

Recommendation Report for Planning Permission

REF NO: FG/105/25/PL

LOCATION: Yeomans House
Littlehampton Road
Ferring
BN12 6PB

PROPOSAL: Proposed change of use of existing ground floor offices to Mazda showroom with showroom extension to front of building. This application is in CIL Zone 3 (zero rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is a car sales premises, with a two storey showroom/office building and forecourt/parking areas to the front, side and rear.
CHARACTER OF LOCALITY	The area has a mix of residential and retail uses, and is bordered by the A259 to the south.

RELEVANT SITE HISTORY

FG/228/18/PL	Additional office space & supporting facilities (amendment to FG/39/18/PL). This application is a Departure from the Development Plan.	ApproveConditionally 10-04-19
FG/39/18/PL	Demolition of existing property & outbuildings; erection of new Motor Dealership with Showroom, Offices & Motor Vehicle Workshop (including MOT) & new Head Office Facility adjoining the existing Peugeot building on site including associated hard & soft landscaping & associated supporting facilities. This application is a Departure from the Development Plan.	ApproveConditionally 09-08-18

Planning history noted.

REPRESENTATIONS

Ferring Parish Council - No objection subject to concerns about the loss of disabled parking spaces being resolved and addition of planning condition mirroring that included on the original consent, to ensure that all vehicle transporters delivering to the site must do so at the rear of the premises. Comments clarified 25/09.

Ferring Conservation Group - Objection. A further car dealership would increase vehicle movements and vehicle deliveries by transporters. The site already suffers from significant roadside signage. No increased density of signage / lighting should be permitted which could contribute to the further distraction of motorists and create an unsuitably intensely developed appearance. The site has a history of unsafe deliveries being made on the dual carriageway, which has resulted in a serious collision. There is a condition in place that requires all vehicle collections and deliveries for the Honda dealership to be made on site with transporters entering and leaving the site in forward gear, the same condition should apply to the proposed new Mazda dealership.

One objection was received from a nearby occupier, expressing support for the concerns of the parish council.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Following comments from the Parish Council, amended plans have been received showing the location of new disabled parking spaces to replaced those lost. The condition which was applied to the previous consent regarding deliveries has been reapplied to this consent as requested.

Plans state the signage will be subject to a separate application - this would be submitted under advertisement consent.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
 Area of Special Control (Adverts)
 Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
EMPDM1	EMP DM1 Employment Land: Development Management
TSP1	T SP1 Transport and Development

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

Ferring Neighbourhood Plan 2014 Policy 7

Land north of Littlehampton Road, encouraging of existing rural businesses

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it relates to change of use and extension of an existing building, which would not harm the character or visual amenity of the area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The proposal is for a front extension and part change of use of existing ground floor offices. The site is outside of the built up area boundary, where alterations to existing buildings are acceptable in principle, subject to relevant policy considerations. The key policies are Arun Local Plan (ALP) policy D DM4 which relates to alterations and extensions to existing buildings, and ALP policy EMP DM1 which relates to employment land.

EMPLOYMENT LAND

ALP policy EMP DM1(6) states that applications will be supported on sites outside the built up area boundary where the proposal is for an extension to an existing employment site which is of an appropriate size and design, which would not intensify the use of the site to the detriment of the existing

access routes and highways. Sites should provide sufficient parking, have a sympathetic relationship to surrounding landscapes and protect the amenity of neighbouring residents.

The proposals do not involve an overall increase in site area, but do propose an extension to the main building. The extension extends approx. 4.5m from the front elevation and is modest in size. The extension would form the frontage to a new Mazda showroom. The showroom would be in the existing ground floor office space, altering the proportion of showroom space to offices. Although this will mean that the site would offer an additional car brand, the overall capacity of the site remains the same, and the alteration would not result in a significant intensification of the use of the site.

The proposals are acceptable in accordance with ALP policy EMP DM1.

DESIGN AND VISUAL AMENITY

The extension projects from the front of the building, and would be visible from the public highway. The change to the footprint of the building is minimal, and the extension would not project beyond the furthest extent of the front elevation. The extension would extend 4.5m, bringing the front elevation of the new Mazda showroom level with the front elevation of the Peugeot showroom. The height of the extension is slightly higher than the existing sections of the building, and is not visually subservient to the existing building in partial conflict with ALP D DM4. The existing building is not a uniform height, and this slight increase in height would not appear out of character, or harm the visual amenity of the site, in accordance with ALP policy D DM1. The design of the extension has a similar design to the adjacent Peugeot showroom, with a glazed frontage and fascia sign. The materials of the extension are in keeping with the existing building in accordance with ALP policies D DM1 and D DM4.

The proposals would not result in harm to the character or visual amenity of the area and is in accordance with D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

The extension is located away from neighbouring properties and will not result in harmful overbearing, overshadowing or overlooking impacts.

The change of use of office space to further showroom space to accommodate an additional brand of car may result in some additional traffic on the site, and additional visitors. However, the overall increase in the size of the commercial unit is minor, and the proposals are not likely to result in a significant increase in noise or disturbance.

The proposals will not harm the residential amenity of neighbouring occupiers, in accordance with ALP policies D DM4 and QE SP1.

HIGHWAYS AND PARKING

There are no alterations to the site access proposed, and the proposals would not result in a significant increase in traffic to and from the site. WSCC highways have no objection on the basis that the proposals do not suggest any significant change to existing traffic arrangements.

The proposed extension will encroach onto the two existing disabled parking spaces to the front of the showroom. These parking spaces will be removed and have been replaced further to the east, to the front of the existing Honda showroom. This area is currently occupied by standard parking spaces, and so the proposals do result in an overall loss of two parking spaces. However, the site has sufficient visitor parking, and the loss of two spaces is not significant within the context of the site.

The proposals are acceptable in terms of impact of traffic, highways and parking, in accordance with ALP policy T SP1.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location plan
- Proposed Site Plan G002-10 Rev. A
- Proposed floor plans 11
- Proposed elevations 11
- Section and visual 13

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 All deliveries to the site shall continue to operate in accordance with the details submitted and approved under FG/4/19/DOC. All deliveries including transporters shall unload/load only within the rear area of the site accessed off Hangleton Lane and shall enter and leave the site in a forward gear.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan.

- 4 The proposed disabled parking spaces shall be provided as shown on Proposed Site Plan G002-10 Rev. A within one month of the opening of the new showroom, and shall be retained in perpetuity thereafter.

Reason: To provide adequate car parking for the development in accordance with Arun Local Plan policy T SP1.

- 5 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.