

DECISION NOTICE

Application Ref: Y/19/20/RES

1 To Addressee

Pegasus Group
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
GL7 1RT

2 Site Address

Land to the south of Ford Lane and
east of North End Road
Yapton
BN18 0DS

3 Description of Development

Approval of reserved matters following outline consent Y/80/16/OUT for 4.5ha of residential development comprising of 3.4ha of land for the erection of 100 No. dwellings (up to 30 (30%) affordable housing) together with 1.1ha of land set aside for public open space & strategic landscaping & 2.2ha of public open space & green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road. This application may affect the setting of listed buildings, affects the character & appearance of the Church Lane, Yapton Conservation Area & affects a Public Right of Way.

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 applicant has failed to submit information to demonstrate how the development accords with the draft Arun Design Guide Supplementary Planning Document (SPD) which promotes good design in new development through setting out key design objectives including the development of a design rationale which should draw upon the results of a site appraisal in order to justify the reasoning behind key design decisions for the proposed development. Consequently, the development is contrary to Policy D SP1 of the Arun Local Plan, the National Design Guide and the emerging Arun Design Guide SPD by failing to adequately address and achieve good design.
- 2 The proposed layout concentrates higher density development in the western part of the site which appears cramped which is unacceptable in terms of visual appearance and would harm the residential amenity. The housing mix should be SHMA compliant. The siting of the houses would impinge on the Green Corridor. Dwellings are located within the Root Protection Area (RPA) of

the lime tree, which is unacceptable in tree protection terms. The rows of car parking lack any tree planting to break up the negative visual impact of the parking spaces, which is visually unacceptable. The apartment buildings are not provided with sufficient private amenity space. The quantum of visitor parking spaces is unacceptably low. The proposed layout and design of the development is unacceptable in terms of residential amenity and visual appearance and lack of permeability and it is contrary to Policy D DM1, Policy OSR DM1, Policy ENV DM4 and Policy T SP1 of the Arun Local Plan, Arun District Parking Standards Supplementary Planning Document, January 2020, and the National Planning Policy Framework.

- 3 Insufficient surface water drainage details have been submitted to fully determine the viability of the proposed surface water drainage scheme, which is incorporated into the proposed layout plan (Drawing No. 042 Rev. D). The development is contrary to Policy W DM3 of the Local Plan and Policy E11 of the Yapton Neighbourhood Plan and the National Planning Policy Framework, as the layout as proposed could lead to flooding on the site and the surrounding area, which would be unacceptable.
- 4 The layout is unacceptable as it includes large groupings of affordable units clustered in the apartment buildings (plots 64-71 and 72-79), and the terraced houses (plots 80-83 and 54-57) in the western most part of the site, which is contrary to Policy AH SP2 of the Local Plan and the National Planning Policy Framework, which require affordable housing units to be provided in small clusters throughout the development, rather than being over-concentrated in one part of the site, constituting ghettoization.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, 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: Michael Eastham

Decision Issued: 12th May 2020

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) at least 10 days before submitting the appeal. Further details can be found at 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).