

**DECISION NOTICE**

Application Ref: BE/1/08/

1 To Addressee

Drivers Jonas
Capital House
85 King William Street
London
EC4N 7BL

2 Site Address

Land at Oldlands Farm
Shripney Road
Bognor Regis

3 Description of Development

Outline application for mixed use employment (Class B1 high quality business park comprising up to 19,500 SQM gross floorspace) and retail (Class A1 grocery store up to 4,459 SQM net sales area) together with parking, new highway & associated servicing, infrastructure & landscaping - This application is a departure from the development plan and is accompanied by an environmental statement

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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 proposed retail development, by reason of its siting on land not allocated or otherwise identified for retail purposes, would result in the loss of land allocated for employment use, and would prejudice the comprehensive development of the site as a whole, contrary to Policy Sites 5 and 6 of the Arun District Local Plan 2003 and Policy NE5(a) of the West Sussex Structure Plan 2005.
- REASON 2 The proposal fails to demonstrate that there is sufficient demand for the quantum of B1(a) office development proposed and as such would not meet the employment needs of Bognor Regis and Arun District. Therefore, the proposal would be contrary to Policy NE5(a) of the West Sussex Structure Plan 2005.
- REASON 3 There is insufficient quantitative and qualitative need for the proposed out-of-centre retail development that could not otherwise be accommodated within Bognor Regis Town Centre, in accordance with the first priority of the sequential approach. As such, the proposal would harm the vitality and viability of the town centre and the prospects for the proposed town centre developments, contrary to PPS6 - Planning for Town Centres, West Sussex Structure Plan Policy NE10, and Arun District Local Plan policies DEV26 and DEV 27.
- REASON 4 Insufficient evidence regarding flood risk has been provided relating to the sequential approach to site selection and the applicant has not demonstrated that other sites at lower probability of flood risk have been thoroughly assessed. Therefore the proposals are contrary to PPS25 - Development and Flood Risk.

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

Case Officer: Mr K Wheway

Date of Decision: 19th December 2008

Date Decision Issued: 19th December 2008



Zachary Ellwood
Interim Head of Development Control

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.

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).