TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: FN/8/10/

1 **To Addressee**

Corner Studio Ltd
The Design Studio
The Twitten
94 High Street
Steyning
BN44 3RD

2 **Site Address**

Winton Stores
The Square
Findon
BN14 0TE

3 **Description of Development**

The change of use, conversion and extension of the existing building to create 2No. two storey dwellings - resubmission following FN/59/09/

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 windows other than those shown on the plans hereby approved, shall be constructed at first floor level and in the roof in the north east elevation of the extension hereby permitted 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 policy GEN7 of the Arun District Local Plan.

CONDITION 3 The roof light windows on the north east elevation of the extension shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 4 This permission relates to the following approved plans 1.01revA, 2.01revC, 1.02revA.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7of the Arun District Local Plan.

INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission was granted because, although the proposed development does not comply with the policies in the Development Plan Listed below in that it would result in the loss of a retail unit, there are material considerations which indicate that it can be granted. These material considerations are that reasonable attempts have been made to market the premises which has been empty for 3 years , other shop units selling similar items exist close to the application site and the proposal would have no materially adverse effect on residential or visual amenity .

RELEVANT POLICIES

LOCAL PLAN: GEN2,GEN7,GEN12,AREA2,AREA9,DEV30

NATIONAL POLICIES: PPS1,PPS3,PPG15

This paragraph is to comply with Article 22 General Development Procedure Order 1995

Case Officer: Mrs A Gardner

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

Date of Decision: **31st March 2010**

Date Decision Issued: **1st April 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).