

TOWN AND COUNTRY PLANNING ACT 1990



DECISION NOTICE

Application Ref: FN/36/11/

1 To Addressee

GWP Architects
Fairfield House
Fairfield Road
Burgess Hill
West Sussex
RH15 8DB

2 Site Address

Soldiers Field Stables
Soldiers Field Lane
Findon
BN14 OSH

3 Description of Development

Regeneration of dilapidated stableyard & associated buildings, comprising 1 no. holiday cottage, 2 no. new dwellings (together with replacement dwelling, ancillary stables & storage barn as previously permitted under FN/37/09/) to include revised vehicular access arrangements to provide separate access for stables - amendment to refusal FN/83/10/ (This application is a

Departure from the Development Plan & lies within the South Downs National Park Authority) 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 The development hereby approved shall be carried out in accordance with the following approved plans 10/157/LocC, 10/157/SK01A, 10/157/P01, 10/157/p03, 10/157/p05, 10/157/p07, 10/157/p06A, 10/157/p04 and 10/157/p02.

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

CONDITION 3 Details of screen walls and/or fences shall be submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences approved have been erected.

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

- CONDITION 4 The buildings shall not be occupied until the parking spaces, turning facilities, and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 5 The 'Storage Barn' shown on the plans hereby permitted shall be used only as an ancillary barn for the 'The Farmhouse/Stables Courtyard' and shall not to be used as a private commercial use or for no other purpose without the prior permission of the Local Planning Authority in an application on that behalf.

Reason: To safeguard the amenities of the countryside location and neighbouring properties in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 6 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 or dormer windows) to the development hereby permitted, shall be constructed or buildings shall be erected within the curtilages unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is within a National Park and outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policy GEN7 of the Arun District Local Plan

- CONDITION 7 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

- CONDITION 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- CONDITION 9 The 'Holiday Cottage' hereby approved, shall be occupied solely as holiday accommodation for individual lets for up to, and no more than, 28 consecutive nights, and shall at no time be occupied, let or sold as a separate residential dwelling.

Reason: To preserve the availability of the accommodation as holiday lets in accordance with policy DEV34 of the Arun District Local Plan and to prevent the establishment of a permanent dwelling in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 10 The first floor Staff Annex with 'Stables Courtyard' hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 'The Farmhouse' and 'Stables Courtyard' as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- CONDITION 11 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings 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 policy GEN7 of the Arun District Local Plan.

INFORMATIVE: The applicant is advised to contact West Sussex County Council Legal Services (01243 642105) to obtain the necessary information to enter into a Section 59 Agreement under the 1980 Highways Act. This Agreement is required due to the traffic that would be generated during the building works and to provide a means of making good the public highway following the cessation of construction traffic and building work upon the site.

INFORMATIVE: The applicant is advised that should protected bat species be present work must stop and Natural England informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.

INFORMATIVE: The application is subject to a legal agreement relating to an affordable housing contribution.

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 the AONB, the visual or countryside amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLAN: SEPC3, SEPTSR2, SEPTSR5, SEPC2

LOCAL PLAN: GEN3, GEN7, GEN12, AREA9, DEV5, DEV34, XXX6

NATIONAL POLICIES: PPS1, PPS3, PPS7, and Good Planning Practice Guide on Tourism

This is only a summary of reasons for granting to comply with Article 22 and full reasons

appear in the Officer report.

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

Case Officer: Mrs A Gardner

Date of Decision:

2nd February 2012

Date Decision Issued:

2nd February 2012

A handwritten signature in black ink, appearing to read 'Karl Roberts', with a long horizontal flourish underneath.

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 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, if you want to appeal against your local planning authority's decision on your application, 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 if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

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 Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

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 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).