



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: FG/115/18/PL

1 To Addressee

Blenheim Design Ltd
 Suite 4
 9 Pavilion Parade
 Brighton
 East Sussex
 BN2 1RA

2 Site Address

58 Ferring Street
 Ferring
 BN12 5JP

3 Description of Development

Continuance of use without compliance with condition 3 imposed under FG/11/18/PL relating to Noise Management Plan.

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 : Site/Location Plan 01-01 revC
 Proposed GA (General Arrangement) plan dwg. BD 1690 02-01 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 2 The premises shall only operate during the following times:
 Restaurant: 08:30 hours to 23:00 hours Monday to Saturday; 08:30 to 22:00 hours on any Sunday, Public or Bank Holiday
 Bar: 08:30 hours to 22:30 hours Monday to Saturday, 08:30 to 22:00 hours on any Sunday, Public or Bank Holiday

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Arun District Local Plan policies DDM1 and QE DM1.

- 3 The premises shall operate in accordance with the Noise Management Plan 2 dated October 2018.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Arun Local Plan policies DDM1 and QE DM1 .

- 4 Deliveries by commercial vehicles shall only be made to or from the site between the hours of 08.30 and 18.00 hours Monday to Friday/Saturday and 08:30 to 13:00 hours Saturday and not at all on any Sunday, Public or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Arun District Local Plan policies DDM1 and QE DM1 .

INFORMATIVE: This proposal does not purport to grant planning permission for the indicative outside seating area which is indicated on the Proposed General Arrangement Plan and is outside the red edge of the application site . A separate application would need to be submitted for consideration for this use.

INFORMATIVE: The applicant shall advise the Environmental Health Department of the changes to this premises noted in this application by submission of a new Food Business Registration Form. Please contact the Environmental Health Team should you require further clarification.

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.

Case Officer: Mrs A Gardner

Date of Decision:

8 November 2018



Neil Crowther
Group Head of Planning

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