

Mr Haydn Smith  
April Cottage  
172 The Street  
Clapham  
Worthing  
West Sussex  
BN13 3UU

Our Ref: SDNP/18/04317/FUL  
Contact Officer: Stella New  
Tel. No.: 01730 819216

17th October 2018

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order**  
**2015**

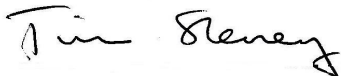
**Proposal: Continued use as A3 Cafe with A1 Retail**

**Site Address: The Junction, The Street, Clapham, West Sussex, BN13 3UU**

Please find enclosed the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Before proceeding, please read the following important information which affects this Notice.**

Failure to comply with any conditions may invalidate the permission and may result in enforcement action. Some conditions may require further details or samples to be submitted for approval. Other conditions may contain timescales or stages against which compliance should be obtained and before works are commenced. Most categories of permission also require a fee for each request for discharge of condition/s, further details of which are set out in the attached information sheet.

Yours faithfully



**TIM SLANEY**  
Director of Planning  
South Downs National Park Authority



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**Proposal:** Continued use as A3 Cafe with A1 Retail

**Site Address:** The Junction, The Street, Clapham, West Sussex, BN13 3UU

**GRANT OF PLANNING PERMISSION**

In pursuance of its powers under the above mentioned Act, the South Downs National Park Authority as the Local Planning Authority hereby **GRANTS** Planning Permission for the above development in accordance with the plans and particulars submitted with your application received on 23rd August 2018.

**This permission is subject to the following conditions:-**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. The development hereby permitted shall only be used for A1 and/or A3 as defined in the Use Classes Order 1987 (as amended) purposes as a village shop and cafe, as an identified Asset of Community Value, and for no other purpose or other building use.

REASON: To enable the SDNPA to regulate and control the development of land, having regard to policies BT4 and CFW3 of the Clapham Neighbourhood Development Plan (2016).

4. Amplified music, or other entertainment noise, including public address systems, shall not be operated before 8.00am or after 8.00pm Monday to Saturday, and not on Sundays. In any event, no sound reproduction or amplification equipment (including public address systems, tannoy, loudspeakers etc.) must be operated which are audible outside the boundary of the site to which this application relates.

Reason: To safeguard public and neighbour amenity.

5. The hours of operation shall be limited to 8:00am to 8:00pm, and no customer or member of the public shall be permitted to be on the premises outside these times.

Reason: To safeguard public and neighbour amenity.

6. There shall be no deliveries taken, or dispatched, from the premises outside of the following times: 8.00am - 6.00pm Monday to Fridays, after 1.00pm Saturdays, and not during Bank Holidays.

Reason: To safeguard the amenities of the nearby residential properties.

7. Internal customer seating shall be limited to no more than 16 covers. External customer seating shall be confined to the veranda as shown on the plans hereby approved, and limited to no more than 4 covers. No external seating shall be sited elsewhere within the recreation ground.

Reason: To ensure sufficient facilities for the number of customers.

## **INFORMATIVE NOTES**

**These are advice notes to the applicant and are not part of the planning conditions:**

### **1. Crime and Disorder Implications**

It is considered that the proposal does not raise any crime and disorder implications.

### **2. Human Rights Implications**

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

### **3. Equality Act 2010**

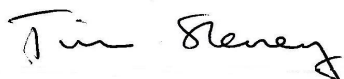
Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
Plans - Site Plan	J.01		13.08.2018	Approved
Plans - Location Plan	J.02		13.08.2018	Approved
Plans - Block Plan	J.03		13.08.2018	Approved
Plans - Layout Plan	J.04		13.08.2018	Approved
Plans - West and South Elevations	J.05		13.08.2018	Approved

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



**TIM SLANEY**  
Director of Planning  
South Downs National Park Authority  
17th October 2018

## **NOTES TO APPLICANTS / AGENTS**

### **Fees for discharge of planning conditions**

Fees apply for the submission for any consent, agreement or approval that are required by a planning condition. The fee chargeable is £116 per request or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. **The fee is payable for each submission made regardless of the number of conditions it is seeking to discharge.**

A fee is payable for conditions related to planning permissions and reserved matter applications only. A fee is not required for conditions attached to listed building consents and conservation area consents. The requirement to make this charge is set out in Government Circular 04/2008.

You may wish to use the standard form to accompany your submission, or set out your requests in writing, clearly identifying the relevant planning application and condition(s) which you seek to discharge or seek approval for. Forms & guidance notes are available on the National Planning Portal website, <https://www.planningportal.co.uk/applications>

### **Non Material Amendments**

There is an application form for the submission of Non Material Amendments to approved plans. Forms & guidance notes are available on the National Planning Portal website, <https://www.planningportal.co.uk/applications>

The fee chargeable is currently £234 per request, or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.

## **Appeals to the Secretary of State**

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.

If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

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.

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.

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.

As from 6 April 2010 if an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.

## **Purchase Notices**

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 Council (District Council, London Borough Council or Common Council of the City of London) 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 Country Planning Act 1990.