



17th July 2019
Our Ref: OJ/16.154

David Easton Esq
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear David

**Land north of Hook Lane, Pagham
P/30/19/OUT**

I am writing following the meeting attended with your colleagues Neil Crowther and Claire Potts on the 28th June 2019 and our subsequent telephone conversations.

You will be aware that application P/6/17/OUT was refused by Members of the Development Management Committee at their meeting on the 23rd January 2019. To summarise, the Reason for Refusal alleges that the highway mitigation measures proposed are insufficient to overcome highway safety concerns. You will also be aware that this decision was contrary to the advice of the Council's Professional Planning Officers, the opinion of West Sussex County Council as Local Highway Authority, and moreover, the advice which the Council independently received from Consultants appointed by them to advise on highway matters specifically. Mindful that highway impact and mitigation was assessed on a cumulative basis, the decision in respect of application P/6/17/OUT is also inconsistent with the decision which the Council reached in respect of applications P/134/16/OUT, P/140/16/OUT and P/25/17/OUT.

You will be aware that my Client has appealed this decision and a public inquiry is to commence on the 22nd October 2019. In preparation for this, we have reached an advanced stage with the preparation of a Statement of Common Ground, where all relevant matters are agreed between us other than highway mitigation in the context of Policy T SP1 and criteria k and n of Policy H SP2a.

In respect of Application P/30/19/OUT, we have discussed the extent to which new and additional highway mitigation measures could be provided to address the reason for refusal. As a basis for this discussion, you provided a 'long list' of potential mitigation measures for the Appellant to consider, which comprised "issues" that the Parish Council wished to see addressed (rather than measures to be provided) and measures identified by West Sussex County Council. These were discussed at the meeting on 28th June 2019; it is important to note that none of those measures were considered by Mr Crowther and Ms Potts to be either necessary to make the development acceptable in planning terms;

directly related to the development; and fairly and reasonable related in scale and kind to the development.

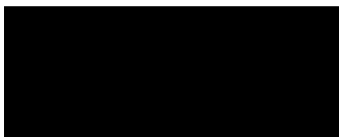
Notwithstanding the above, the Applicant has considered further the issue in an attempt to resolve the Members' highway concern such that Application P/30/19/OUT can be positively determined. We propose the following measures:

1. To bond a sum of £100k via the Section 106 Agreement for highway safety improvements along Pagham Road;
2. To agree with West Sussex County Council as Local Highway Authority a Pagham Road Highway Safety Monitoring Scheme;
3. To undertake the measures defined in the Pagham Road Highway Safety Monitoring Scheme, prior to the commencement of development, at 150 occupations and then at the completion of the development;
4. In the event that the above monitoring identifies a material worsening in highway safety compared with the baseline assessment undertaken prior to the commencement of development, the County Council will be able to call upon the bonded money to implement highway safety measures along Pagham Road;
5. The highway safety measures to be implemented could include the following:
 - Vehicle Activated Signage to warn vehicles to slow down on the approach to bends or on approach to junctions;
 - Additional road signs;
 - Additional road markings such as 'SLOW' road markings;
 - Rumble strips on the approach to junction.

The attached Technical Note from RPS provides further details in respect of this. We have discussed this with West Sussex County Council who welcome the monitored approach for accidents and traffic flows and have indicated that comparable schemes have been secured as S106 obligations as part of other developments. In this regard, also attached is the suggested clause for the S106 obligation which has been prepared jointly with WSCC.

The Applicant therefore proposes that the above is formally presented as part of the development proposals.

Yours sincerely



Owen Jones
Director



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1. RPS Technical Note
2. Proposed wording of Section 106 clause

