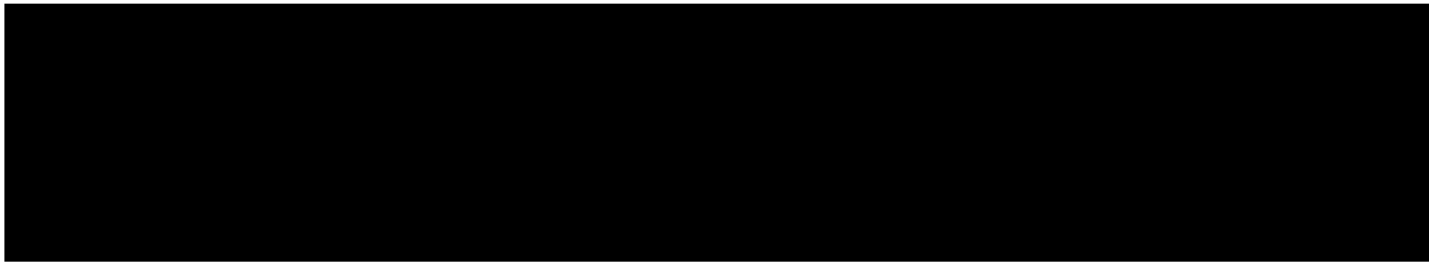




From: Raymond Cole <Raymond.Cole@arun.gov.uk>
Sent: 02 July 2020 20:05
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Pagham Neighbourhood Plan 2020 - 2030 REG 14 Consultation

Please could you upload the following e-mail to the application folder P/24/20/RES as a representation?

Thank you

Raymond Cole

Principal Planning Officer
Directorate of Place

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From: paul collins [REDACTED]
Sent: 01 July 2020 13:01
To: Donna Moles <Donna.Moles@arun.gov.uk>; Kevin Owen <Kevin.Owen@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Raymond Cole <Raymond.Cole@arun.gov.uk>

Subject: Pagham Neighbourhood Plan 2020 - 2030 REG 14 Consultation

Dear All

As you know Pagham Parish Council published a Draft Neighbourhood Plan for pre submission consultation in accordance with REG 14 of the Neighbourhood Planning (General) Regulations 2012) (as amended) on 29 June 2020 and as a matter of courtesy you were sent an early copy of the intended Draft Plan to be published on 24 June 2020

On 26 June 2020 you published an Officers report relating to the determination of Council ref: P/24/20 RES which includes the following assertion:

“On 24 June 2020, the “Pagham Neighbourhood Plan 2020-2030” was published under regulation 14, with a consultation period ending on 7 August 2020. The plan contains 11 policies. Policies 1, 2, 6, 8, 9 & 10 are relevant. Again, the plan is not considered to be in general conformity with the Arun Local Plan and is in conflict with Paragraph 036 (Reference ID: 41-036-20190509) of the National Planning Practice Guidance. Therefore, it should be attributed no weight at this time”.

Please note for your file and/or response as you see fit the following:

The Plan was formally and legally published on 29 June 2020 and not 24 June 2020 as stated.

The referenced guidance is included in that part of the PPG under the heading *Designating a neighbourhood area* and reads as follows:

Can a neighbourhood area include land allocated in strategic policies as a strategic site?

A neighbourhood area can include land allocated in strategic policies as a strategic site. Where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan or Order should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority’s decision on the area it will designate.

A neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan.

Paragraph 036 (Reference ID: 41-036-20190509 Revision date: 09 05 2019

Therefore any reference to same in this report is erroneous. Firstly this is guidance and not legislation or policy so that it is not possible to be in conflict with same and secondly when properly read in context, the PPG with this reference relates to applications for the designation of a Neighbourhood area and not the preparation of a Neighbourhood Plan where the area has already been designated as is the case with Pagham. ***Are officers really suggesting that the REG 14 Consultation Plan should not accord with the area designated as the NP Area by ADC in 2012?***

Please can you advise which of the 11 policies in the Draft Plan are not considered to be in general conformity with the strategic policies in the Arun Local Plan by reference to those specific strategic policies which lead you to make this assertion?

Finally Pagham Parish Council notes that Officers acknowledge and henceforth will consider that the REG 14 consultation plan is a material consideration for the purposes of determining applications in Pagham albeit that Officers as the decision makers in this particular case decided to attribute the published plan no weight.

In this regard and for future reference I draw your attention to the relevant PPG under the heading Decision-taking Paragraphs 007 - 107 Reference ID: 41-007-20190509 and that at Paragraph: 009 Reference ID: 21b-009-20140306 in particular which states:

What weight can be given to a material consideration?

The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the

decision maker to decide what weight is to be give to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

Therefore henceforth in those cases where planning applications in Pagham fall to be determined by the Development Control Committee rather than by ADC Officers under delegated powers, DCC Members will be entitled to attribute the degree of weight to the Draft NP and its Policies as material considerations that they deem appropriate as the decision makers.

Thanks

Paul Collins BA (Hons) DipTP

