

**TOWN AND COUNTRY PLANNING ACT 1990****DECISION NOTICE****Application Ref: R/145/10/****1 To Addressee**

Mr Martin Rackham  
94 The Street  
Rustington  
West Sussex  
BN16 3NJ

**2 Site Address**

Allangate Buildings  
Station Road  
Rustington  
BN16 3BA

**3 Description of Development**

Application for variation of condition 3 following grant of planning permission R/18/99/ so that permission shall enure for the benefit of Mike Hammond Motors Ltd

**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** This permission relates to the following approved:  
1:1250 Location Plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

**CONDITION 2** The premises shall be used only for motor vehicle repairs or any purpose within Use Class B1 as defined in the Town and Country Planning (Use Classes) Order, 1987 or subsequent re-enactment.

Reason: To enable the Local Planning Authority to maintain control over the development in the interests of the residential amenities of the locality, in accordance with policies GEN32 and GEN7 of the Arun District Local Plan.

**CONDITION 3** The use of any land for car parking is to be laid in accordance with details to be submitted to and approved by the Local Planning Authority within 3 months of the permission hereby granted and such land shall not be used thereafter for any other purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development, in accordance with GEN7 of the Arun District Local Plan.

CONDITION 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the workshop hereby approved shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects, and, in the interests of the amenities of the locality.

CONDITION 5 No machinery, vehicles or plant shall be operated on the site except between the hours of:-

7.00am and 6.00pm on Mondays to Fridays inclusive,  
9.00am and 1.00pm on Saturdays,

not at any time on Sundays or Public Holidays.

Reason: In the interests of amenity in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

CONDITION 6 No power tools shall be operated outside of the buildings.

Reason: To protect the amenities of residents living nearby in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

CONDITION 7 No paint spraying or painting of any kind to facilitate the repair or renovation of motor vehicles shall be undertaken at the premises.

Reason: To protect the amenities of residents living nearby in accordance with policies GEN7 and GEN32 of the Arun District Local Plan..

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.

#### RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, GEN32

NATIONAL POLICIES: PPS1, PPG24

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

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

Case Officer: Mr P Cleveland

Date of Decision: **14th September 2010**

Date Decision Issued: **14th September 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).