



Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 5
Application for Outline Consent
DECISION NOTICE

Application Ref: AL/111/16/OUT

1 To Addressee

TCPlanning
 The Mission Hall
 Lidsey Road
 Bognor Regis
 PO22 9PH

2 Site Address

Land East of Orchard Gardens
 Woodgate

3 Description of Development

Outline application with some matters reserved for 57 No. units with public open space & affordable housing. This application is a Departure from the Development Plan

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 plans for the reasons stated.

1 The applicant has failed to demonstrate that the proposed development can be undertaken in a satisfactory manner as it has not demonstrated that the impact on protected species can be avoided, adequately mitigated, or as a last resort, compensated for, contrary to paragraph 118 of the NPPF and Policy GEN30 of the Arun Local Plan. As a result the proposal does not demonstrate whether or not it would give rise to significant harm to the integrity or function of the Biodiversity Corridor contrary to Policy EH2 of the Aldingbourne Neighbourhood Plan.

2 The applicant has failed to demonstrate that the obligations proposed would ensure that the infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development and the existing community, contrary to Policy GEN8 of the Arun Local Plan and Policies H SP2, H SP2c, INF SP1 and INF 2 of the modified eALP (updated March 2017), and the National Planning Policy Framework.

3

On the basis of the information available the Local Planning Authority is not satisfied that the proposed development can be undertaken in a manner that would not undermine the delivery of a comprehensively planned settlement or provide a high quality development with a sense of place and permeable layout contrary to Policy GEN7 of the Arun Local Plan and Policies D DM1, H SP2c and H SP2 of the modified eALP (updated March 2017) and the National Planning Policy Framework.

Case Officer: Claire Potts

Date of Decision:

29 November 2017



Neil Crowther
Group Head of Planning

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

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

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 Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

PURCHASE NOTICES

If either the local planning authority or the 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 Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).

