

DECISION NOTICE

Application Ref: EP/180/18/PL

1 To Addressee

Mr P Cleveland
Rowan House
Baffins Lane
Chichester
West Sussex
PO19 1UA

2 Site Address

Building West of
131 Sea Road
East Preston
BN16 1PD

3 Description of Development

Change of use of boat store & sail loft (Sui Generis) to a single residential dwelling (C3 - Dwellinghouse) & part change of use of former dinghy pen to caravan site (Sui Generis)

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 the following conditions.

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan Drw no.1
Block plan Drw No.2
Indicative Site Layout Drw No.3
Ground Floor Plan Rev 1
First Floor Plan Rev 1
Proposed Front Elevation
Rear Elevation
Side Elevation (E)
West Side Elevation

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 No part of the development shall first be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to be approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policy TSP1 of the Arun Local Plan.

- 3 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with policy TSP1 of the Arun Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in any elevation of roof pitch of the development hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment and plans (ref: Flood Risk Assessment- Proposed Development at 131A Sea Road, East Preston- The Civil Engineering Practice) and the following mitigation measures it details:

- Where viable and appropriate the retrofitting of flood resistance and reliance measures to the development are to be implemented by the owner of the dwelling.
- Ground Floor Finished levels of the dwelling are set at 5.67m AOD

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding in accordance with Arun Local Plan Policies WSP 1, W DM1, W DM2 & W DM3.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Neil Crowther

Group Head of Planning

Case Officer: Mr J Baeza

Decision Issued: **4th September 2019**

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

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 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 this planning application decision, 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 this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

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).