

TOWN AND COUNTRY PLANNING ACT 1990**DECISION NOTICE****Application Ref: EP/156/05/****1 To Addressee**

Direct Planning Limited
Riverbank House
95-97 High Street
St. Mary Cray
Orpington Kent
BR5 3NH

2 Site Address

106-108 Sea Road
East Preston

3 Description of Development

Change of use of ground floor to A3 (Chinese Restaurant), change of access to existing flat on 1st floor and installation of extractor duct.

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 food or drinks shall be stacked or stored outside the premises at any time unless approved by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 The premises shall not be open for trade or business except between the hours of 12.00 noon -2.00 p.m. and 5.30 p.m. - 11.00 p.m. 7 days a week plus public holidays and there shall be no external illumination on the premises except between the above-mentioned hours.

Reason: To safeguard the amenities of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 4 No deliveries shall be taken at the site outside the hours of 7.00 a.m. to 10.00 a.m. nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with Policy DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 5 The rating level of the noise emitted from the site shall not exceed the existing background noise level by more than 5db. The noise level shall be determined at the nearest noise sensitive premises. The measurements and assessment will be made according to BS 4142:1990.

Reason: To safeguard the amenities of the neighbouring properties and their occupiers in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 Before the use is first commenced, provision shall be made at the premises for the collection of customer waste in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be maintained to the satisfaction of the Local Planning Authority whilst the use is taking place.

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.

Case Officer: Mrs J Chapman

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

14th February 2006



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.