

TOWN AND COUNTRY PLANNING ACT 1990



DECISION NOTICE

Application Ref: EP/160/07/

1 To Addressee

Ms E Mills
 Caldotec Ltd
 41 Willowhayne Avenue
 East Preston
 West Sussex
 BN16 1PL

2 Site Address

5 Kithurst Close
 East Preston

3 Description of Development

Extensions & adaptations for disabled use with carer & family accommodation

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 The materials and finishes of the external walls and roofs of the extensions and dormers hereby permitted shall match in colour and texture those of the existing building.

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

CONDITION 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at and above eaves height in the east and west elevations of the extensions and/or dormers hereby permitted, nor in the east elevation roofslope of the single storey side extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

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

CONDITION 4 Within 2 months of the date of this permission details, including a schedule of materials and finishes, must be submitted to and approved by the Local Planning Authority for balcony screening 1.8m in height to the east elevation balcony in entirety, and the materials and finishes so approved shall be used in the construction of that screening. The screening shall be constructed and provided before the use of the balcony takes place. The screening shall at all times be retained as such approved and maintained to the satisfaction of the Local Planning Authority.

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

CONDITION 5 The flat roof areas of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority, in an application on that behalf.

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

CONDITION 6 The first floor bathroom and landing windows on the east elevation of the extensions hereby permitted 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 7 This permission relates to the plans as submitted and amended by substitute plans dated 22-11-2007 and 30-11-2007.

Reason: For the avoidance of doubt.

INFORMATIVE:

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

SUMMARY

This planning permission was granted because, although the proposed development does not comply with the policies in the Development Plan Listed below in that the extension is not visually subservient to the existing residential building, there are material considerations which indicate that it can be granted. These material considerations are the proposal is not considered to detrimentally impact upon residential amenities of neighbouring properties, and considered sympathetic in design and style to the neighbouring properties, with the eaves height and roofline of the proposal similar to that of the existing property, so as not to be overtly obtrusive in the street scene.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, DEV1

LOCAL PLAN: GEN7, DEV19

NATIONAL POLICIES: PPS1

This paragraph is to comply with Article 22 General Development Procedure Order 1995

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

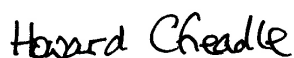
Case Officer: Mr M Porter

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

Date of Decision:

12th December 2007

Date Decision Issued:

13th December 2007

Howard Cheadle
Head of Planning & Housing Strategy

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.