Adur District Council

## Development Management

Stephen Bromley
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# REFUSAL

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015**
**Schedule 2, Part 1 (Class A.1 (ea))**

**APPLICATION NUMBER: AWDM/1487/17**

Details of Development
**HOUSEHOLDER APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR SINGLE-STOREY REAR EXTENSION WITH AN OVERALL DEPTH OF 4M FROM REAR WALL OF THE ORIGINAL DWELLING, MAXIMUM HEIGHT 000M AND MAXIMUM HEIGHT OF EAVES 2.7M.**

Location of Development
**256 OLD SHOREHAM ROAD SOUTHWICK BRIGHTON WEST SUSSEX BN42 4LQ**

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that PRIOR APPROVAL IS REFUSED for the above development, in accordance with the application and relevant correspondence registered on 29th September 2017.

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
11/10/2017

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
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**SCHEDULE**

**Reasons for Refusal**

01. The proposed single-storey rear extension as shown on the submitted 1:1250 site location plan received 29th September 2017 does not meet the criteria of Part 1, Class A.1(j)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore this proposal cannot be dealt with under the Prior Approval Scheme. This is because it is also proposed to remove the projection on the rear elevation which was part of the original dwelling and which formed a side elevation and, irrespective of any demolition, the extension would have been joined onto this original side wall and would have been more than half the width of the original dwelling and is therefore not permitted development. The proposed extension would be out of keeping with the existing dwelling by reason of its excessive scale in terms of height and depth.

02. The agent has not provided adequate information on the application form as Q4(b) has not been completed with regards to the maximum height of the proposed extension.

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

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| LOCATION PLAN | | 29.09.2017 |

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**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. 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.