

DECISION NOTICE

Application Ref: AL/75/19/PL

1 To Addressee

Mrs K Simmons
26 Chapel Street
Chichester
West Sussex
PO19 1DL

2 Site Address

Bridge Cottage
Lidsey Road
Bognor Regis
PO22 9PH

3 Description of Development

Construction of 8 no. dwellings, alterations to access and associated works.

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 plans for the reasons stated.

- 1 Insufficient information has been submitted to demonstrate that the proposed development of this scale could be satisfactorily accommodated in a manner which would not undermine the delivery of a comprehensively planned settlement of high quality with a strong sense of place, having regard to such matters as green and blue infrastructure, the A29 re-alignment, non-car modes of transport, open space, play provision and landscape, other infrastructure provision and a high quality legible and permeable layout, contrary to Policy D DM1, Policy H SP2, H SP2c, Policy OSR DM1(2a) and Policy W DM2 of the Arun Local 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 Policies H SP2, H SP2c and INF SP1 of the Arun Local Plan and the National Planning Policy Framework.
- 3 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 (February 2019), paragraphs 108 (a and b), 109 and 110 (a-c).

- 4 Adequate information has not been submitted to satisfy the Local Planning Authority in consultation with the Highway Authority that the proposal is acceptable in terms of forward visibility for northbound traffic on the A29 to vehicles turning right into the proposed development and would therefore give rise to increased hazards to highway users contrary to Policy T SP1 of the Arun Local Plan and paragraph 108 (b and c) and 109 of the National Planning Policy Framework.
- 5 As the site is located within the Barnham, Eastergate and Westergate (BEW) strategic allocation, the proposed residential development should make provision for 30% provision for affordable housing on site, in compliance with Policy AH SP2 of the Arun Local Plan. Consequently, as the proposed residential development fails to provide 30% provision for affordable housing on the site, it is contrary to Policy AH SP2 of the Arun Local Plan. In addition, the housing mix include 25% provision of 5 bed houses which is not SHMA compliant.
- 6 The lack of a requisite reptile survey and mitigation strategy submitted with the 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, and it is 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 determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

INFORMATIVE: If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Decision Issued: **5th December 2019**

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).