# TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

## DECISION NOTICE

**Application Ref: R/156/07/**

1 **To Addressee**

Mr P D King
26 High Street
Littlehampton
West Sussex
BN17 5EE

2 **Site Address**

The Corner House
Station Road
Rustington

3 **Description of Development**

Change of use from offices and store to A5 with store (Resubmission of R/67/07)

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 The materials and finishes of the external walls of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 The use hereby permitted shall not be operated on at any time otherwise than between the hours of 17:00 to 23:00 hours of the same day.

Reason: To safeguard the amenities of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 4 The use hereby permitted shall not be carried on until the 1220mm high fencing detailed on DWG 1 has been erected on site and the fencing shall thereafter be maintained in perpetuity.

Reason: In the interests of Highway Safety in accordance with PPG13: Transport.

CONDITION 5 This permission relates to the plans and supporting information as submitted and amended by substitute DWG1 dated 21st September 2007 and Crisp Air Limited's supporting information dated 7th August 2007.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

CONDITION 6 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 materially adverse effect on the amenities of the locality or the amenities enjoyed by the occupiers of adjoining residential units, nor would it have an adverse impact upon the established character of the surrounding area which comprises a mixture of retail/commercial uses and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, CH1, DEV1.

LOCAL PLAN: GEN2, GEN7, GEN32, DEV26.

NATIONAL POLICIES: PPS1, PPG13, PPG24.

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

Case Officer: Miss C Forrest

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

**9th October 2007**

Howard Cheadle

**Howard Cheadle DipTP MRTPI**
**Head of Planning Services**

**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.