

162. P/30/19/OUT LAND NORTH OF HOOK LANE PAGHAM

*(Councillor Mrs Hamilton and Huntley spoke on this item as Ward Councillors.)*

P/30/19/OUT – Outline application with some matters reserved for the construction of up to 300 No. new homes, a care home of up to 80 beds, D1 uses of up to 4,000sqm including a 2 form entry primary school, the formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure. This application may affect the setting of a listed building (resubmission following P/6/17/OUT), Land north of Hook Lane, Pagham

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which appraised Members of the following:-

☐ A consultation response from Natural England advising they had no objection to the proposal subject to mitigation measures as detailed in the update.

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- Four letters of representation which raised matters that had previously been considered.
- Two letters of representation from Pagham Parish Council raising matters detailed in the update.
- Advice that a Tree Preservation Order (TPO) had been made for a Pedunculate Oak situated on the eastern boundary of the site this had no impact on the development.
- Clarification that the recommendation should grant delegated authority to the Group Head of Planning to make minor amendments to the S106 Agreement that were substantially in accordance with the Heads of Terms and to grant planning permission, subject to the S106 Agreement, conditions and informatives.

The planning application sought outline permission, with all matters reserved save for access, and the Principal Strategic Planner presented the detail by way of a number of slides to illustrate the location of the site and how it sat within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan.

The Committee was advised that the application site fell within strategic allocation SD2 under policy HSP2a of the Arun Local Plan, a site allocated to make a key contribution to housing supply in the District. The principle of the proposed development had been considered and was found to be acceptable and in accordance with relevant development plan policies. The site would provide 300 dwellings, which would result in 90 affordable housing units,

As the site was currently in agricultural use, Members were reminded that the development of the site and loss of the agricultural land had been the subject of consideration through the Examination in Public of the Arun Local Plan and that had been found acceptable by the Inspector.

Officers, in addition to the Habitats Regulation Assessment and appropriate assessment that had been undertaken in the preparation of the Local Plan, had commissioned independent consultants to undertake a further habitat regulation assessment and appropriate assessment of the development proposed. This work concluded that, subject to mitigation, the development would not result in there being a likely significant effect in combination with other developments. Natural England had been consulted on the Appropriate Assessment and had raised no objection to the conclusions. The necessary mitigation would be secured through the S106 Agreement and suitably worded conditions.

The Principle Strategic Planner highlighted the work undertaken around highways issues, particularly in light of the refusal of planning application P/6/17/OUT, which was currently the subject of an appeal. The proposed accesses from the site onto Pagham Road and Hook Lane had been the subject of a Road Safety Audit and a further assessment of the Road Safety Audit had previously been commissioned by the Council. West Sussex County Council had been consulted as the local Highways Authority and no objection had been raised in relation to the proposed accesses. Subject to approval at the next Development Control Committee meeting 110 Development Control Committee - 7.08.19

Through the submission of the applications for the Pagham Strategic Allocations, the developers had worked together to prepare a cumulative assessment of the transport impacts. However, officers were of the view that a more stringent approach should be adopted and, consequently, Dougall Baillie Associates had been appointed to undertake a further sensitivity assessment of the junctions that would be impacted by the development. The work had been undertaken using much more stringent assumptions than that originally adopted by the developer and agreed with West Sussex County Council. Following this further assessment, a number of junctions had been identified as requiring enhancement and a cumulative mitigation package was prepared to address the needs of the entirety of the Pagham Strategic Allocation. This application would therefore make a financial contribution towards the improvement of the Lower Bognor Road/Pagham Road junction, as well as the Sefton Road/Pagham Road junction. In addition, the developer would be required to deliver enhancement works to the B2166 Vinnertrow Road Roundabout.

Highways contributions had been identified by officers, in consultation with Highways England and WSCC, to mitigate the impact of the development upon the highways network. These contributions were considered acceptable by officers as well as Highways England and WSCC. However, as planning application P/6/17/OUT had been refused on the basis of the development's highways impact, Members were advised that, should they feel that the highways mitigation package was insufficient to address the concerns previously raised, then an additional mitigation package had been proposed by the developer and could be taken into account in the decision. The additional package would be in the form of an agreement to undertake a monitoring scheme prior to the commencement of development, occupation of 150 dwellings and full occupation. If that monitoring identified a material worsening of highway safety, then a contribution of £100,000 would be made available to WSCC for the implementation of further enhancements along the Pagham Road corridor.

A financial contribution of £30,612 had also been secured towards the enhancement and upgrade of footpaths 101, 104 and 106 to provide an alternative off road cycle link from Pagham to South Mundham, which would link into the existing Selsey to Chichester cycle route.

Members participated in a full debate and views were expressed on a number of issues, which included:-

- Concerns that the sewage discharge network was inadequate
- Concern that since the Local Plan had been adopted, a number of issues had come to prominence that impacted on the efficacy of the Plan, e.g. climate change; development growth; environmental matters, etc.
- This site had been included in the Local Plan and Members were therefore obliged to take account of that as it was a statutory document.
- Other strategic sites in Pagham had been approved based on the same transport assessments that P/6/17/OUT had been refused on, which was illogical.
- The highways mitigation being proposed did not override the potential for traffic chaos

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- A member view was put forward that the policies contained in the Local Plan were contrary to approval of this application and a number of examples were cited. The Group Head of Planning advised that Members needed to look at the Local Plan as a whole and not pick out parts of it. He also confirmed that the allocation had been tested by the Inspector who had considered the matters raised.

A lengthy discussion between Members highlighted the opposing views held. Some expressed support that this application, as part of the strategic allocation for Pagham in the Local Plan, should be granted planning permission, particularly as mitigation measures had been put in place to address highways issues and a refusal could result in substantial costs being awarded against the Council at appeal. It was stressed that the Local Plan was a statutory document that had been adopted and therefore there was a process to be adhered to. In addition, there had been no evidence put forward to support a refusal.

Counter views were put forward that the highways mitigation was not sufficient to address Members serious concerns and that there were a number of policies in the Local Plan which were contrary to the impact that this application would have on the locality and the community.

The Group Head of Planning advised that the application had been accompanied by an extensive amount of documentation which had been duly and widely consulted on. The issues had been addressed by the consultees.

A motion was proposed “that the question be now put”. However, this was not seconded but, as there were no more speakers, the Chairman moved to the vote.

The Committee

RESOLVED – That

(1) Delegated authority be granted to the Group Head of Planning to make minor amendments to the S106 Agreement that are substantially in accordance with the Heads of Terms; and

(2) Planning permission be granted, subject to the S106 Agreement, conditions and informatives.

As a request had been made for a recorded vote to be taken, those voting FOR were Councillors Bower, Chapman, Charles, Clayden, Northeast, Mrs Pendleton and Mrs Stainton (7). Those voting AGAINST were Councillors Bennett, Brooks, Mrs Catterson, Coster, Lury, and Mrs Yeates (6). There were no abstentions.

The Chairman then called a short adjournment to the meeting.