

## DECISION NOTICE

Application Ref: WA/102/24/PL

### 1 To Addressee

Vivid Design Studio Ltd  
Paddock View Calcot Mount Business Park  
Calcot Lane  
Curdridge  
SO32 2BN

### 2 Site Address

Longacre The Street  
Walberton  
BN18 0PY

### 3 Description of Development

Erection of 6 No. dwellings with car ports and car parking along with a new ecology and open space area with use of existing access onto The Street. This application is a Departure from the Development Plan, may affect the setting of listed buildings, may affect the character and appearance of the Walberton Green conservation area, is in CIL Zones 2 and 3 and is CIL liable for 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 proposed layout and access arrangements will result in harm to the existing retained trees and encroach upon their root protection areas in conflict with Arun Local Plan Policy ENV DM4, Walberton Neighbourhood Development Plan Policy VE3 and the NPPF.
- 2 Insufficient information has been submitted to determine whether the development can sustainably drain surface water. As such, it has not been demonstrated that the development can be adequately drained, and would not increase flood risk elsewhere. This is in conflict with Arun Local Plan Policies W DM1, W DM2 and W DM3, Walberton Neighbourhood Development Plan Policy VE7, the NPPF and the associated Planning Practice Guidance on Flood Risk and Drainage.
- 3 The development is not an allocated site in the Walberton Neighbourhood Development Plan and is predominantly outside of the defined Built-Up Area Boundary in conflict with Walberton Neighbourhood Development Plan Policy HP1 and the harm identified significantly and demonstrably outweighs the benefits of the application including its contribution to the Council's Housing Land Supply shortfall with reference to para 14 of the NPPF.

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 clearly setting these out in the reason(s) for refusal. 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: Amber Willard

Decision Issued: 4th April 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).