



DECISION NOTICE

Application Ref: EG/39/08/

1 To Addressee

Mrs D Appleton
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
PO19 1UA

2 Site Address

Commercial House
Fontwell Avenue
Eastergate

3 Description of Development

Approval of reserved matters (appearance & landscape) following outline permission EG/9/07 for the redevelopment of existing office building & builders yard with 6no. apartments with parking

4 Approval of reserved matters following outline approval.

In pursuance of their powers under this Act and related Orders and Regulations the Council APPROVE The Reserved Matters of the development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

CONDITION 1 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 building 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 visual 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 2 The first floor windows on the south elevation of the building shall at all times be glazed with obscured glass fixed to be permanently non-opening below 1.7 metres above the floor of the room in which the window is installed.

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.

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 the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC2 DEV1 CH1 DEV1 DEV5 ERA1

LOCAL PLAN: GEN3 GEN7 GEN12

NATIONAL POLICIES: PPS1 PPS3 PPS7 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 works to the highway involving the new access and the closure of the layby shall be carried out prior to the first occupation of the flats hereby permitted. These works shall be carried out and constructed to a specification to be agreed with West Sussex County Council. The completion of an agreement under the provisions of S278 of the Highways Act 1980 is required between the Developer and the West Sussex County Council as highway authority. Details of the specification may be obtained from the Area Highway Engineer, Southern Area Office, West Sussex County Council, Clapham Common, Clapham, Worthing, West Sussex. BN13 3UR. Telephone: 01903-878500.

INFORMATIVE: The applicant is reminded that condition 5 of EG/9/07 requires that no work shall be undertaken until such time as a plan and specification have been submitted to and approved in writing by the Local Planning Authority showing the replacement car parking spaces at the junction of Level Mare Lane and Fontwell Avenue. The approved details shall be fully implemented before the first occupation of any of the flats hereby permitted.

Case Officer: Mr J Parsons

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

Date of Decision:

8th December 2008

Date Decision Issued:

8th December 2008



Zachary Ellwood
Interim Head of Development Control

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.

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).