

Recommendation Report for Planning Permission

REF NO: FG/136/14/PL

LOCATION: Ferring Country Centre
Rife Way
Ferring

PROPOSAL: Amendments to ground floor layout including replacement WC's and new staircase to 1st floor (20sq.m), new layout and staircase to existing 1st floor store, layout to include; offices, meeting room, WC and staffroom (215sq.m), new 60no space car park adjacent to Country Centre (2950sq.m), new bitumen surface construction to section of existing pedestrian path (176.5sq.m).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The car parking area covers an area of approximately 75m by 40m and would be gravel surfaced and located to the south of the existing buildings.
SITE AREA	3361 sq metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Metal palisade fencing and hedging to site boundary where parking is proposed. Post and rail fencing to west elevation.
SITE CHARACTERISTICS	Established country centre with car parking adjacent to the existing roadway. There are a range of buildings. The larger units have pitched roofs with green clad upper elevations. The area of the car park extension is currently used as an outdoor seating area/garden and animal enclosure.
CHARACTER OF LOCALITY	Predominantly rural. Horse related uses in the area of the application site.

RELEVANT SITE HISTORY

FG/28/93	Erection of single storey building to enclose existing outdoor riding area	ApproveConditionally 21-07-1993
FG/103/97	Construction of outdoor riding area (40metres X 25 metres)	ApproveConditionally

		22-01-1998
FG/61/02/	Prefabricated agricultural building to replace existing miscellaneous ones, for horticultural/equestrian activity.	ApproveConditionally 10-09-2002
FG/60/10/	Change of use of glasshouse to retail trading space.	Approved Cond + S106 19-08-2010
FG/173/10/	Change of use from storage (B8) to tea and snack bar(A3)	ApproveConditionally 22-02-2011
FG/81/12/	Erection of wooden building.	ApproveConditionally 29-08-2012

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Engineering Services Manager
Engineers (structural)
WSCC Strategic Planning

Consultations responses received:

Engineers Structural - No comment

Engineers Drainage - As long as development proceeds in accordance with the submitted report no objection.

County Highways - No Objection. The internal layout of the proposed parking area is considered acceptable. A construction management plan should be submitted for consideration.

Comments on Consultation responses:

- comments noted. The submission of a Construction Management Plan has been conditioned.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Right of Way

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN3](#)
[GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Protection of the Countryside
The Form of New Development
D DM1 Aspects of Form and Design
Quality
D SP1 Design

C SP1 Countryside**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton

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 would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The Country Centre is long established in this location. The proposed internal alterations would add to the current floorspace of the centre. A staffroom, meeting room and offices would be created. It is not considered that these additional facilities would significantly alter the activity and traffic levels generated from the site. There would be no external alterations.

The creation of an additional parking area would help to alleviate some of the parking problems currently occurring at the site. At peak times the level of car parking is insufficient to meet demand. Parking volumes have increased significantly over the last 2 years. The proposal would retain existing trees and the surface provided would be shingle. This would assist in reducing run off and in assimilating the parking area into its grassed surroundings. The location of the area adjacent to existing buildings and at the end of the access road does reduce the extent of additional surfacing required and the visual impact of the development on the surrounding area.

The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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

Duty under the Equalities Act 2010

In assessing this proposal neutral 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).

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 LC1 revA, PL2 and PL1.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The existing trees indicated for retention on drawing PL2 shall be retained and protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Development shall be carried out in accordance with the details submitted in the Foul and Surface Water Drainage Statement included with the application and dated October 2014.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 Before development commences a traffic management plan shall be submitted to and approved by the Local Planning Authority which shall include vehicular access from Rife Way only, controls to ensure safety of users of the public highway, as well as its operation are not detrimentally affected and details of how deliveries are to be managed.

Reason: In the interests of road safety in accordance with policy GEN 7 of Arun District Local Plan.

- 6 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.