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: LU/256/22/PL

1 **To Addressee**

Bryceson Shaw Associates
2 Wellesley Court
Fitzalan Road
Littlehampton
BN17 5JW

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2 **Site Address**

St Martins
3 Irvine Road
Littlehampton
BN17 5LA

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3 **Description of Development**

Convert and extend garage to form a residential annexe. This site may affect the character & appearance of the Littlehampton Sea Front Conservation Area & is in CIL Zone 4 and is CIL Liable as new dwelling.(Resubmission of LU/214/21/PL)

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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 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).

2 The development hereby approved shall be carried out in accordance with the following approved plans.

-Existing and proposed Floor Plans, Elevations and Roof Plan Dwg 1836/01/01/A
-Floor plans and Sections Dwg 1836/01/02/A
-Block Plan Dwg 186/01/03/A
-FRA August 2022

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

3 The materials and finishes of the external walls of the building hereby permitted shall match in

colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and HER DM3 of the Arun Local Plan.

4 Prior to the works to the windows on the west elevation a schedule of materials and finishes to be used for the proposed windows (including glazing details) shall be submitted to and approved by the Local Planning Authority and the materials and design so approved shall be used in the construction of the windows. Particular care being taken to reproduce the style and material of the timber window frames and casements, the arrangement of glazing bars, the set-back of the frames from the external wall face, the window cills and the colour, texture and form of masonry arches over the openings where applicable.

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 HER DM1 of the Arun Local Plan and in order that the development shall not detract from the character or appearance of the Conservation Area in accordance with HER DM1 of the Arun Local Plan and the NPPF.

5 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 3 Irvine Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun 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.

6 The development shall be carried out in accordance with the submitted flood risk assessment (August 2022) and the following mitigation measures it details:

· The bedroom must be situated on the first floor

Reason: To reduce the risk of flooding to the future occupants.

This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability (Form 2) or any appropriate exemption or relief forms available on the Councils website https://www.arun.gov.uk/cil you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

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 detail regarding use of the building within the application (as originally submitted) and confirming with the Applicant. 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.

Neil Crowther
Group Head of Planning

Case Officer: Louise Shaw

Decision Issued: 28th October 2022

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 6 months 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).