ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: FP/121/07/

1 **To Addressee**

Brian Sellars Associates
The Old Granary
Upper Stoneham
Lewes
East Sussex
BN8 5RH

2 **Site Address**

Site of Mermaid and Playbox
Adjacent to Sea Road
Felpham

3 **Description of Development**

Outline application for redevelopment of site into 4 no. 1 bedroom apartments in 3 storey building with parking to rear. (Re-submission following FP/42/07/)

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 plan for the reasons stated.

REASON 1 The proposed three storey building, comprising 4 No. flats would represent a form of development which would be out of keeping with the character of the surrounding area and detrimental to the residential amenities of the neighbouring property to the east. The proposal would therefore be contrary to policies LOC1, DEV1, CH1 of the West Sussex Structure Plan and GEN2, GEN7 of the Arun District Local Plan.

REASON 2 The proposal is considered to conflict with relevant Development Plan policies in that the application is not accompanied by an appropriate Flood Risk Assessment (FRA) as required by Annex E of Planning Policy Statement 25 - Development and Flood Risk (PPS25). The proposal would therefore be contrary to polices ERA4 of the West Sussex Structure Plan and GEN10 of the Arun District Local Plan.

REASON 3 On the basis of the information available the Local Planning Authority is not satisfied that satisfactory access to this site can be achieved and the proposal would therefore be contrary to policies DEV1, NE17 of the West Sussex Structure Plan and GEN2, GEN7 of the Arun District Local Plan.

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

Case Officer: Miss C Forrest

10th July 2007

Howard Cheadle

Howard Cheadle DipTP MRTPI
Head of Planning Services

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.