

DECISION NOTICE

Application Ref: F/1/21/PL

1 To Addressee

Mr P Collins
36 Manor Road
Selsey
PO20 0SD

2 Site Address

Land to the North of The Towpath,
South and East of Church Farm
Ford

3 Description of Development

Change of use from agricultural land to use as open space (6 hectares) and education (10 hectares). This site also lies within the parish of Yapton, affects a Public Right of Way & is in CiL zone 3 (Zero Rated) as other development.

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 The site is outside the built up area boundary in an area recognised for its intrinsic character and beauty and based on the limited information submitted and lack of justification/allocation the educational use of part of the site would adversely affect the rural character of the area contrary to policies SD SP2 and C SP1 of Arun Local Plan and policies SP1, BUA1 and EH7 of Ford Neighbourhood Plan.
- 2 The proposal results in unacceptable loss of high grade agricultural land in conflict with policy SO DM1 of Arun Local Plan, d policy EH5 of Ford Neighbourhood Plan and the NPPF which requires the economic benefit of the land to be considered and for development to use the lowest grade of land suitable for that development unless a sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site have been submitted to allow for an assessment of adequate justification for the proposal as an exception.
- 3 The proposal fails to demonstrate educational use of this site in this location would be acceptable. Insufficient information has been submitted to enable the Local Planning Authority to assess the impact of the educational use proposed in conflict with policies INF SP1 and INF SP2 of Arun Local Plan.
- 4 The proposal fails to demonstrate that a safe and suitable access to the site for all users can be achieved contrary to policies T SP1 and T DM1 of the Arun Local Plan 2011-2031, paragraph

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.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner

Decision Issued: **18th May 2021**

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 6 months 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).