

From: Amanda Scholes on behalf of Planning.Responses
Sent: 03 February 2021 09:57
To: Planning Scanning
Subject: FW: P/132/20/RES - Land north of Hook Lane Pagham

Amanda Scholes

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From: Raymond Cole <Raymond.Cole@arun.gov.uk>
Sent: 02 February 2021 18:28
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: P/132/20/RES - Land north of Hook Lane Pagham

Please could you upload the e-mail below to the application folders P/4/21/PL and P/132/20/RES (correspondence from the applicant in the case of the first and a representation letter in the case of the latter)?

Thank you

Raymond Cole
Principal Planning Officer
Directorate of Place

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From: paul collins [REDACTED]
Sent: 02 February 2021 14:52
To: Raymond Cole <Raymond.Cole@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Nigel Lynn <Nigel.Lynn@arun.gov.uk>
Cc: Cllr. James Walsh [REDACTED]; Cllr. Martin Lury [REDACTED]; Cllr. June Hamilton [REDACTED]; Cllr. David Huntley [REDACTED]; Parish Clerk [REDACTED]

(Pagham)' [REDACTED] 'Dawn Hall' [REDACTED]

Subject: P/132/20/RES - Land north of Hook Lane Pagham

Dear Mr Cole

As you are aware it is the view of many in Pagham and me that the Council has validated and continues to consider this application ultra vires and you should also be aware that a lawful Petition containing over 1500 signatures seeking a full council debate regarding the revocation of the OPP granted under ADC Ref: P/30/19 OUT has now been submitted to ADC.

I also make you aware that notwithstanding the foregoing and the fact that this is an application for reserved matter approval (allegedly) It still falls to be determined in accordance with the law section 38(6) of the Planning and Compulsory Purchase Act 2004 which states : *If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

An application for reserved matters seeks a determination under the planning acts so it is subject to S38(6).

The only material considerations in this case are the facts that the development plan policies which are most important for determining the application are out-of-date (ALP Policies Policy H SP1 The Housing Requirement, Policy H SP2 Strategic Site Allocations, Policy H SP2a Greater Bognor Regis Urban Area SD2) and the fact that the presumption in favour of sustainable development is now engaged so that the application falls to be determined against the policies in the framework and not those in the out of date development plan.

As you are aware this states that where policies which are most important for determining the application are out-of-date planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance in Pagham (namely 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, and Conserving and enhancing the natural environment Paragraphs 170 to 183 and Conserving and enhancing the historic environment Paragraphs 184 to 202) provide clear reasons for refusing the development proposed (and they do in this case) or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. (as they do in this case)

Therefore we request (once again) that Officers exercise their delegated powers and refuse this application without further ado and therefore avoid the need for any approval issued in this case to be challenged through the courts. .

Please place this e mail on the files for P/4/21 and P/132/20 RES

Paul Collins BA (Hons) DipTP

[REDACTED]