TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: EP/184/07/

1 **To Addressee**

Hunter & Partners
Mr A Mallett
Sussex Business Village
Lake Lane
Barnham
PO22 0AA

2 **Site Address**

5 Upper Drive
East Preston

3 **Description of Development**

Demolition of existing bungalow. Replacement with purpose designed and built chalet house for disabled child (This application also falls within the parish of Kingston)

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 roof 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 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 ground floor ensuite bathroom window to the west elevation and the first floor bathroom window to the north elevation of the building 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 of the Arun District Local Plan.

CONDITION 4 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 first floor level or within the roof slope of the dwelling hereby approved 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 of the Arun District Local Plan.

CONDITION 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 Before the terrace area hereby permitted if bought into use, details of a 1.8m obscure glazed screen to be positioned along the south side of the terrace shall be submitted to and approved in writing by the Local Planning Authority and the details hereby approved shall be retained in perpetuity.

Reason: To protect the residential amenities of neighbouring properties in accordance with policies CH1, DEV1 of the west Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 7 This permission relates to the plans as submitted and amended by substitute plans (Drawing No: PL01; Rev 04) dated 22nd February 2008.

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

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: LOC1, NE17, CH1, DEV1, DEV5.

LOCAL PLAN: GEN2, GEN7.

NATIONAL POLICIES: PPS1, PPS3, 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 applicants are requested that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent highway for these purposes may not be acceptable.

INFORMATIVE: It is noted that there is a drainage ditch area on the site and the applicants are therefore advised to contact Southern Water, Southern House, Capstone Road, Chatham, ME5 7QA. www.southernwater.co.uk. Telephone 01634 824103

Case Officer: Miss C Forrest

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

Date of Decision: **27th February 2008**

Date Decision Issued: **28th February 2008**

Howard Cheadle

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.