ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 39
Application for Certificate of Lawfulness for a Proposed use or Operation
DECISION NOTICE

Application Ref: **R/124/16/CLP**

To Addressee

Mr James Martin
33 North Lane
Rustington
West Sussex
BN16 3PL

Site Address

33 North Lane
Rustington
BN16 3PL

Description of Application

Application for a Certificate of Lawfulness for a proposed development - Demolish existing detached garage & rebuild on same footprint not exceeding height of 4m.

In pursuance of their powers under this Act and these Regulations the Council **REFUSE** to certify that the development described above is Lawful for the reasons stated below.

The Arun District Council hereby certify that on 1st June 2016 the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, would not have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

·The proposed garage exceeds 2.5m in height and is located within 2m of the curtilage of the dwellinghouse and as such fails to comply with the limitations of Schedule 2, Part 1, Class E of the Town and Country (General Permitted Development) Order 2015.

EXTENT OF USE
Construction of a detached garage within 2m of the boundary of the dwelling measuring 4m in height with an eaves height of 2.5m.

FIRST SCHEDULE
Construction of a detached garage as detailed on submitted drawings:

deccle

·Location Plan
·Block Plan
·Proposal 1 Floor Plan
·Proposal 1 Front Elevation
·Proposal 1 Left Elevation
·Proposal 1 Rear Elevation
·Proposal 1 Right Elevation
·Proposal 1 Top Elevation (Roof Plan)

SECOND SCHEDULE
33 North Lane, Rustington, West Sussex, BN16 3PL

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

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

Case Officer: Mr D Easton

Decision Issued: **27 June 2016**



RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990

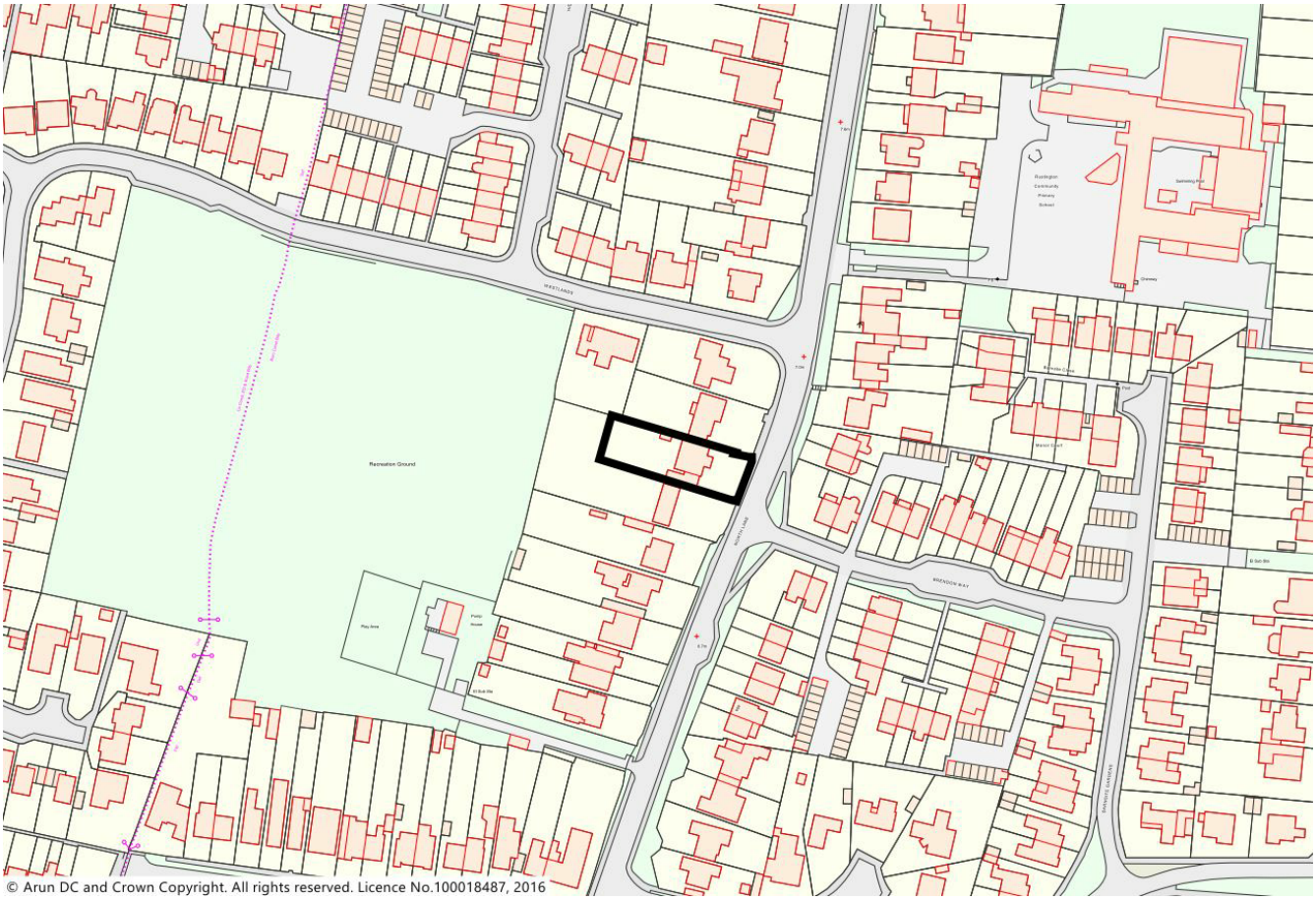
By Section 195 (as amended) of the Town and Country Planning Act 1990, where an application is made to a Local Planning Authority under Sctions 191 or 192 and is refused, or is refused in part, the applicant may by notice under this subsection appeal to the Secretary of State and on any such appeal the Secretary of State:-

a) if and so far as he is satisfied that the Authority's refusal is not wellfounded, grant to the appellant a Certificate under Section 191/192 accordingly or, as the case may be, modify the certificate granted by the Authority on the Application; and
b)if and so far as he is satisfied that the Authority's refusal is wellfounded, dismiss the appeal.

If you wish to appeal to the Secretary of State you should write in the first instance to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

There is no time limit for submission of an appeal following the Authority's decision.

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).



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487.