

## DECISION NOTICE

Application Ref: LU/83/25/OUT

1 **To Addressee**

dowsettmayhew Planning Partner  
Mocatta House  
Trafalgar Place  
Brighton  
BN1 4DU

2 **Site Address**

Westholme Nursery  
Toddington Lane  
Littlehampton  
BN17 7PP

3 **Description of Development**

Outline planning application (with all matters except access reserved) for the construction of 31 No. residential units. This application is in CIL zone 2 (CIL liable) and may affect the setting of listed buildings.

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 lies partially in Flood Zone 3 and Climate Change Flood Zones for 2070-2125, and whilst an FRA has been submitted, the applicant has not provided sufficient information to adequately assess the flood risk to the site both now and in the future. The development fails to undertake the sequential test, nor identify that there are alternative sites appropriate for the development in areas at lower risk of flooding. The proposals are therefore contrary to Arun Local Plan Policies W SP1 and W DM2 of the Arun Local Plan and the NPPF.
- 2 Insufficient evidence has been submitted to demonstrate that the development is deliverable and ensures the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development, without increasing flood risk elsewhere. This is in conflict with Arun Local Plan policy W DM3 and the NPPF.
- 3 The proposed development would present an overdevelopment of the site, and result in an unacceptable density to the detriment of the character and appearance of the area, in conflict with Arun Local Plan policies D SP1 and D DM1, the Arun Design Guide and the NPPF.
- 4 In the absence of a signed Section 106 agreement, the development will not provide the

contribution required to mitigate the additional cost of transporting secondary school pupils to the nearest school and is thereby contrary to ALP policy INF SP1 and the NPPF.

- 5 In the absence of a signed Section 106 agreement, the development fails to make any affordable housing provision contrary to the aims and objectives of the NPPF and policy AH SP2 of the Arun Local Plan.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.



Neil Crowther  
Group Head of Planning

Case Officer: Hannah Kersley

Decision Issued: **10th September 2025**

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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details can be found at [www.GOV.uk](http://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).