TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: Y/74/09/

1 **To Addressee**

Mr A Greenwood
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
PO19 1WA

2 **Site Address**

Land to rear of Victoria House
Main Road
Yapton
BN18 0EU

3 **Description of Development**

Amendment to alignment and postion of south-west boundary to planning permission Y/73/07

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 (as amended).

CONDITION 2 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 3 This permission relates to the following approved plans, Proposed Site and Garage Elevation Plan drawing no. 05/51/12 Rev C and Proposed Floor Plans and Elevations,
drawing no.05/51/11 received 18 November 2009.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7of the Arun District Local Plan.

CONDITION 4 No development shall take place unless and until details of the design, materials and construction/operation mechanism, where appropriate, of all joinery have been submitted and approved in writing by the Local Planning Authority and the new joinery shall be construicted with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appwerance of the Conservation Area in accordance with policies GEN7 and AREA2 of the Arun District local Plan.

CONDITION 5 No development shall take place unless and until details of the exposed rafter feet of the roof eaves and chimneys. Such details shall be in the form of plans at a scale 1:50 unless otherwise agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to contol the development in detail in the interests of amenity and the character and appearance of the Conservation Area in accordance with Policies GEN7 and AREA2 of the Arun District Local Plan.

CONDITION 6 The first floor windows on the south west elevation of the dwelling on plot 2 shall at all times be glazed with obscured glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with policies GEN7 of the Arun District Local Plan.

CONDITION 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the South West wall of the dwelling on plot 2 without the prioor permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7 of the Arun District Local Plan.

CONDITION 8 The access from the site to the public highway shall be designed, laid out and constructed with visibility splays and sight lines as indicated on approved site plan drwg no. 05/51/12 Rev C. In accordance with this approved plan, the whole length of the front boundary wall of Victoria House shall remain at a height of 0.820m above exsting ground level.

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

CONDITION 9 The dwellings shall not be occupied until the parking spaces/turning facilities/and garages/shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan

INFORMATIVE: The access shall not be carried on/used/building shall not be occupied 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 West Sussex County Council. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amendd) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: The applicant is advised that, as from 6 April 2008, the submission of a 'Site Waste Management Plan' (SWMP) is mandatory for all construction projects in England with a project cost greater than £300,000 (excluding VAT) under the provisions of Section 54 of the Clean Neighbourhoods and Environment Act 2005. Further information on the requirements of SWMPs and how they should be applied in practice can be obtained from DEFRA, 6/F7 6D, Ergon House, Horseferry Road, London, SW1P 2AL, Tel. (0207) 2384847 or at their website: www.defra.gov.uk/constructionwaste

INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

SOUTH EAST PLAN:H5

LOCAL PLAN: GEN7 AREA2

NATIONAL POLICIES: PPS1PPS3 PPG15

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Mr J Parsons

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

Date of Decision: **14th January 2010**

Date Decision Issued: **14th January 20**

[redacted]

Karl Roberts
Assistant Director Planning Services &
Housing Strategy

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.

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).