ADUR DISTRICT COUNCIL

Mrs Umut Gedik Kilic
Narch Design & Build
4th Floor Hamilton House
Mabledon Place
London
WC1H 9BB

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3, Class MA

APPLICATION NUMBER: NOTICE/0013/22

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE FROM COMMERCIAL, BUSINESS AND SERVICE (USE CLASS E) ON GROUND FLOOR AT REAR OF THE PROPERTY TO 1NO. TWO PERSON ONE BEDROOM FLAT (USE CLASS C3).

Location of Development
73 - 75 NORTH ROAD LANCING WEST SUSSEX BN15 9AS

In pursuance of their powers under the above-mentioned Act and Order the Council hereby confirm that PRIOR APPROVAL IS REFUSED for the above development, in accordance with the application and relevant correspondence registered on 30th May 2022

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
06/07/2022

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

Ref: - NOTICE/0013/22

SCHEDULE

Reasons for Refusal

01. The proposed development, by reason of its close proximity to a commercial vehicle repair garage at the rear, is likely to result in unacceptable levels of noise and disturbance detrimental to the residential amenities of future occupiers. The proposal is therefore contrary to policy 34 of the Adur Local Plan and paragraph 185 of the National Planning Policy Framework.

02. The proposed development would result in unsatisfactory living environment for future occupiers by reason of poor outlook and inadequate natural light to habitable rooms, lack of external amenity space and inadequate refuse storage facilities. The proposal is therefore contrary to policies 15, 20 and 22 of the Adur Local Plan and paragraph 130 of the National Planning Policy Framework.

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

Reference/Drawing Number	Version	Date Rec
LOCATION & BLOCK PLAN	Drg 220505-L1	30.05.2022
EXISTING FLOOR PLANS	Drg 220505-E2	30.05.2022
EXISTING ELEVATIONS & SECTION	Drg 220505-E3	30.05.2022
PROPOSED FLOOR PLANS	Drg 220505-G4	30.05.2022
PROPOSED ELEVATIONS & SECTION	Drg 220505-G5	30.05.2022

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 can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 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.