TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: R/308/06/

1 **To Addressee**

Marshall Clarke LLP
12 Sompting Road
Worthing
West Sussex
BN14 9EP

2 **Site Address**

Unit G1
Rustington Trading Estate
Dominion Way
Rustington

3 **Description of Development**

Change of use from vehicle pre delivery inspection to MOT workshop

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.

CONDITION 2 The premises shall be used as a MOT Testing Station and Vehicle Workshop, as detailed in the submitted application, and for no other purpose (including any other purpose in class B2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987).

Reason: In the interests of clarity and to enable the Local Planning Authority to control the future use of the site in the interests of the amenities of the surrounding area and 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 carried on until space has been laid out in accordance with details approved by the Local Planning Authority for the parking of vehicles clear of the public highway and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason: In the interests of road safety and to accord with approved policy in accordance with policies DEV1, NE17 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 provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

INFORMATIVE: The use shall not be carried on until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the Local Planning Authority. Details of the specification may be obtained from the Western Area Office. Tel: 01243 836900

Case Officer: Mr M Porter

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

8th January 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.