

PLANNING APPLICATION REPORT

REF NO: FG/153/10/

LOCATION: 52-56 Ferring Street
Ferring

PROPOSAL: Application for a 12.8m skip to remain on property driveway & installation of 1 large hardwood, Iroko finish bi-folding gate to close off driveway

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed timber tri-folding gate measures approximately 4.3 metres across and 2.1 metres in height. A pedestrian access timber gate measuring approximately 1 metres across and matching height will be positioned directly abutting the tri-folding gate. The two gates combined will shut off the access to the rear section of the site from Ferring Street.
SITE AREA	Approximately 500 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the building faces directly onto the pavement and the site access is currently open. Other boundaries are marked by the elevation walls of neighbouring buildings.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey building which has a glazed shop front with painted render elevation walls. The roof is tiled and M-shaped. There is a fascia advertising board above the shopfront windows. A single-storey flat roof extension wraps around the rear, and part of the southern elevation, of the original building and contains a storage area with full height double doors which can be accessed from Ferring Street. The skip is already in position to the front of this extension. The building currently houses a conservatory sales business and the skip is being used to dispose of waste related to the construction of conservatories.
CHARACTER OF LOCALITY	The site is in a village centre location which is characterised by parades of ground floor shops, offices, restaurants and other commercial premises, a number of which have residential accommodation above. There is a

lay-by with free parking directly to the front of the site.

RELEVANT SITE HISTORY

FG/78/07/	Subdivision of existing retail premises, remodelling and extension to provide 5 no. one and two bedroom flats.	Approve Cond 26-09-2007
FG/220/07/	Minor amendments to previous application FG/78/07 to reflect actual surveyed site dimensions. No increase in proposed accommodation of 5 no. flats.	Approve Cond 06-03-2008

REPRESENTATIONS

Representations received:

Ferring Parish Council

FERRING PARISH COUNCIL:

Objection. The premises has permission for A1 use but is being used for storage, distribution and disposal which is inappropriate in the main shopping area of the village. The loading/unloading of vehicles causes traffic problems at a major road junction.

6 LETTERS OF OBJECTION:

It is inappropriate to use these premises as a depot for contractors and a yard for handling the disposal of waste products. The gates would be open most of the day and vehicles cause an construction at this very congested part of the village. Conditions to keep the gates closed could not be enforced. Will be a significant eyesore. Detrimental to the ambiance of the village.

Comments on Representations received:

Noted and agreed.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

WEST SUSSEX COUNTY HIGHWAYS:

No concerns would be raised with this proposal on the understanding that the gates will open inwards of the site.

Comments on Consultation responses:

Noted. The gates fold across and do not open outwards, therefore allowing vehicles to park clear of the road whilst opening and shutting the gates.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity and highway safety.

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 conflict with relevant Development Plan policy GEN7 in that it represents a use that is out of keeping with the retail/residential characteristics of the surrounding area and would form an incongruous feature.

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

There are 3 factors involved in this application, firstly, the provision of the 2.1 metre high tri-folding gates to the side of the retail shop. These are considered visually acceptable to the amenities and character of the area.

Secondly, the permanent positioning of a skip to the side of the retail unit. Notwithstanding the fact that it would not be readily visible (when empty) behind the gates, it is considered to be an inappropriate introduction of plant within this retail/residential location and something not expected to be in position other than when building works are being undertaken.

Thirdly, the quantity of vehicular movements to and from the skip. adding old/removed windows/doors to it and then removing the skip, followed by the replacement of another skip, would, it is believed, not be a retail use but a waste collection/transfer use which is classed as sui generis.

The combination of all the above clearly identifies the proposal as being unacceptable in this location.

It is therefore recommended that the application be refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The proposal would have an unneighbourly impact on the locality by reason of the general level and nature of activity and would be a form of development out of keeping with a retail use and therefore conflicts with policy GEN7 of the Arun District Local Plan.