



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2010
Application for Planning Permission

DECISION NOTICE

Application Ref: FP/40/12/

1 To Addressee

ADCS Ltd
 30 Foxley Lane
 Worthing
 West Sussex
 BN13 3AD

2 Site Address

Church House
 94 Felpham Road

 PO22 7PG

3 Description of Development

Change of use from Offices (B1) to Residential use (C3) & three new dormer windows to replace existing

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 plans for the reasons stated.

1 The site is within an area designated as a Conservation Area under Section 69, 70 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the proposal by reason of the enlarged dormer windows on the front elevation are considered to be an unsympathetic alteration harmful to the visual appearance and character of this highly prominent listed building and would conflict with the Local Planning Authority's intention to protect and enhance the visual amenities and environment of such areas, and with policies GEN7, AREA2 of the Arun District Local Plan.

2 The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of the NPPF and the Council's interim affordable housing policy adopted on 18th August 2010.

INFORMATIVE: The applicant is reminded that if he wishes to make a revised application he should submit with his application a section 106 legal agreement in line with the council's affordable housing policy. Failure to do so will result in the application not being registered.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb

a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

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:

17 May 2012



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).