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

Application for Planning Permission for Works or Extension to a Dwelling

# DECISION NOTICE

## Application Ref: WA/66/22/HH

1 **To Addressee**

Dr Michael Davis
Magnolia Cottage
The Street
Walberton
BN18 0PJ

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2 **Site Address**

Magnolia Cottage
The Street
Walberton
BN18 0PJ

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3 **Description of Development**

Repairs to cracked and leaning wall, including replacement of 3m section displaced by tree roots with metal railings, including removing the current street sign. (This application may affect the character and appearance of the Walberton Village Conservation Area and a Listed Building.)

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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 plans for the reasons stated.

1 The application details do not show the extent of demolition, refurbishment and replacement of the existing walls in sufficient detail to ensure that the harm to the character and appearance of the Conservation Area and the Listed Building would be less than significant having regard to the requirements of Local Plan policies HER DM1 and HER DM3 and paragraph 199 of the NPPF.

Neil Crowther

Group Head of Planning

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| Case Officer: | Miss K Welch | Arun District Council<br>The Arun Civic Centre |
| Decision Issued: | 5th September 2022 | Maltravers Road<br>Littlehampton<br>West Sussex BN17 5LF |

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

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.

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, and you want to appeal against this planning application decision, 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 you want to appeal against this planning application decision, 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.

As this is a decision on a Householder application, if you want to appeal a refusal, then you must do so within 12 weeks of the date of this notice. If you wish to appeal a condition, you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at http://acp.planninginspectorate.gov.uk

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).