ARUN
DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended) Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

Application for Planning Permission

DECISION NOTICE

Application Ref: AW/80/12/

1 **To Addressee**

H J Concepts Ltd
100 Fareham Reach
166 Fareham Road
Gosport
Hampshire
PO13 0FW

2 **Site Address**

28 Kingsway
Craigweil
PO21 4DH

3 **Description of Development**

New 4 bedroom detached dwelling with integral garage & new front boundary treatment, demolition of existing single garage - Resubmission of AW/317/11

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, by reason of its size and position would erode the spacious character of the plot of Brus Lodge and the immediate area which would be detrimental to the setting of a heritage asset building and would also fail to preserve or enhance the character of the Conservation Area or Area of Special Character. This would be contrary to Policies GEN7 and AREA2 of the Arun District Local Plan (2003) and the National Planning Policy Framework (2012).

[redacted]

Case Officer: Mrs S Leeson

Decision Issued: **18 October 2012**

Karl Roberts
Assistant Director Planning & Economic Regeneration

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

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

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 First 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, if you want to appeal against your local planning authority's decision on your application, 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 if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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).

ARUN
DISTRICT COUNCIL
www.arun.gov.uk

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex, BN17 5LF

Tel: 01903 737500
Fax: 01903 730442
DX: 57406 Littlehampton
Minicom: 01903 732765
e-mail: nikolas.antoniou@arun.gov.uk

H J Concepts Limited
100 Fareham Reach
166 Fareham Road
Gosport
Hampshire
PO13 0FW

23 October 2012

Your Ref:

Our Ref: AW/80/12-NA/SDB

Please ask for:
Nikolas Antoniou
Head of Development Control
Direct Dial: [redacted]

Dear Sir/Madam,

AW/80/12 - 28 Kingsway, Craigweil

As you are aware Members of the Council's Development Control Committee refused to grant planning permission for the above planning application and a copy of the decision is enclosed.

The refusal reason encompasses the concerns raised by Members during the course of the debate. Reference was made to Local Plan Policy GEN22 but unfortunately reference to this policy was omitted from the decision notice. Policy GEN22 refers to buildings or structures of character. The purpose of this letter is to inform you that should the Applicant appeal the Council's decision to refuse the above planning application the Council will make reference to policy GEN22 in any appeal documentation as necessary.

Yours sincerely,

[redacted]

Nikolas Antoniou MRTPI
Head of Development Control