

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: FG/152/24/HH

LOCATION: The Old Flint House  
Church Lane  
Ferring  
BN12 5HR

PROPOSAL: New 3 bay carport. (This application may affect the character and appearance of the Ferring Conservation Area).

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above.

**REPRESENTATIONS**

Ferring Parish Council - No response received.

No representations from nearby occupiers.

**CONSULTATION RESPONSES RECEIVED:**

Arun Conservation Area Advisory Panel - No objection.

The property is located in an informal enclave of buildings and structures of varying size and configuration. It is not considered that the introduction of the proposed structure will impact adversely on the character or appearance of the conservation area.

It should be noted that the elevations shown do not match in regard to the height of the building.

A sample of the proposed clay tile should be submitted for approval, and the impact or otherwise on nearby mature trees also needs to be assessed.

Comments noted. A suitably worded informative has been added to address the removal of bushes to the south (side) corner of the property and amended elevations have been submitted.

**POLICY CONTEXT**

Within an area with potentially high groundwater levels.  
Tree Preservation Orders (TPO Ref- 3/117/15 (TPO)), (TPO Ref- 3/16/98 (TPO)), (TPO Ref-3/72/16 (TPO)), (TPO Ref- 3/30/98 (TPO)).  
Ferring Conservation Area.  
Building of Character.

**DEVELOPMENT PLAN POLICIES**

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

DDM4 D DM4 Extensions&alter to exist builds(res and non-res)

DDM1	D DM1 Aspects of form and design quality
HERDM3	HER DM3 Conservation Areas
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment

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

A Spatial Plan for the Parish

## PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

## SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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## CONCLUSIONS

### DESIGN AND VISUAL AMENITY

The site is a detached dwelling along Church Lane. The proposed car port will be situated to the north (side) of the existing dwelling. The proposed works will be partly visible from the street scene.

The car port would be sited to the side of the property, in the north corner of the plot. The car port would have a maximum height of 4m with a traditional clay tiled hipped roof. The height of the structure is acceptable, given the existing boundary wall to the front and side of the property and the presence of mature vegetation and protected trees. Given the design of the car port and the existing site circumstances, the structure would not be unduly prominent. The materials are traditional including timber boarding to the walls and a tiled roof that reflect the character of the area. These materials are in keeping with the character of the main dwelling and wider street scene. The proposed car port is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP) and the Arun Design Guide (ADG).

The development would not negatively impact the street scene and would not compromise or detract from the character of the area. The development would not harm visual amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan, Arun Design Guide and Ferring Neighbourhood Plan 2014 Policy 1A.

### NEIGHBOURING RESIDENTIAL AMENITY

The car port would be situated in the north eastern corner of the application site and would be positioned adjacent to the north and east boundaries. Notwithstanding this, the neighbour to the east has an existing outbuilding close to the shared boundary with the application site, and given the existing site circumstances and boundary treatment, the proposed car port would not appear overbearing or result in loss of light to the neighbour to the east. The car port would be located to the rear of the neighbour to the north, and given the spacing between the car port and the neighbouring property and the high level boundary treatment, the proposed car port would not result in any overbearing or overshadowing impacts to this neighbour.

Overall, the scale and siting of the proposal are such that there would be no adverse impacts by way of overbearing or overshadowing on any neighbouring properties. The car port would also provide no new viewpoints and would give rise to no adverse impacts by way of overlooking/loss of privacy.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan in that it would not result in harmful overshadowing, overlooking or overbearing effects on neighbouring properties.

## **TREES**

There are a number of mature, protected trees within and surrounding the application site. The proposed car port would not be sited close to these trees, and as such, would not result in harm to the protected trees within or surrounding the application site. Whilst some vegetation would be removed to facilitate the proposed development, this is not protected. Therefore the proposed development is acceptable.

## **HERITAGE**

The Old Flint House lies within Ferring Conservation Area and at close proximity to two Grade II Listed Buildings (The Old Barn and The Stables) to the north. The host dwelling is identified as a Building of Character. The applicant has submitted an accurate Heritage Statement in accordance with paragraph 200 of the NPPF.

Paragraph 201 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected by a proposal. There are two Grade II listed buildings (The Old Barn and The Stables) within close proximity to the site. However, the proposed car port will have no impact on the heritage assets and is acceptable.

Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The host dwelling is a building of character and is therefore a non-designated heritage asset. The impact that the proposed car port would have on the non-designated heritage asset must be considered in determining the application. The design of the car port is well suited for its specific heritage context, constructed from materials which would reflect the sensitive nature of the site, and would not harm the significance of the non-designated heritage asset.

Overall, the proposal would not result in harm to the significance of the designated and non-designated heritage assets. The proposal is therefore in accordance with policy HER SP1, HER DM2 and HER DM3 of the Arun Local Plan.

## **SUMMARY**

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

<b>HUMAN RIGHTS ACT</b>
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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

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 and maintained in accordance with the following approved plans:

Proposed Elevations P-003A.  
Heritage Statement.  
Location and Block Plan E-001.  
Site Photos P-005.  
Proposed Elevations P-003.  
Proposed Site Plan P-001.  
Proposed Plans P-002.  
Biodiversity Enhancement Statement. (received - 19/12/2024).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 3 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 for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

- 4 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside

Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 5      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 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.