TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: R/105/10/

1 **To Addressee**

Blue Sky Planning Ltd
Bourne House
475 Godstone Road
Caterham
Surrey
CR3 0BL

2 **Site Address**

Focus Do It All
Rustington Retail Park
Rustington
BN16 3RT

3 **Description of Development**

Erection of mezzanine floor

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 plan and subject to compliance with the conditions specified.

CONDITION 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).

CONDITION 2 This permission relates to the following approved plans:
dwg 5279/112 site layout
dwg 5279/123 proposed ground floor plan
dwg 5279/122 proposed mezzanine option B

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.

CONDITION 3 The mezzanine floorspace hereby permitted shall not be used otherwise than for the sale of furniture and floor coverings; domestic electrical and gas appliances; cycles and cycle parts and accessories; pets and pet supplies; stationary and office supplies and equipment; hardware, DIY goods and decorators' supplies, and garden products; and goods and services for the repair and maintenance of motor vehicles; and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the vitality and viability of the town centre and the prospect of town centre developments in accordance with PPS6 and

CONDITION 4 The development hereby approved shall not be occupied until a Travel Plan completed in accordance with current advice from the Department of Transport has been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote and encourage sustainable transport amongst staff in accordance with PPG13 Transport.

CONDITION 5 The planning permission hereby granted shall not be exercised in addition to or in combination with planning permission R/72/08 dated 3rd October 2008 and shall be treated as an alternative to that permission.

Reason: To prevent a net increase in retail floorspace which would have an adverse effect on the vitality and viability of Rustington and Littlehampton town centres in accordance with PPS4 Planning for Sustainable Economic Growth.

INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise. Nor will there be an adverse effect on the vitality and vibility of town centres.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2, DEV26, DEV27

NATIONAL POLICIES: PPS1, PPS4, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Mr N Crowther

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Date of Decision: **18th August 2010**

Date Decision Issued: **18th August 2010**



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).