ARUN DISTRICT COUNCIL

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: FP/217/15/PL

1 **To Addressee**

Mrs H Witton
59 Downview Road
Felpham
West Sussex
PO22 8JA

2 **Site Address**

59 Downview Road
Felpham
PO22 8JA

3 **Description of Development**

Partial change of use from dwelling house (C3 Dwelling Houses) to allow childminding within the dwelling (maximum of 12 children).

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 plans and subject to the following conditions

1 The development hereby approved shall be carried out in accordance with the following approved plans:

Part Floor Plan showing Playroom & Conservatory;
1:1250 Location Plan; and
1:100 Block Plan showing Front Garden Parking Area.

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.

2 The child minding/children's day nursery use hereby permitted shall be confined to the existing side conservatory, the playroom area of the house (as shown on the submitted floor plan) and the rear garden. There shall be no use of other areas of the house for purposes other than as a C3 residential dwelling.

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.

3 (i) The premises shall not be used for children's day nursery/child minding purposes except between the hours of 7:30 and 18:00 on Mondays to Fridays inclusive.

(ii) Not more than twelve children shall be accommodated at the premises at any one time.

(iii) Not more than six children shall be accommodated in the garden area of the premises at any one time, in connection with the use hereby approved. Use of the outdoor space must not exceed 1.5 hours in the morning or 1.5 hours in the afternoon.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

4 Within 2 months of planning permission being granted, the vehicular access serving the development shall be constructed in accordance with the approved drawing.

Reason: In the interests of road safety and in accordance with Policy GEN7 of the Arun District Local Plan.

5 Within 2 months of planning permission being granted, plans and details shall be submitted to and approved by the local planning authority which detail pedestrian visibility splays of 1.0m on either side of the proposed vehicular accesses onto Downview Road. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy GEN7 of the Arun District Local Plan.

6 Within 2 months of planning permission being granted, the vehicle parking and turning spaces shall be constructed in accordance with the approved drawing. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy GEN7 of the Arun District Local Plan.

7 Within 2 months of planning permission being granted a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. The approved Travel Plan shall thereafter be implemented and shall endure for the duration of the approved use.

Reason: To encourage and promote sustainable transport and on-site parking and turning facilities.

8 Within 2 months of planning permission being granted, a landscaping plan showing the proposed replanting of the areas either side of the northernmost entrance shall be submitted to the local planning authority and approved in writing. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the approval of the scheme, and any shrubs or plants which, within a period of five years from the completion of 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: To ensure that landscaping compliments the access and visibility splays (and does not obstruct the same) in the interests of road safety and policy GEN7 of the Arun District Local Plan.

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: Mr S Davis

Date of Decision: **15 February 2016**

Karl Roberts
Director Planning & Economic Regeneration

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