

Recommendation Report for Planning Permission

REF NO: FG/181/18/PL

LOCATION: Ferring Country Centre And Riding Stables
Rife Way
Ferring
BN12 5JZ

PROPOSAL: Erection of a single storey, timber structure woodworking shop.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application relates to the construction of a shallow pitched roof timber building 14.7m long, 7.3m wide, 2.23m high to eaves and 3.5m high to ridge.
SITE AREA	88.19 sq m
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There are a range of fences and walls approx. 1.8m high enclosing parts of the site internally.
SITE CHARACTERISTICS	Established country centre with car parking adjacent to the existing roadway. The larger units have pitched roofs with green clad upper elevations. Several public footpaths are located across and around the site.
CHARACTER OF LOCALITY	Predominantly rural

RELEVANT SITE HISTORY

FG/31/17/PL	Installation of new cafe building & relocation of 1 No. existing glasshouse. This application is a Departure from the Development Plan.	ApproveConditionally 27-04-17
FG/203/18/PL	Variation of condition 2 imposed under FG/31/17/PL relating to approved plans (new building more central to shop & ticket office closer to activities they serve).	ApproveConditionally 07-01-19
FG/129/16/PL	Removal of 4 No. existing structures & erection of 2 No. barns to be used in conjunction with on-site activities.	ApproveConditionally 08-11-16

FG/136/14/PL	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).	ApproveConditionally 08-12-14
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FG/81/12/	Erection of wooden building.	ApproveConditionally 29-08-12
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No Objection. Conditions requested.

Environmental Health - No Objection. Conditions requested relating to hours of use, lighting and construction management plan.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. With the exception of the lighting condition the requested conditions have been imposed. The lighting condition is not considered to be reasonable given that no external lighting is proposed as part of the development and the use of the building would cease at 4pm satisfactorily reducing the impact of any bright lighting.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

Right of Way
Within Settlement Gap

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

SDSP1	SD SP1 Sustainable Development
SDSP3	SD SP3 Gaps Between Settlements
DDM1	D DM1 Aspects of form and design quality
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
WDM3	W DM3 Sustainable Urban Drainage Systems
DSP1	D SP1 Design
CSP1	C SP1 Countryside
HWBSP1	HWB SP1 Health and Wellbeing

<u>Ferring Neighbourhood Plan 2014 Policy 10</u>	Sustainable water management
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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policies 1A 'Spatial Plan for the Parish' and 10 'Sustainable Drainage Systems and Water Management' of Ferring Neighbourhood Plan are considered relevant to consideration of this application.

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

This application seeks permission for a woodworking workshop for use by the adults who attend the site on a daily basis.

The site is located in the countryside within a settlement gap. Policies CSP1 and SDSP3 of the Local Plan and policy 1A of the Neighbourhood Plan are therefore relevant. The building would increase the range of recreational/art/craft facilities available at the site and policy HWB SP1 is therefore also relevant. Policy CSP1 is met if the proposal accords with other policies in the Plan which refer to a specific use or type of development. Since the proposal reduces the need to travel by providing additional facilities within the site and ensures that arts and crafts are available to all residents of the District it accords with both policies CSP1 and HWB SP1.

The Country Centre is long established in this location. There are a range of buildings used by the charity which provides training and work experience for people with learning difficulties. The Centre has a coffee shop and there are glasshouses/poly tunnels of similar proportions to the building proposed. The use of the site consists of a riding therapy unit, a garden centre and a small animal farm and coffee shop.

The purpose of the proposal is to provide additional facilities for the adults who visit the site on a daily basis. The use and expansion of facilities would accord with paragraph 91 of the National Planning Policy Framework which states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction and paragraph 92 requires decisions to provide social, recreational and cultural facilities and services the community needs.

The proposed design of the building is in keeping with the rural appearance of the locality since it would reflect the design of stabling appropriate in this rural area. The building has a limited height and would be located in the north eastern part of the site close to the railway line and near to existing trees which would provide some screening. In addition ASDA lies to the north west which is significantly larger and more prominent building. Whilst the footprint of the buildings proposed is 14m by 7m the height is 3.5m. The dimensions are typical of those used by farmers for storage and keeping of animals. In terms of visual amenity it is therefore considered appropriate and would not appear as an isolated features in the landscape. It would accord with policy DDM1(1 and 14).

The building does not extend the built form into open fields to the west and is located within the established corridor of buildings and structures at Ferring Country Centre. The building would not be easily discernible in the landscape and would be viewed against the backdrop of other buildings at the Centre. No additional roads/accesses would be required to serve the buildings since existing would be utilised. It is therefore considered that the building would not compromise, either individually or cumulatively the character or integrity of the settlement gap and the proposal would therefore accord with policy SD SP3 of the Arun Local Plan. The proposal could not be better located elsewhere given the requirements of the established Centre and the need for the building to be located within the area to

provide additional facilities within the existing Centre and reduce the need to travel between sites.

The building is located 3m from the closest neighbouring residential property boundary which abuts the Onslow Caravan Park. Use of equipment within the building adjacent to residential properties would have the potential to cause a noise nuisance so it is proposed to condition the use of the workshop to Monday to Friday and Saturday mornings only in the interests of residential amenity in accordance with policies DDM1(3) and policy QE DM1 of Arun Local Plan. The building itself given its limited eaves height of 2.2m would have no adverse overbearing impact on residential amenity and therefore would accord with policy DDM1 of Arun Local Plan.

In accordance with policy WDM3 of the Local Plan and Policy 10 of Ferring Neighbourhood Plan a pre commencement drainage condition is proposed to ensure that the development is adequately drained.

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

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

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.

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, Block, Chart Timber Buildings Elevations rev 0.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 The development shall proceed in accordance with the submitted Construction Management Plan dated 08-07-2019.

Reason: In the interests of highway safety and the amenities of the area in compliance with policy DDM1 of Arun Local Plan

- 5 The workshop shall not be used except between the hours of 9am and 4pm Mondays to Fridays and Saturdays 9am to 1pm inclusive with no operation on any Sunday, Public or Bank Holiday.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Arun Local Plan policy QE SP1 and QE DM1.

- 6 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 7 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.