



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/20/18/OUT

1 To Addressee

Batcheller Monkhouse
 New Bartram House
 3-5 Swan Court
 Station Road
 Pulborough
 RH20 1RL

2 Site Address

Land at Bridge Cottage & The Old Cottage
 Lidsey Road

 PO22 9PH

3 Description of Development

Outline application for the demolition of 2 No. dwellings & associated outbuildings & the erection of up to 27 No. dwellings, of which 30% will be affordable, with associated open space & access. 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 proposed development is premature in terms of the detailed masterplanning and delivery of the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5). Insufficient information has been submitted to demonstrate that the proposed development would contribute to the delivery of a comprehensively planned settlement on the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5), or provide a high quality development with a sense of place and permeable layout contrary to Policy D DM1, Policy T DM1, Policy H SP2 and Policy H SP2c of the Arun Local Plan and the National Planning Policy Framework.

2 The proposed development does not provide safe nor convenient infrastructure for non-car access to and from goods, services, local facilities, schools and employment, nor does it encourage or enable an increase in environmentally sustainable means of travel such as walking, cycling and public transport, contrary to Policy H SP2(a) and H SP2(j), Policy T SP1 and Policy T DM1 of the Arun Local Plan, Policy GA1 and Policy GA2 of the Aldingbourne Neighbourhood Plan and Section 9 of the revised NPPF (July 2018), paragraphs 108 (a and b), 109 and 110 (a-c).

- 3 Adequate information has not been submitted to satisfy the Highway Authority that the proposal is acceptable in terms of road/junction layout carriageway (and lane) width/s and visibility splays (including forward visibility/stopping sight distance splays) and would therefore give rise to increased hazards to highway users contrary to Policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.
- 4 The proposed development fails to give sufficient regard to the existing trees and hedges of high/moderate quality on the site and very few trees of current and/or long-term value would be retained. The extent of the proposed tree removal at this site is unacceptable in terms of protecting, conserving or enhancing the natural environment and landscapes, and would be contrary to Policy ENV DM4 and Policy H SP2(c) of the Local Plan and Policy EH6 of the Aldingbourne Neighbourhood Plan.
- 5 The lack of requisite bat and reptile surveys and mitigation strategies submitted with the outline planning application in relation to the impact on protected species and the potential for the proposed development to protect existing habitats where possible and provide enhancements is unacceptable, contrary to Policy ENV DM5 and Policy H SP2 of the Local Plan.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Date of Decision:

13 December 2018

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).

