



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: CM/29/14/PL

1 To Addressee

Parker Dann
 S10
 The Waterside Centre
 North Street
 Lewes
 East Sussex
 BN7 2PE

2 Site Address

Land at entrance to Waterford Gardens
 Horsemere Green Lane

 BN17 5PQ

3 Description of Development

Erection of 1 No 4 bed dwelling and garage. This application is a Departure from the Development Plan.

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 and the obligations under the 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:
- drawing number PD/01 Rev A (Site location plan) Substitution dated 27-10-2014, 02 (Block plan) dated February 2008, 09 G (Site plan), 01 (Proposed elevations) dated February 2008 and 03 (Proposed double garage) dated February 2008.
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.
- 3 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 roofs of the proposed dwelling have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling.
- Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.
- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.
- 5 No development shall commence until details of the siting, type and design of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the boundary treatments have been constructed in accordance with these approved details.
- Reason: In the interests of the visual amenities of the locality in accordance with the policy GEN7 of the Arun District Local Plan.
- 6 No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- Reason: The site is potentially of archaeological interest in accordance with the policy AREA17 of the Arun district Local Plan.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no gate, fence, wall or other means of enclosure shall be erected or constructed within the area of the site between the forward visibility splay and the access road into the site.
- Reason: To avoid the obstruction of the highway visibility splay that is provided in order to safeguard the safety of highway users in accordance with policy GEN7 of the Arun District Local Plan.

- 8 No development of the site shall commence until the vehicular access serving the proposed dwelling has been constructed in accordance with the approved drawing.

Reason: In the interests of highway safety in accordance with policy GEN7 of the Arun District Local plan.

- 9 Notwithstanding the details shown on the submitted plans, the 1.8 metre boundary fence alongside Horsemere Green Lane shall be substituted for a hedgerow, details of which shall be submitted and approved under condition 4 of this Decision Notice.

Reason: In the interests of the visual amenities of the locality in accordance with the policy GEN7 of the Arun District Local Plan.

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.

INFORMATIVE: The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Lane, Drayton, Chichester, PO2 6BW, (Tel no:01243 836900) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

INFORMATIVE: The application is subject to a S106 Legal agreement with regards to an affordable housing contribution for the sum of £7,203.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Mr D Sullivan

Date of Decision:

4 November 2014

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/pes

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).