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: BR/280/14/PL

1 **To Addressee**

Mr B Butcher
Rainbow Cottage
Nyetimber Lane
Aldwick
West Sussex
PO21 3JX

2 **Site Address**

80B Aldwick Road
Aldwick
PO21 2PE

3 **Description of Development**

Part conversion of rear ground floor storerooms to form new one bedroom flat with rear single storey extension

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 conditions specified below.

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 materials and finishes of the external walls and roofs of the extension hereby permitted shall match in colour and texture those of the existing building(s).

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

3 The development hereby permitted shall not commence until a plan has been submitted to and approved in writing by the Local Planning Authority indicating the location, number and size of parking spaces to serve the site. The development shall not be occupied until the parking has been provided in accordance with the details so approved and the parking so provided shall thereafter be kept available for the flat.

Reason: To ensure that parking is provided in accord with approved guidance and to prevent parking on the adjacent public highway in the interests of highway safety in accordance with policy GEN7 of the Arun District Local Plan.

4 Details of provision for the storage of refuse on the premises or within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is first commenced. The development shall not be occupied before the provision for the storage of refuse has been made in accordance with the details so approved. The details so approved shall be retained in perpetuity.

Reason: To protect the amenities of nearby residents and in the interests of visual amenity in accordance with Arun District Local Plan policy GEN7.

INFORMATIVE: The submitted Unilateral Undertaking is now of no account.

Whilst the applicant has submitted a completed and signed/dated Unilateral Undertaking (UU) which makes provision for a financial contributions of £6085.00p, Affordable Housing and £150.00p, Monitoring Fee this UU can be ignored as irrelevant since 28 November 2014 and the Department of Communities & local Governments introduction of a prohibition on affordable housing contributions for developments of 10 dwellings or less in urban areas and which have a maximum combined gross floor space of no more than 1000sqm.

The above financial contribution is now no longer required as this application is for 1 unit and the unit is 63sqm. (Planning Practice Guidance, Planning Obligations, Paragraph 12 refers).

Given the above, the Council would not seek to enforce payment of the sums referred to in the UU in the manner set out therein.

The applicant may wish to obtain their own legal advice as to securing revocation of the UU.

Case Officer: Ross Leal

Date of Decision: **5 March 2015**

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, and 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 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 of the date of this notice, whichever period expires earlier.

For all other cases, 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 at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

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).