

From: Raymond Cole <Raymond.Cole@arun.gov.uk>

Sent: 02 July 2020 20:20

To: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: FW: P/57/20/DOC - Approval of details reserved by condition imposed under ref P/30/19/OUT relating to Condition No 6 - design code masterplan.

Please could you upload the following e-mail to the application folder P/57/20/DOC as a further representation?

Thank you

Raymond Cole

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From: paul collins [REDACTED]

Sent: 02 July 2020 19:00

To: Raymond Cole <Raymond.Cole@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Donna Moles <Donna.Moles@arun.gov.uk>

Subject: P/57/20/DOC - Approval of details reserved by condition imposed under ref P/30/19/OUT relating to Condition No 6 - design code masterplan.

Mr Cole

Some facts for you to consider when you come to write your report regarding this application:

- ALP 2018 Policy HSP1 allocates SD2 Pagham North for 800 dwellings with development commencing 2018/19 and all 800 being delivered by 2030/31
- SD2 comprises 3 sites being this site (up to 300 dwellings as approved under Council ref: P/30/19 OUT) , the Osbourne's Refrigeration site and the land north of Sefter Road. The Sefter Road site benefits from an OPP for up to 280 dwellings. The Osbournes Refrigeration site does not benefit from an OPP but it has been previously identified in the Council's HELAA as being a deliverable housing site for 55 dwellings. Therefore taken together and at face value SD2 comprises 3 sites that can collectively deliver a maximum of 635 dwellings and not the 800 for which SD2 is allocated
- Given the refusal of the reserved matters application pursuant to P/30/19 OUT and the refusal of the discharge consents under Ref: P/24/20 RES and P/40/20 DOC and the number of pre commencement conditions relating to P/30/19 OUT the available evidence strongly suggests that these sites will not alone or individually be delivering completions until after the Local Plan Review (in whatever form) is completed in 2023 and probably will not be completed until after the end of the current Local Plan period expires in 2030/31.
- ALP 2018 Policy HSP2 states that *"Development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout"* SD2 has no such masterplan and it is clear from the evidence to date that none of the development proposals within the allocation are being comprehensively planned.
- ALP 2018 Policy HSP 2a states that *the Pagham South and Pagham North Strategic Allocations will collectively provide at least 1,200 dwellings over the plan period. Both sites consist of a number of parcels of land, it is imperative that individual areas are aligned with neighbouring parcels of land. The sites lie in close proximity and are within the drainage catchment of the internationally designated Pagham Harbour site which has drainage and waste water implications.* It is clear from the available evidence that Pagham South and Pagham North will not collectively provide 1200 dwellings over the plan period, that proposals at Pagham North are not being planned so as to meet the imperative that neighbouring parcels of land are aligned.
- The decision notice for P/30/19 OUT lists the approved plans at Condition 3 which are *Red Line Boundary - 167/P/007 Rev C, Proposed Access Arrangement On Hook Lane (North) - JNY8840-09 Rev A, Proposed Access Arrangement Pagham Road - JNY8840-12 Rev A* . None of those plans identified in Condition 6 which is the subject of P/57/20 DOC are approved plans listed in condition 3.
- The two plans which are identified in Condition 6 are *Development Framework - 167/P/006 Rev E* and *Landscape Masterplan - 167/P/003 Rev D* and it will be noted that these indicative plans prepared at different dates conflict with each other.
- Condition 6 also refers to the need for *detailed proposals to reflect the objectives of the "Design and Access Statement - January 2017"* The only Design and Access Statement filed on P/30/19 OUT is that dated February 2019.
- Condition 4 of the decision states *"No development shall take place until a detailed scheme of phasing for the construction of the dwellings and associated highways and public areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a schedule identifying the order of commencement and completion within each phase of construction"* and condition 6 states *"Prior to the submission of any reserved matters application for the housing phases identified by Condition 4 a design code masterplan shall be submitted to, and approved in writing, by the Local Planning Authority....."* No "housing phases" have yet been identified and condition 4 remains undischarged at this date .

- Finally but by no means least it is a fact that the submitted Design Code fails to demonstrate that the development will be or can be designed and developed in accordance with all other pre commencement conditions because the subject of these are all crucial elements of any design code and this one does not even mention same.

And some things for you and your colleagues to consider before you write that report:

It seems to me that as a matter of common sense rather than planning law, policy or practice guidance the submission of the Design Code the subject of this application is somewhat premature and the applicants would be best advised to withdraw the application and resubmit when and if they have sufficient information and evidence to demonstrate that the scheme can be designed and developed in accordance with the OPP and its related S106.

Alternatively if the applicants are confident that the site can and will be developed in a manner that is compliant with all relevant adopted development plan policy during the current Arun Local Plan period then it is always open to them to submit a detailed application for full planning permission demonstrating that this is the case rather than relying on the OPP or a somewhat half-baked Design Code so that we can all stop messing around.

In this regard I find it important and material to note that the applicants Hallam Land Management are not developers, do not own the site and are in fact land traders so that this site will be marketed and then sold onto others who are developers who may have their own ideas about how the site should be developed.

Therefore the applicants can either demonstrate that this site is capable of being developed in accordance with the SD2 allocation and will be providing housing completions before the expiry of the plan period (and if so how many) or they cannot and it is pertinent, relevant and necessary for ADC Officers to be asking those questions and requiring the applicants to provide the evidence to support the answers given.

However if you are minded to refuse the application as the current evidence and common sense dictates I commend the PPC representation to you because it correctly identifies the direct conflicts between the Design code submitted and a raft of adopted and relevant development plan policies.

In the interests of openness and transparency I remind you that the REG 14 Consultation NP sets out a proposal to allocate this site for Local Green Space in general conformity with ALP 2018 Policy GI SP1 Green Infrastructure and development and relevant PPG at Paragraph: 008 Reference ID: 37-008-20140306 Revision date: 06 03 2014 states:

Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.

And that the permission granted under Council ref: P/30/19 OUT is an outline planning permission with all matters except access reserved so that it does not and has not granted permission on the site for any of the development described with the exception of up to 300 dwellings and it remains to be demonstrated that the permission granted remains capable of being implemented.

Thanks

Paul Collins BA (Hons) DipTP