



**Town & Country Planning Act 1990 (as amended)**  
**Town & country Planning (Development**  
**Management Procedure) (England) Order 2010 (as**  
**amended)**

**Application for Planning Permission for Works or**  
**Extension to a Dwelling**

**DECISION NOTICE**

**Application Ref: R/161/12/**

**1 To Addressee**

K G Designs  
 129 Tarring Road  
 Worthing  
 West Sussex  
 BN11 4HE

**2 Site Address**

Conifers  
 The Thatchway  
  
 BN16 2BN

**3 Description of Development**

Single storey rear extension, garage to side, boundary wall, garage conversion & balcony to front elevation

**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 plans and subject to compliance with the conditions specified.

- 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).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing No.s 2447-02 Revision D; 2447-02 Revision C.

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.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies DEV19 and GEN7 of the Arun District Local Plan.

- 4 No development shall take place until a scheme for the protection of the 2No. Pine trees (within Group 3 and Group 4 of TPO/R/1/01) which are sited on the western and southern grass verges respectively to the front and side of the site, including a method statement for the construction of the boundary wall, has been submitted to and approved in writing by the local planning authority. The approved means of protection shall be retained as approved for the duration of construction works on site and the construction carried out in accordance with the method statement. If within a period of five years following completion of the development the trees becomes seriously damaged or defective, another tree of the same species shall be planted in the same place, unless the local planning authority gives its written approval to any variation.

Reason: In order to ensure the continued good health and amenity value of the Oak tree in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme forward of the proposed front boundary wall which includes details of soft landscaping. The approved details of the landscaping shall be carried out in the first planting and seeding season following the construction of the boundary walling, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 Before the balcony hereby permitted comes into use, details of a 1.8m high obscure screen for the east elevation of the balcony shall be submitted to and approved by the Local Planning Authority and the balcony shall not come into use until such screening has been erected in accordance with the approved plans and shall thereafter remain in perpetuity.

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

INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

#### 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: GEN7, DEV19

NATIONAL POLICIES: NPPF

SUPPLEMENTARY GUIDANCE: Rustington Village Design Statement

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.



Karl Roberts  
Assistant Director Planning & Economic Regeneration

Case Officer: Mr P Cleveland

Decision Issued: **27 September 2012**

Arun District Council  
The Arun Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex BN17 5LF

**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 this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, If you want to appeal, then you must do so within 12 weeks of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

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 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 Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 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).