

DECISION NOTICE

Application Ref: Y/32/25/PL

1 **To Addressee**

ECE PLanning
64-68 Brighton Road
Worthing
BN11 2EN

2 **Site Address**

Land West of Bilsham Road
Yapton
BN18 0LA

3 **Description of Development**

Erection of 170 No. residential dwellings (30% affordable), parking spaces, internal site roads, public open space, children's play space, pumping station, surface water drainage features, landscaping and associated works. This application is a Departure from the Development Plan and is in CIL Zone 3 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 Insufficient information has been submitted to demonstrate that an acceptable SuDS scheme can be achieved and that there will be no on- or off-site flooding as a result of the development. The proposal conflicts with Arun Local Plan Policies W DM1, W DM2 and W DM3, the National Standards for SuDS, the SuDS Manual, the associated Planning Practice Guidance on Flood Risk and Drainage and the National Standards for Sustainable Drainage Systems.
- 2 In the absence of a signed Section 106 agreement, the development fails to make any affordable housing provision and is thereby contrary to the aims and objectives of the NPPF and Arun Local Plan policy AH SP2.
- 3 In the absence of a signed Section 106 agreement, the development will not provide the highway improvements necessary to deliver the development & mitigate any residual harm to the local and strategic road network and is thereby contrary to Arun Local Plan policies T SP1 and T DM1, 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 to secondary school pupils to the nearest school and is thereby contrary to Arun Local Plan policy INF SP1 and the NPPF.
- 5 In the absence of a signed Section 106 legal agreement, the development is unable to secure the

provision of on and off site Biodiversity Net Gain and the future monitoring of the on-site proposals in conflict with Arun Local Plan policy ENV DM5, the NPPF and the associated Planning Practice Guidance on Biodiversity.

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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm, which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **17th February 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 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).