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Town and Country Planning Act 1990

Section 78 Appeal proceeding by way of the Inquiry procedure

Appellant: Hallam Land Management Limited

Site Address: Land north of Hook Lane, Pagham, PO22 8AY

PINS REF: APP/C3810/W/19/3223144

LPA REF: P/6/17 OUT

Date of Inquiry: 22 October 2019

STATEMENT OF CASE ON BEHALF OF PAGHAM PARISH COUNCIL

Prepared by: Paul Collins April 2019



Introduction

1. This Statement of Case is submitted on behalf of Pagham Parish Council (“the Parish Council”). It has been prepared in accordance with Annexe J PINS Procedural Guide (2019).
2. The Parish Council was granted “Rule 6” status in March 2019. Since that time the Parish Council has reviewed the available material on the Council’s planning register and, via its planning consultant, has sought a number of clarifications from the main parties, including sight of the draft conditions list and draft planning obligation. The responses to these requests are awaited. The Parish Council has also requested to be a party to the Statement of Common Ground.
3. To ensure compliance with the bespoke timetable, the Parish Council has produced this statement of case on the basis of the information presently available. The Parish Council however reserves the right to amend or vary this Statement of Case promptly upon receipt of the outstanding matters from the planning authority.

The Case for the Parish Council

4. The Parish Council acknowledges that Policy HSP2a of the Arun District Local Plan adopted on 18 July 2018 allocates some 5 separately owned parcels of land within the parish to collectively provide at least 1200 houses together with appropriate infrastructure in the form of SD1 Pagham South (400) and SD2 Pagham North (800).
5. However Pagham Parish Council also understands that this individual proposal for an individual site within the allocation must demonstrate that it can or will be delivered in accordance with criteria a) – q) of Policy HSP2, criteria a) – h) of Policy HSP2a and all other material development plan policies when considered in the light of all other later material considerations including relevant national planning policy within the NPPF February 2019, if the outline planning permission sought is to be granted by way of this appeal .
6. The appeal site comprises one of the 3 separately owned parcels of land which make up the total SD2 Pagham North Allocation and having regard to the evidence which is publicly available, the Parish Council is of the view that planning permission should be withheld for the following reasons:

- i. It has not been demonstrated that the scheme will deliver development of the type envisaged by ADLP Policy SP1a Strategic Approach or a comprehensive, master planned and integrated development which will accord with ADLP Policies HSP2 and HSP2a and related national policy in the NPPF 2019.
 - ii. Given the scale of the development proposed for the site it has not been demonstrated that the site can be developed in a manner that will preserve or enhance the quality and landscape character of its environs, the Bognor Regis to Chichester Gap or existing Green Infrastructure assets or contribute positively to the quality of that environment contrary to policies HSP2, HSP2a, LAN DM1, SD SP3, GI SP1, D SP1 and QE SP1 and, ENV DM4 of the Arun Local Plan (2018) and related national policy in the NPPF 2019.
 - iii. Given the scale of the development proposed for the site it has not been demonstrated that the site can be developed in a manner that will preserve heritage assets¹ including the setting of the nearby Grade II listed Rookery Farm and Grade II listed Nyetimber Windmill, contrary to policies, HER SP1, HER DM1 and HSP2a (b) of the Arun Local Plan (2018) and related standing advice from Historic England and national policy in the NPPF 2019.
 - iv. It has not been demonstrated that the development of the site can be undertaken in a manner that will safeguard the water quality of Pagham Harbour or on site habitats for protected species contrary to Policies HSP2a, ENV DM2, ENV DM4, ENV DM 5 of the Arun Local Plan (2018) and related standing advice from Natural England and national policy in the NPPF 2019.
 - v. It has not been demonstrated that the scheme will provide for the necessary infrastructure requirements,² to satisfy the requirements of policies H SP2, INF SP1, INF SP2, T SP1, T DM1, T SP3, W SP1 , W DM1 and W DM3.
7. On the basis of the evidence it has seen, the Parish Council is presently of the view that the above breaches collectively amount to a substantial departure from the aspirations of the

¹ As defined in the Glossary to the Framework

² Infrastructure is defined in the Glossary of the Arun District Local Plan as being “*The facilities and services needed for a place to function. This includes roads and utilities as well as school places, GP surgeries, libraries, provision to promote health and wellbeing and many other facilities*”.

recently adopted development plan and that there are no material considerations which justify determining the scheme otherwise in accordance with the development plan.

8. The Parish Council will continue to work proactively with the main parties to minimise the issues in dispute through the statement of common ground process.

Documents Lists

9. In addition to the documents relied upon by the Council and the Appellant and any that are agreed as part of the forthcoming Statement of Common Ground process, the Parish Council will also rely upon:
 - i. The previous appeal decision on the site APP/C3810/A/99/1027004 (**Appendix 1**)
 - ii. The landscape report prepared on behalf of the Parish Council and submitted to the Council in the course of determination of the application (**Appendix 2**)

Paul Collins BA (Hons) Dip TP MRTPI – April 2019