ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: WA/56/09/

1 **To Addressee**

Mr B Sullivan
9 Hunters Mews
Fontwell
Arundel
West Sussex
BN18 0UW

2 **Site Address**

9 Hunters Mews
Fontwell
Arundel
BN18 9UW

3 **Description of Development**

Move garden wall situated on the easten side of the property and re-build it 5m further east on grassed area to allow for the development of a vegetable garden and fruit trees

4 In pursuance of their powers under this Act and related Orders and Regulations the Council REFUSE to approve the development as described in the application and plan for the reasons stated.

REASON 1 The proposed wall, by reason of its height, size and proximity to the highway, would represent an obtrusive feature in the street scene, causing undue detriment to the visual amenities of the locality. The proposal would therefore conflict with policy GEN7 of the Arun District Local Plan.

REASON 2 The proposed wall would obstruct forward visibility for both the highway users as they approach the bend in the road outside no.9, and those using the access serving no. 10. The proposed development therefore would be detrimental to highway safety contrary to policy GEN7 of the Arun District Local Plan.

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

Case Officer: Ms A Paice

Date of Decision: 4th November 2009

Date Decision Issued: 4th November 2009

Karl Roberts
Assistant Director Planning Services &
Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

GENERAL DEVELOPMENT PROCEDURE ORDER 1995 PART 2
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 Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision relating to a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at 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 refuses 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 (District Council, London Borough Council or Common Council of the City of London) 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 and 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).