



The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (As Amended)

Application for Modify or Discharge a Planning Obligation DECISION NOTICE

Application Ref: BR/304/13/PO

1 To Addressee

Mr C Mann
Director/Chairman Arran Gate Ltd
1 Arran Gate
Marian Way
Bognor Regis
West Sussex
PO21 1PD

2 Site Address

Arran Gate
Marian Way

PO21 1PD

3 Description of Development

Application to modify a planning obligation dated 13th March 1987 imposed on planning application BR/450/86 - change of age restriction from "State Pensionable Age" to "Persons of 60 Years or Over".

4 In pursuance of their powers under this Act and related Regulations the Council **REFUSE** this application for the reason(s) stated below. Therefore the planning obligation shall continue to have effect without modification.

- 1 Insufficient information (in terms of a draft deed of variation) has been provided in order to allow the local planning authority to vary the existing legal agreement. Therefore, the local planning authority is unable to proceed to determine this application and as such the application is in conflict with policies GEN7 and DEV22 of the Arun District Local Plan.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Mr S Davis

Date of Decision:

18 June 2014

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

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 six 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.

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).