ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: AB/187/06/

1 **To Addressee**

The Planning Bureau Ltd
Homelife House
26-32 Oxford Road
Bournemouth
Dorset
BH8 8EZ

2 **Site Address**

Land at Castle Service Station
Queen Street
Arundel

3 **Description of Development**

Demolition of petrol station & erection of 24 category II sheltered apartments, communal facilities, car parking & landscaping

4 In pursuance of their powers under this Act and related Orders and Regulations the Council REFUSE to approve the development as described in the application and plan for the reasons stated.

REASON 1 The proposal would be prejudicial to the character of the Arundel Conservation Area and damaging to the setting of the existing buildings of merit as it does not relate to the Listed Buildings adjacent to the site and interest within it, and therefore conflicts with policies CH4 of the West Sussex Structure Plan and GEN7, AREA2 of the Arun District Local Plan.

REASON 2 The proposal is unacceptable in that the design/layout/materials of the proposed building are unsatisfactory and would be prejudicial to the amenities of the residents of the area, and insufficient provision is made in the layout for open space,

It therefore conflicts with policies CH4 of the West Sussex Structure Plan and GEN7, AREA2 of the Arun District Local Plan.

REASON 3 The site is within an area designated as a Conservation Area under Section 69, 70 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the proposal by reason of unsatisfactory design, massing and detailing would conflict with the Local Planning Authority's intention to protect and enhance the visual amenities and environment of such areas, and with policies CH4 of the West Sussex Structure Plan and GEN7, AREA2 of the Arun District Local Plan.

REASON 4 The development of this site by the erection of 24 units of accommodation would constitute an undesirable intensification of residential development at a density which would be out of keeping and incompatible with the existing and proposed development in the locality in conflict with policies DEV1, NE2 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

REASON 5 Having regard to the limited area of the site and its relationship to existing residential properties the proposal would give rise to an unneighbourly form of development which would be prejudicial to the amenities and environment of the locality in conflict with policies DEV1, LOC1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

REASON 6 The proposed extension would be out of scale with the existing development and detrimental to the residential amenities of adjoining premises (and the appearance of the street scene) in conflict with policies DEV1, LOC1 of the West Sussex Structure Plan and DEV19, GEN7, AREA2 of the Arun District Local Plan.

REASON 7 The proposed windows on the south east elevation are likely to give rise to direct overlooking of adjacent properties to the detriment of the amenities of the occupants of these properties in conflict with policies DEV1 of the West Sussex Structure Plan and DEV19, GEN7 of the Arun District Local Plan.

REASON 8 The proposal has not submitted a Flood Risk Assessment as required by Annex D of the Planning Policy Statement 25 - Development and Flood Risk. There is no evidence that the sequential test has been applied.

Reason: This application lies within Flood Zone 3a, classified as having a high probability of flooding therefore it is not in accordance with Arun District Local Plan policy GEN 23.

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Case Officer: Mrs S Leeson

5th March 2007

Howard Cheadle

Howard Cheadle DipTP MRTPI
Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the First Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.