



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: A/9/18/PL

1 To Addressee

Murdoch Planning Ltd
P.O Box 71
Icminster
Somerset
TA19 0WF

2 Site Address

The Caravan Site
New Road A259

3 Description of Development

Change of use of land to a Gypsy & Traveller Caravan Site consisting of 1 No. mobile home, 1 No. touring caravan, 1 No. amenity building & acoustic & close boarded fencing. This application is a Departure from the Development Plan.

In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to the following conditions

- 1 The development hereby approved shall be carried out in accordance with the following approved plans: TDA.2365.07, TDA.2365.06, TDA.2365.05, TDA.2365.02, TDA.2365.03, TDA.2365.01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HPS5 of the Arun Local Plan.

- 2 This permission shall not be exercised by any person other than persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: Permission would not normally be granted for such development in this location but in granting permission exceptionally the Local Planning Authority have had regard to the particular circumstances relating to the proposal in accordance with policy HSP5 of the Arun Local Plan and Planning Policy for Traveller Sites (2015).

- 3 The development permitted by this planning permission shall only be carried out and permanently retained in accordance with the approved Flood Risk Assessment (FRA) SLR Ref No:402.07372.00001 August 2018 and in particular that the finished floor level of the residential buildings must be set at 3.43mAOD.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policies W SP1 and W DM2 of the Arun Local Plan.

- 4 The permission hereby granted will be for the benefit of the existing two units and there shall be no more units of residential accommodation stationed on the land at any time.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HPS5 of the Arun Local Plan.

- 5 The development permitted by this planning permission shall only be carried out and permanently retained in accordance with noise assessment report dated October 2018 and air quality assessment report October 2018 2270W-SEC-00002-01.

Reason: To safeguard the amenities of existing and future residents in accordance with Arun Local Plan policies QE DM1 and QE DM3.

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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: All mobile homes are required to obtain a Site Licence under the provisions of the Caravan Site and Control of Development Act 1960. The application is advised to contact the Council's Environmental Health department for further information.

INFORMATIVE: The applicant is advised that in addition to any planning consent being granted that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order under the Highways Act 1980. The applicant should contact the West Sussex County Council's Legal Services Department to commence this process.



Neil Crowther
Group Head of Planning

Case Officer: Mr J Baeza

Date of Decision:

16 January 2019

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 12 weeks 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.

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).