

DECISION NOTICE

Application Ref: BR/256/19/PL

1 To Addressee

Mulberry Architecture Ltd
25 Aldwick Road
Bognor Regis
West Sussex
PO22 2LN

2 Site Address

2 Cavendish Road
Bognor Regis
PO21 2JW

3 Description of Development

Conversion of existing store to 2 bed dwelling to the rear of 2 Cavendish Road, fronting Sutherland Close.

4 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 compliance with the following conditions and Section 106 Agreement.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans; Proposed Floor Plans and Elevations (Rev A November 2019), Proposed Section (Rev A November 2019) and Site and Location Plan (Rev A November 2019).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place until a schedule and sample of the materials and finishes to be used for external walls (and roofs) of the development hereby permitted have been submitted to and approved by the Local Planning Authority. The materials so approved shall be used in the construction of the development hereby permitted.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until covered and secure cycle parking spaces and bin storage have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. Once provided the cycle and bin storage shall be maintained as approved in perpetuity unless otherwise agreed with the Local Planning Authority in writing.

Reason: To provide alternative travel options to the use of the car in accordance with policy T SP1 of the Arun Local Plan.

- 5 No part of the development shall be occupied until the internal garage car parking has been provided in accordance with the approved plans. These spaces shall thereafter be retained at all times in perpetuity for their designated purpose, unless otherwise agreed with the Local Planning Authority in writing.

Reason: To provide car-parking space for the use and in accordance with policy T SP1 of the Arun Local Plan.

- 6 Prior to the occupation of the development hereby permitted provision shall be made for electric charging of vehicles within the garage parking space and retained as such in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide for the car parking demands created by the development in accordance with policy T SP1 of the Arun Local Plan and paragraph 110 of the National Planning Policy Framework.

- 7 The rooflights hereby permitted by this permission in the rear roof pitch shall be positioned at no lower than 1.7m above finished floor levels and shall be retained as such at all times thereafter in perpetuity, unless otherwise agreed with the Local Planning Authority in writing.

Reason: To protect the amenities and privacy of neighbouring properties in accordance with policies QE SP1, D DM1 and D DM4 of the Arun Local Plan.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings, extensions or additions (other than those shown on the plans hereby approved) shall be formed in the building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies QE SP1, D DM1 and D DM4 of the Arun Local Plan.

INFORMATIVE: This permission conveys consent under planning legislation only and contravention with other legislation e.g. protection of wildlife etc. should be considered.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement that provides £871 to offset recreational impacts upon the Pagham Harbour Special Protection Area.



Neil Crowther
Group Head of Planning

Case Officer: James Cross

Decision Issued: **3rd January 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 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).