

Recommendation Report for Planning Permission

REF NO: FG/203/18/PL

LOCATION: Ferring Country Centre
Rife Way
Ferring
BN12 5JZ

PROPOSAL: 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).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application includes a new coffee shop, kitchen, toilets and shop to replace existing on site provision currently located within the Garden Centre and dismantling and removal of twin-span polytunnel, dismantling of existing glasshouse for re-erection on the footprint of the twin-span polytunnel and new concrete and tarmac hardstanding to facilitate new access provision to coffee shop.

The new building would be 15m in width and 25m in length on the adjoining access with a covered area to the north and a covered area and terrace to the south. The height is 5.8m to ridge and 2.6m to eaves. The materials are not referred to on the elevation plans.

The proposal is for the removal of these existing structures which cover a total footprint of 523.5 sq m and replacement with a new portal framed steel building which has a footprint of 385 sq m plus covered areas to the north and south each of 64 sq m making the total built area of 513 sq m.

SITE AREA

6355 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. This part of the site comprises a small animal farm. The pig enclosure is located adjacent to the position of the proposed barns. Sheep to south. Several public footpaths are located across and around the site.

CHARACTER OF LOCALITY

Predominantly rural

RELEVANT SITE HISTORY

FG/151/17/DOC	Application for approval of matters reserved by condition imposed under FG/129/16/PL relating to condition 3 for surface water drainage.	DOC Approved 19-01-18
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

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICES

SDSP1	SD SP1 Sustainable Development
SDSP3	SD SP3 Gaps Between Settlements
DDM1	D DM1 Aspects of form and design quality
WDM3	W DM3 Sustainable Urban Drainage Systems
DSP1	D SP1 Design
CSP1	C SP1 Countryside

[Ferring Neighbourhood Plan 2014 Policy 10](#)

Ferring Neighbourhood Plan 2014 Policy 1A

Sustainable water management

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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 to amend the earlier approval FG/31/17/PL by re-ordering the layout of the approved development. The building shape has altered and the height has been reduced.

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 already has a coffee shop elsewhere on the site and there are other glasshouses/poly tunnels of similar appearance to those proposed. The use of the site consists of a riding therapy unit, a garden centre and a small animal farm and coffee shop. The existing structures to be removed are of no architectural merit.

The purpose of the proposal is to replace the existing out dated or below standard amenities and improve the environment for the staff, volunteers and all those the centre strives to serve. The application does not provide any increase to the current facilities or seek to increase the numbers of visitors to the Centre.

This application seeks variation to Planning Application FG/31/17/PL which was approved conditionally on 27.04.17 and seeks to relocate the coffee shop and visitor facilities to a more suitable position in relation to the operations of the Centre. The proposed buildings would improve the facilities offered at the Country Centre. The new coffee shop building has been designed to provide an improved facility for the premises. The current facility exists as a small area within the 'garden centre' glasshouse. The size of the refreshment area is currently limited due to the area of floorspace available within the building. The removal of the coffee shop from within the 'garden centre' will allow this retail space to expand and occupy the glasshouse fully.

The principle of a replacement coffee shop is established by the earlier permission and the replacement buildings are not located adjacent to any residential properties and would have no adverse impact on residential amenity and therefore accord with policy DDM1 of Arun Local Plan. The main considerations in relation to this revised proposal relate to the impact of the changes on the visual amenities of the locality and character and appearance of the area which is defined as a Settlement Gap. The proposed building would increase the footprint of the central block from 20m by 15m to 19m by 25m and would increase the ridge height from 3.8m to 5.8m. The building with therefore be more prominent visually.

However the proposed changes do not significantly alter the position of the building within the site and it 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. It would not undermine the physical and/or visual separation of settlements. No additional roads/accesses would be required to serve the buildings since existing would be utilised. The 2m increase in ridge height and the increased footprint of the building would not be easily discernible in the landscape and the building would be viewed against the backdrop of other buildings at the Centre. It is therefore considered that the buildings 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.

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, Site Layout Plan as Existing 6452, Site Layout as Proposed 6453, Block Plan as Proposed 6455 rev H, Existing Elevations 6460 revC, Floor Plan and Elevations as Proposed 6454 revA .

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 No development above damp proof course (DPC) level shall take place unless and precise details of materials and finishes to be used for external walls and roof of the proposed office/coffee shop building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DDM1 of the Arun Local Plan.

- 4 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of

any Infiltration drainage.

No 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 WDM3 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.

- 5 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.

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

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 7 INFORMATIVE: The premises may require registration under the Food Safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational. Number of covers and kitchen. The stated provision, assuming the equivalent of 2 urinals to the male WC unit, would be suitable for up to 200 persons (Arun District Council's document 'Provision of Sanitary Accommodation in Food Businesses'). The kitchen area described, is therefore small. A larger area would provide a much more workable space allowing a wider range of fayre. The workflow of such a kitchen must also be considered. It should allow progress from so the called 'dirty' to the 'clean' area. There should be two sinks and the wash hand basin should be located at the kitchen entrance. Suitable mechanical ventilation will be required over the cooker unless only the most moderate amount of cooking/frying is performed. It may be necessary to provide a suitable grease trap to harness grease from all foul water outlets to the kitchen. Staff sanitary accommodation should preferably be apart from the public facility.