ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: LU/189/10/

1 **To Addressee**

Brownfield Catering Ltd
8 South Terrace
Littlehampton
West Sussex
BN17 5NZ

2 **Site Address**

East Beach Cafe
The Promenade
Sea Road
Littlehampton
BN17 5GB

3 **Description of Development**

Erection of 2no. lamp posts with lights to replace existing pavement lights

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 floodlights are unacceptable in that it they do not relate sympathetically in design and form with the existing character of the locality comprising street lighting of high quality traditional design within an established pattern of development thereby forming obtrusive and incongrous features that disrupt the existing rthym of development with a prominent seafront location to the detriment of the visual amenities of the environment contrary to policy GEN7 of the Arun District Local Plan and guidance contained with Planning Policy Statement 1: Delivering Sustainable Development.

REASON 2 The development generates unacceptable levels of obtrusive light within a prominent seafront location that impinges upon the operation of the Maritime and Coastguard Association Rescue Services in seeking to visually identify the location of vessels from the Littlehampton Coast Guard Station when out at sea to the detriment of public safety contrary to policies GEN7, GEN33 of the Arun District Local Plan and guidance contained within Planning Policy Statement 23: Planning and Pollution Control.

REASON 3 The floodlighting installation, by virtue of its excessive light spillage at a prominent seafront location, is visually intrusive and out of keeping and detrimental to the character and appearance of the prominent seafront landscape contrary to policies GEN7, GEN33 of Arun District Local Plan and guidance contained with Planning Policy Statement: Delivering Sustainable Development and Planning Policy Statement 23: Planning and Pollution Control.

REASON 4 The floodlighting installation, by virtue of its excessive light spillage across the pedestrian highway outside the application site, constitutes a serious visual distraction and nuisance that adds to the hazards of highway users to an unacceptable degree and interrupts the free flow of pedestrain traffic to the detriment of public safety contrary to policies GEN7, GEN33 of Arun District Local Plan and guidance contained within Planning Policy Guidance Note 13: Transport and Planning Policy Statement 23: Planning and Pollution Control.

REASON 5 If this proposal were permitted, the Local Planning Authority would find it difficult to resist similar proposals in the vicinity, the cumlative effect of which would be to alter the character of the locality to the serious detriment of the amenities and environment contrary to policy GEN7 of the Arun Local Plan and guidance contained with Planning Policy Statement 1:Delivering Sustainable Development.

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

Case Officer: Mr J Singh

Date of Decision: 9th September 2010

Date Decision Issued: 9th September 2010

Karl Roberts
Assistant Director Planning Services &
Housing Strategy

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.

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).