# TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

## DECISION NOTICE

**Application Ref: BR/71/07/**

1 **To Addressee**

Mr E Rees
56 The Drive
Craigweil
Bognor Regis
West Sussex
PO21 4DT

2 **Site Address**

Land at 35 Lyon Street
Bognor Regis

3 **Description of Development**

Restoration of outbuilding to form 2no. one bed flats (Resubmission following BR/331/06)

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 plan and subject to compliance with the conditions specified.

CONDITION 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).

CONDITION 2 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the building to the rear of the site have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 The windows on the north west elevation of the building at first storey level servicing the bathroom shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 4 No windows (other than those shown on the plans hereby approved) shall be constructed in the south east, south west and north west elevations of the detached unit to the rear of the 35 Lyon Street hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 5 The layout of the proposed development shall provide for secure and covered cycle parking space to a standard of two cycle spaces per unit in accordance with plans to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that adequate and satisfactory provision is made for cycle parking clear of all highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 The windows on the north east elevation at first floor level of the detached annex to the rear of 36 Lyon Street, Bognor Regis shall at all times be glazed with obscured glass as shown on plans dated 5th January 2007.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 7 This permission relates to the plans as submitted and amended by substitute site plans dated 27th April 2007.

Reason: For the avoidance of doubt.

CONDITION 9 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that it would have no materially adverse effect on either the visual amenities of the locality or residential amenities of adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: DEV1, LOC1, NE2, CH1, ERA1

LOCAL PLAN: GEN7, DEV23

NATIONAL POLICIES: PPS1, PPS3, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

Case Officer: Miss K Brocklebank

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

**11th May 2007**

Howard Cheadle

**Howard Cheadle DipTP MRTPI**
**Head of Planning Services**

**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 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 Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

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 First 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 District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.