

Juan Baeza

From: Nikolas Antoniou
Sent: 08 July 2015 11:21
To: [REDACTED]
Cc: Juan Baeza; David Easton
Subject: R/121/15/CLP-31 Andrew Close - Article 4 Direction Request

Dear Mr & Mrs Rosher

Article 4 Request – Andrew Close Rustington

Thank you for your letter of 30th June 2015.

When a Council decides to use an Article 4 Direction there has to be clear and compelling reasons. The Conservation Area Officer has confirmed that there are only a limited number of Article 4 Directions in the District relating to Conservation Areas and specific historic buildings.

It is not the role of the Council to use Article 4 Directions to try and block forms of development that the Government has nationally determined to be acceptable through the Town & Country Planning (General Permitted Development) (England) Order 2015. There needs to be clear and compelling reasons for making an Article 4 Direction. There is no anomaly in the planning system and no reason why 31 Andrew Close should not be entitled to exercise permitted development rights.

There are many streets throughout the District that are either bungalows or largely comprise of bungalows. Many remain as they were built while others have been extended through exercising permitted development rights or through the specific grant of planning permission. While I sympathise with the fact that you may not wish to see change it is inevitable overtime that properties may evolve and be extended and altered as I note numbers 14 & 9 Andrew Close have with rear and front dormers respectively. The Government has set out through the General Permitted Development Order what is considered to be appropriate. In the case of St Andrews Close the properties are not listed and the area is not a Conservation Area and there are no compelling justifiable reasons to seek to remove permitted development rights through an Article 4 Direction.

At the time of writing this email I believe of the Officers of East Team are releasing the decision confirming that the works the application proposes are Lawful.

While I appreciate you will be disappointed by this email I hope that you can understand that the Council position and that it has to exercise its powers carefully and can only look to make Article 4 Directions where it is appropriate to do so.

Yours sincerely

Nikolas Antoniou

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