

## DECISION NOTICE

Application Ref: P/6/26/PL

**1 To Addressee**

Pickup Town Planning  
57 Sea View Road  
Drayton  
Portsmouth  
PO6 1EW

**2 Site Address**

Fairhaven  
Nyetimber Lane  
Pagham  
PO21 3JT

**3 Description of Development**

Construction of 3 No. detached chalet bungalows together with alterations to existing dwelling with the provision of modified access, parking & landscaping. This application is in CIL Zone 4 and is CIL Liable as new dwellings.

**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 proposal represents an unduly cramped form of overdevelopment that is at odds with the established development pattern and prevailing character of the locality. This is in conflict with Arun Local Plan policies D SP1 and D DM1, NPPF para 139, the Arun Design Guide and the Pagham Village Design Statement.
- 2 In the absence of a completed S.106 agreement to secure the relevant financial contribution, the proposal would give rise to unmitigated and therefore, unacceptable recreational pressures on the Pagham Harbour Special Protection Area in conflict with Arun Local Plan policies ENV SP1, ENV DM1 and ENV DM2.
- 3 In the absence of a Site-Specific Flood Risk Assessment, the overall on-site flood risk has not been suitably assessed, and the proposed dwellings cannot be confirmed to be safe from flood risk for their lifetime without increasing flood risk elsewhere in conflict with Arun Local Plan policy W DM2 and NPPF paragraph 170. Consequently, the proposal also requires a Sequential Test in accordance with NPPG Paragraph: 027 Reference ID: 7-027-20220825 which has not been supplied and is therefore, in conflict with NPPF paragraphs 170 and 175.
- 4 The submitted surface water drainage scheme is not in accordance with the National Standards

for Sustainable Drainage Systems and there is an unacceptable risk of increased flood risk on site and/or elsewhere in conflict with Arun Local Plan policy W DM3 and NPPF paragraphs 181, 182 and 187(e).

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 discussing those with the Applicant. It has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. 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: Harry Chalk

Decision Issued: 10th April 2026

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 should be made on line via Appeal A Planning Decision <https://appeal-planning-decision.service.gov.uk/before-you-start> If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of the support options available.

Before making an appeal, you may find it useful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>

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).