ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: FP/136/09/

1 **To Addressee**

O'Neill Architectural Services
16 Grosvenor Road
Donnington
Chichester
West Sussex
PO19 8RX

2 **Site Address**

7 Middleton Road
Felpham
PO22 6BL

3 **Description of Development**

Outline planning application for detached dwelling and garage

4 In pursuance of their powers under this Act and related Orders and Regulations the Council REFUSE to approve the development as described in the application and plan for the reasons stated.

REASON 1 The proposal would constitute an unsatisfactory form of backland development which, together with the incidental use of the proposed means of access, would be unneighbourly and adversely affect the privacy and quiet enjoyment of neighbouring properties in conflict with policy GEN7 of the Arun District Local Plan.

REASON 2 The site by virtue of its size and shape, is considered unsuitable to accommodate a dwelling and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped form of development which would be detrimental to the character and appearance of the surrounding residential area, contrary to 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: Mr J Baeza

Date of Decision: 21st October 2009

Date Decision Issued: 21st October 2009

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).