TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: EG/90/05/

1 **To Addressee**

The JTS Partnership
Number One The Drive
Great Warley
Brentwood
Essex
CM13 3DJ

2 **Site Address**

Fontwell Park Racecourse
Fontwell Avenue
Fontwell

3 **Description of Development**

New stable complex and lorry park, new public house/restaurant and 40 bed hotel with associated car parking and landscaping (Departure from Development Plan) & DUAL PARISH with AL/112/05

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 roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

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 buildings shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

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

CONDITION 4 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 5 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 7 No development on the public house or hotel shall be carried out until all buildings and structures existing on the application site and indicated to be demolished on the submitted plans have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 8 The development shall not proceed until details of the proposed surface water drainage and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN9 of the Arun District Local Plan.

CONDITION 9 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings susceptable to oil contamination shall be passed through an oil seperator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. On going maintenance of the interceptor shall be provided in accordance with the manufacturers instructions.

Reason: In order to prevent pollution of the water environment in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 10 Only clean uncontaminated roof water shall discharge direct to soakaway via a sealed drainage system (capable of preventing accidental/unauthorised discharge of contaminated liquid into the soakaway) without passing through either trapped gulleys or interceptors.

Reason: In order to prevent pollution of the water environment in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 11 Development shall not be commenced on the public house or hotel until details (including all the necessary calculations) of the diversion of the public sewer crossing the site has been agreed in writing by the local planning authority and these works undertaken.

Reason: To ensure that the proposed development does not affect the capacity of the existing drainage in accordance with policy GEN9 of the Arun District Local Plan.

CONDITION 12 The use of the hotel or public house shall not commence until details of improved pedestrian facilities across the A29 have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details before occupation of the buildings.

Reason: In the interests of pedestrian safety in accordance with policy NE17 of the West Sussex Structure Plan.

CONDITION 13 This permission relates to the original plans and amended plans submitted on 31st October and 8th November and not to all the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme for the hotel as originally submitted was unacceptable to the Local Planning Authority.

INFORMATIVE

The applicant should note the following comments from Southern Water :-

No development or new tree planting should be located within 3 metres either side of the centre line of the public sewer.

All existing infrastructure shall be protected during the course of construction works and Southern Water should be informed of these measures.

A formal application for connection to the public sewerage system is required in order to service this development. To intiate a sewer capacity check to identify the appropriate connection point for the development, contact Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire.

Case Officer: Mr K Wheway

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

21st December 2005

Stephen Cantwell
Planning Control Manager

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.