ARUN
DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: LU/153/08/

1 **To Addressee**

The Planning Bureau Ltd
Homelife House
26-32 Oxford Road
Bournemouth
Dorset
BH8 8EZ

2 **Site Address**

32, 33, 34 Fitzalan Road & 14,
16 Church Street & part garden of
18 Church Street
Littlehampton

3 **Description of Development**

Application for the redevelopment of the site to form 60 "extra care" frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking & landscaping.

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 proposal fails to provide adequate off-site affordable housing provision by reason of a failure to provide a satisfactory legal agreement. The applicant has failed to provide an accepted and justified financial viability appraisal to form the basis of any satisfactorily affordable housing offer. The proposal is therefore contrary to the policy adopted by Arun District Local Plan to seek 40% affordable housing provision on developments of this type, PPS3 relating to affordable housing provision, policies DEV17 of the Arun District Local Plan and NE3 of the West Sussex Structure Plan.

REASON 2 The proposal fails to provide to secure the imposition of a lower age limit on the permanent occupiers of the apartments, 60 years or in the case of joint residency 55 years. Accommodation is restricted to occupation by the elderly on sites such as this where reduced carparking is considered appropriate and to ensure this type of accommodation is retained in interests of retaining a range of accommodation to meet different needs in the district. The proposal is therefore contrary to policies DEV21 of the Arun District Local Plan and PPS3 relating to the need to provide for different housing needs.

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

Case Officer: Mr J Parsons

Date of Decision: 16th September 2008

Date Decision Issued: 16th September 2008

ZJ Ellwood

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.