ADUR
DISTRICT COUNCIL

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Development Control

PLANNING REFUSAL

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995**

**APPLICATION NUMBER:
AWDM/0616/13**

Mr James Belbin
Hargreaves Management Limited
Rustington House
Worthing Road
Rustington
West Sussex
BN16 3PS

Details of Development
APPLICATION TO REMOVE CONDITION 2 OF PERMISSION SU/159/90 WHICH RESTRICTS USE OF THE PREMISES.

Location of Development
BOC EDWARDS UNIT 2 23 DOLPHIN ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6PB

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 13th May 2013.

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

James Appleton
Executive Head of Planning, Regeneration and Wellbeing

Dated this 12th day of July 2013

SCHEDULE

Reasons for Refusal

01. The proposed removal of the condition would constitute a fundamental alteration in the use of the premises rather than a modification of the existing permission and it would not therefore be lawful for the Local Planning Authority to grant permission for this application. The removal of the condition could result in a use of the premises which would have a detrimental impact on the residential amenities of the occupiers of the dwellings which adjoin the site, contrary to saved policies AG1 and AE2 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

Informatives / Notes to Applicant

01. 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.