Adur District Council

Development Management

Mr David Tracey
95 Western Road
Sompting
Lancing
West Sussex
BN15 9TL

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0388/17

Details of Development
RETENTION OF CABIN, RAISED DECKING AND PERGOLA ERECTED IN REAR GARDEN ALONG WESTERN BOUNDARY (RETROSPECTIVE).

Location of Development
95 WESTERN ROAD SOMPTING LANCING WEST SUSSEX BN15 9TL

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 17th March 2017.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Planning Services Manager
15/05/2017

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

Reference/Drawing Number	Version	Date Rec
BLOCK PLAN		17.03.2017
GARDEN BUILDING ACCESSORIES		17.03.2017
LOCATION PLAN		17.03.2017

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. All windows and openings in the west and south elevation of the cabin hereby permitted shall be fitted with obscure glazing. Such glazing shall be installed prior to 1st August 2017 and the obscure glazing shall remain in place at all times. The windows on the west elevation shall also be fixed shut at all times.

No additional openings shall be installed within the cabin at any time.

Reason: *In the interests of residential amenity and to accord with Policy AH7 of the Adur District Local Plan.*

03. The south and west elevations of the building shall be stained with Protek Royal Sage Leaf. The north and east elevations of the building shall be stained with Protek Royal Golden Oak. This work shall be completed before 1st August 2017. Reapplication of this finish shall be repeated as necessary and maintained at all times.

Reason: *In the interests of visual and residential amenity and to accord with Policy AH7 of the Adur District Local Plan.*

04. The western elevation of the cabin shall be screened from the occupiers of no. 30 Ullswater Road, Sompting with 60cm high trellis (Rosemore or Picardy style) on top of the existing boundary fence between the application site and no. 30. This shall be stained Protek Royal Sage Leaf and shall include work to reinforce the existing fence posts. This work shall be completed prior to 1st August 2017. Maintenance of such boundary treatment shall be monitored by the applicant at all times.

Reason: *In the interests of visual and residential amenities and to accord with Policy AH7 of the Adur District Local Plan.*

05. The outbuilding hereby permitted shall only be used for purposes incidental to the enjoyment of the existing dwellinghouse and not for the purposes of primary living accommodation (bedroom, living room, dining room or kitchen).

Reason: *In the interests of residential amenity having regard to saved policy AH7 of the Adur District Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Ref: AWDM/0388/17

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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this 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.

7. 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.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. 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.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).