Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 39

Application for Lawful Development Certificate for a Proposed Use or Development

DECISION NOTICE

Application Ref: R/84/24/CLP

To Addressee

Mr Stephen Francies
53 Mill Lane
Rustington
West Sussex
BN16 3JP

Site Address

53 Mill Lane
Rustington
BN16 3JP

Description of Application

Lawful development certificate for the proposed removal of wooden extension and the erection of a new extension, including a new soakaway in the garden.

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 26 April 2024 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 by reason of non compliance with the relevant criteria within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, in that
the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.

EXTENT OF USE
Construction of a single storey rear extension made from materials which match in appearance those of the existing dwellinghouse measuring 10.15m wide x 4m deep x 3m high. The proposed extension features windows and doors on the rear (west) elevation.

FIRST SCHEDULE
Single storey rear extension. The development has been assessed for lawfulness against the following plans:

- Location Plan
- Proposed North Elevation
- Proposed South Elevation
- Proposed West Elevation
- Existing and Proposed Floor Plans

SECOND SCHEDULE
53 MILL LANE, RUSTINGTON, LITTLEHAMPTON, BN16 3JP

Neil Crowther
Group Head of Planning

Case Officer: Hannah Riddle

Decision Issued: **22nd May 2024**

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

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 Sections 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).



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