

TOWN AND COUNTRY PLANNING ACT 1990**DECISION NOTICE****Application Ref: FG/59/10/****1 To Addressee**

Mrs Dawn Appleton
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
PO19 1WA

2 Site Address

Land North of McIntyres Nursery
Littlehampton Road
Ferring
BN12 6PG

3 Description of Development

Change of use from former agricultural nursery to B8 storage and wholesale supply of fencing and associated materials (This application is a Departure from the Development Plan)

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 This permission relates to the following approved plans:-

Location Plan submitted 24-05-2010
1:500 Site Layout Plan submitted 27-08-2010

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

CONDITION 3 The development hereby permitted shall not be carried on until trees/shrubs of species to be approved by the Local Planning Authority have been planted along the northern boundary of the site. In the event that any such trees or shrubs die or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the rural amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 4 The use hereby permitted shall only be undertaken within the hours of 0730 - 1700 Mondays to Fridays and 0800 - 1200 Saturdays and at no time on Sundays, Bank or other Public Holidays without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 5 The site shall be used for the storage and wholesale supply of fencing and associated materials only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 6 Any materials/fencing to be stacked, stored or deposited on the site shall not exceed a height of 2.5 metres.

Reason: To safeguard the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

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

Case Officer: Mrs S Leeson

Date of Decision: **15th September 2010**

Date Decision Issued: **22nd September 2010**



Karl Roberts
Assistant Director Planning Services &
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.

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).