

From: Amanda Scholes on behalf of Planning.Responses
Sent: 04 February 2021 09:20
To: Planning Scanning
Subject: FW: P/97/20/PL - Land To North Of Summer Lane Pagham PO21 4NG

Amanda Scholes

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From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 03 February 2021 12:28
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: P/97/20/PL - Land To North Of Summer Lane Pagham PO21 4NG

Objection Letter.

From: paul collins [REDACTED]
Sent: 02 February 2021 13:02
To: Simon Davis <Simon.Davis@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Karl Roberts <Karl.Roberts@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 (Pagham) [REDACTED]; Cllr. Jamie Bennett [REDACTED]
Subject: P/97/20/PL - Land To North Of Summer Lane Pagham PO21 4NG

Mr Davis

I refer to my written submissions and representations on behalf of local residents in respect of this application dated 11 January 2021 and write to advise you that my clients have now lodged a complaint with the local government ombudsman with regard to the failure of Arun District Council to properly discharge their statutory development management responsibilities with regard to the development of this site and its ongoing failure to properly investigate the many breaches of planning control taking place on the site and take the appropriate enforcement action to remedy same and that they are also taking legal advice with a view to prosecuting legal action so as to remedy these failings.

You will also be aware that the representations made on 11 January 2021 allege that Arun District Council validated this application and continues to consider same ultra vires and that you have taken no action to consider or remedy

the unlawfulness of this approach and we therefore place you on notice that residents will also be considering legal action in respect of any approval issued in respect of this application.

Finally and notwithstanding the foregoing you are also aware that there are sound planning reasons for refusal of this application due to its undeniable conflict with numerous and various up to date development plan policies (as cited previously) and we therefore invite you to determine the application within the statutory determination period by refusing the application under delegated powers in accordance with NPPF 2019 Paragraph 12 which states :

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Whilst we note that the applicant will claim that the Council's inability to demonstrate a 5 year land supply amounts to a material consideration that should outweigh the conflict with these up to date development plan policies we point out that this only serves to represent a reason why the application should be determined in accordance with the presumption in favour of sustainable development rather than being a reason in itself to justify a departure from the relevant up to date development plan per se and in this regard the application should also be refused because there are policies in the Framework that protect areas or assets of particular importance in Pagham generally and close to this site in particular which provide clear reasons for refusing the development proposed (being those at 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 the adverse impacts of granting planning permission in this case would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

I have written to the Chief Executive separately on a without prejudice basis so as to suggest mutually beneficial and workable solutions to the issues arising from the Councils mismanagement of the development taking place on this site and no doubt he will discuss these solutions with you.

In the meantime please place this e mail on the file as my further representation on behalf of local residents.

Thank you

Paul Collins BA (Hons) DipTP

