

DECISION NOTICE

Application Ref: LU/126/19/PL

1 To Addressee

Mr A Foster
The Planning Practice Ltd
18 Tillstone Street
Brighton
BN2 0BD

2 Site Address

25 River Road
Littlehampton
BN17 5BZ

3 Description of Development

Demolition of the existing garage building (B2 industrial use) and redevelopment of the site providing 9no C3 residential units - This application affects the character and appearance of River Road Conservation Area.

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 by virtue of its size and shape, is considered unsuitable to accommodate 9 dwellings and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an overdevelopment of the site which comprises an unduly cramped and unneighbourly form of development which would be detrimental to the residential amenities of future occupiers and the character and amenities of the surrounding residential area, contrary to policies DDM1 and DSP1 of the Arun Local Plan.
- 2 Given the layout, form, footprint, scale, height, detailing and relationship with adjacent buildings the proposal would be prejudicial to the appearance and character of the Littlehampton River Road Conservation Area and therefore conflicts with policies HER DM3 and HER SP1 of the Arun Local Plan and the NPPF.
- 3 The site lies within Flood Zone 3 defined by the Planning Practice Guidance as having a high probability of flooding. The dwellings, are classed as "more vulnerable" in accordance with Table 2 (Flood Risk Vulnerability Classification) of the PPG for Flood Risk and Coastal Change.

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change. The FRA does not therefore adequately

assess the development's flood risks.

The submitted Flood Risk Assessment (FRA) is inadequate. It has failed to consider finished floor levels in relation to flood levels and depths during the lifetime of the development taking in account climate change allowances and has not ensured that no habitable rooms are placed below the 0.5% AEP 2115 flood level.

The proposal is therefore contrary to policies WDM2 and ECC SP1 of Arun Local Plan and the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance for Flood Risk and Coastal Change.

- 4 There is no evidence to demonstrate how the design or layout of the proposal promotes energy efficiency. The proposal therefore conflicts with policy ECC SP2 of Arun Local Plan and the NPPF.
- 5 The proposal lacks sufficient highway information. The applicant has not carried out a parking capacity survey, or provided clarification on the parking strategy or vehicle tracking to demonstrate how each parking space can be accessed. It has not been satisfactorily demonstrated that appropriate levels of parking are provided or that the development has been designed to incorporate facilities for charging electric and plug-in hybrid vehicles. The proposal would therefore adversely affect residential amenity and sustainability and conflicts with policy Policy TSP1 (d) and (f) of Arun 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 reasons 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 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.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner
Decision Issued: **27th September 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).