Adur District Council

Planning, Regeneration and Wellbeing

Mr Martin Critchley
Martin Critchley, Architect
The Old Brewery
15E South Street
Havant
PO9 1BU

PLANNING REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0635/16

Details of Development
TWO-STOREY EXTENSION TO FRONT (WEST) AND SIDE (SOUTH) ELEVATIONS INCLUDING ROOFLIGHTS AND RAISING OF RIDGE HEIGHT (RE-SUBMISSION OF AWDM/1611/15).

Location of Development
6 MILL HILL SHOREHAM-BY-SEA WEST SUSSEX BN43 5TH

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 25th April 2016.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
14/06/2016

ADUR DISTRICT COUNCIL
Adur District Council, Planning Services, Portland House,
Richmond Road, Worthing, West Sussex, BN11 1LF
Tel: (01903) 221065 Fax: (01903) 221072
Minicom: (01903) 204500 DX: 142965 Worthing 10
web: www.adur.gov.uk

SCHEDULE

Reasons for Refusal

01. By reason of its height, scale, massing, and depth in proximity to the site boundary the proposed extension would have an unacceptably overbearing and oppressive effect on the outlook of the neighbouring dwelling to the south, No. 4 Mill Hill, to the detriment of residential amenity. The proposal is thereby contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

02. By reason of its large scale and massing the proposed extension would constitute an unduly conspicuous and imposing form of development that fails to respond to the topography of surrounding land and would appear unduly dominant and visually overwhelming in relation to the neighbouring dwelling to the south and harmful to the street-scene. It is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-.

Reference/Drawing Number	Version	Date Rec
LOCATION & BLOCK PLAN	1567-125	25.04.2016
EXISTING SITE PLAN	1567-126	25.04.2016
SURVEY PLANS	1567-225	25.04.2016
SURVEY ROOF PLAN	1567-226	25.04.2016
EXISTING ELEVATIONS STH/WST	1567-325	25.04.2016
EXISTING ELEVATIONS EST/NTH	1567-326	25.04.2016
PROPOSED SITE PLAN	1567-425	25.04.2016
GRD FLR PROPOSED PLAN	1567-426	25.04.2016
FIRST FLR PROPOSED PLAN	1567-427	25.04.2016
PROPOSED ROOF PLAN	1567-428	25.04.2016
PROPOSED ELEVATIONS EAST/WEST	1567-525	25.04.2016
PROPOSED ELEVATIONS SOUTH/NORTH	1567-526	25.04.2016

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. 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.

2. If the decision relates to a householder application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000)..

3. 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.

4. 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.

5. 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

6. 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 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 and Planning Act 1990.

7. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.