



**Town & Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management**  
**Procedure) (England) Order 2015**  
**Application for Planning Permission**  
**DECISION NOTICE**

Application Ref: EP/93/18/PL

**1 To Addressee**

djb ltd  
 18 Liverpool Gardens  
 Liverpool Gardens  
 Worthing  
 West Sussex  
 BN11 1RY

**2 Site Address**

9 Nursery Close  
 East Preston  
 BN16 1QD

**3 Description of Development**

Variation of condition 2 imposed under EP/145/17/HH to change drawing number of plan drawing to reflect rebuilding of section of wall rather than retention.

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 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).

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

17-085-7 Rev D as submitted with this application and:

17-085-1a, 17-085-2, 17-085-3, 17-085-8a, 17-085-9, 17-085-10 & 17-085-11 as submitted as part of application ref: EP/45/17/HH.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with policy D DM4 of the Arun Local Plan.

- 3 The materials and finishes of the external walls, excluding the cement weatherboarding, and roof of the extension hereby permitted shall match in colour and texture those of the existing building.
- Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 4 The dormer window on the north west elevation of the building shall at all times be glazed with obscured glass and only have a high level opening 1.7m above floor level.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1, D DM4 of the Arun Local Plan.
- 5 No windows (other than those shown on the plans hereby approved) shall be constructed in the north west elevations of the extensions hereby permitted which adjoins the side boundary with No. 10 Nursery Close 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 , DM1, D DM4 of the Arun Local Plan.
- 6 The enlarged garage, hereby approved shall be used as a private domestic garage for the parking of vehicles in connection with 9 Nursery Close only and for no other purpose.
- Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of adequate off street parking space in accordance with policies T SP1 & D DM1 of the Arun Local Plan.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE:It should be noted that this application makes amendments to Condition number 2 (Plans Condition) of previously granted application ref: EP/145/17/HH. The submitted plan ref: 17-085-7 Rev D replaces Plan number 17-085-7 Rev C of previously granted application ref: EP/145/17/HH.

It should also be noted that following plan numbers of previous application ref: EP/145/17/HH:

17-085-1a, 17-085-2, 17-085-3, 17-085-8a, 17-085-9, 17-085-10 & 17-085-11 should also be read in conjunction with this approval.

INFORMATIVE: Condition number 4 of EP/145/HH has been discharged under reference EP/75/18/DOC.



Neil Crowther  
Group Head of Planning

Case Officer: Richard Castro-Parker

Date of Decision:

**10 August 2018**

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