Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Application for Listed Building Consent for Alterations, Extension or Demolition of a Listed Building

DECISION NOTICE

Application Ref: M/60/20/L

1 **To Addressee**

Mr Gerard Middlemass
High Kettle Cottage
97 Elmer Road
PO22 6HD

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2 **Site Address**

High Kettle Cottage
97 Elmer Road
PO22 6HD

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3 **Description of Development**

Listed Building consent to remove 2 No. front elevation softwood timber windows and replace with hardwood timber windows to match like for like.

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4 In pursuance of their powers under this Act and the Regulations the Council **GRANT** Listed Building Consent, Consent for the works as described to be carried out in accordance with the application and plans and subject to compliance with the conditions specified below.

If the works approved involve a measure of demolition applicants are reminded of their obligation under Section 8(2)(c) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give at least one months notice of their intention to carry out the work to English Heritage, Eastgate Court, 195-205 High Street, Guildford, GU1 3EH Email: e-seast@english-heritage.org.uk

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:

- Block Plan - #00545812-DEC59A
- Stormproof Casement Sections
- Heritage Statement Pages 1-7

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 of the Arun 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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: Mr Z Denton

Decision Issued: 23rd October 2020

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 the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt 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 NOTES

If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation Areas) 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).