TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: Y/6/08/

1 **To Addressee**

RMW Associates Ltd
Flat 2 Mary Rose Court
20 - 21 South Parade
Southsea
Portsmouth
PO5 2JD

2 **Site Address**

Land adjacent to 23 Park Road
Yapton
BN18 0JE

3 **Description of Development**

Proposed new dwellling and associated garage (Re-submission following Y/94/07/)

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 dwellinghouse and garage buildings hereby permitted have been submitted to and approved by the Local Planning Authority and the materials and finishes so approved shall be used in the construction of the dwellinghouse and garage buildings hereby permitted.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 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-east roof slope of the dwelling house building without the prior 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 DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 4 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 north-west elevation roofslope of the garage building hereby permitted without the prior 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 DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 5 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a hard/soft landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 7 The rooflight on the south-east. elevation of the dwellinghouse building hereby permitted shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

CONDITION 8 No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

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

CONDITION 9 The dwellinghouse and garage buildings hereby permitted shall not be occupied until the parking spaces, turning facilities, and garages shown on the plans hereby approved 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.

CONDITION 10 No works shall be carried out on site unless provision is available within the site (or other adjacent land within the applicants control) in accordance with details approved by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

Reason: To avoid undue congestion of the site and consequent obtrusion to access in accordance with policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 11 This permission relates to the plans as submitted and amended by substitute plans dated 15-02-2008.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

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, or on parking provision, and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, CH1, DEV1, DEV5, NE1, NE17, ERA1

LOCAL PLAN: GEN2, GEN7, GEN12

NATIONAL POLICIES: PPS1, PPS3, PPG13

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 M Porter

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

Date of Decision: **26th March 2008**

Date Decision Issued: **26th March 2008**

Howard Cheadle

Howard Cheadle
Head of Planning & 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.