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Development Management
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

09 November 2021
Ref: RH/Let/P1890

Dear Sir / Madam,

Resubmission of approved FG/168/18/PL (Erection of 2 bedroom single storey dwelling to rear of existing property) to extend time limit at 4 Sea Lane, Ferring, BN12 5DS.

This application has been submitted on behalf of **Mr Walter Jason Lawrence** with regards to the above proposed resubmission application relating to land at 4 Sea Lane in Ferring. The application has been submitted via the Planning Portal under reference **PP-10365109** and is accompanied by the following documents:

- Application Form
- CIL Forms
- Architectural Plans including Block Plan, Location Plan, Proposed Floorplan and Elevation, and Proposed Site Layout.
- Design & Access Statement including Drainage Details.

This application has been submitted following receipt of full planning permission for the erection of 2 bedroom single storey dwelling to rear of existing property which was allowed at Appeal under reference FG/168/18/PL (Appeal Reference APP/C3810/W/19/3221037). Refer to Appendix A for the Appeal Decision Notice.

The Appeal was allowed on 24 May 2019 and Condition 1 attached to the permission states *'The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision'.* The permission therefore runs out on **24 May 2022**.

This application for full planning permission has therefore been submitted as an identical resubmission to extend the time limit by a further 3 years to allow the Applicant to discharge the relevant planning conditions and implement the permission.

The application is otherwise identical to that allowed at Appeal under reference FG/168/18/PL (Appeal Reference APP/C3810/W/19/3221037) and is therefore supported by the same documents and drawings which were previously approved.

Relevant updated local and national planning policy has been reviewed in preparation of this resubmission and it is considered that the Inspector's overall conclusion in allowing the Appeal still applies and the proposed development would conform to relevant planning policy.

Managing Director
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Arun's adopted Supplementary Planning Documents (SPD) which would be relevant to the proposals have also been reviewed, in particular the recently adopted Design Guide SPD (2021). It is considered that the proposals would conform to the Design Guide SPD and address the relevant criteria as set out under 'Backland Development'.

To conclude, the proposals remain exactly the same as that previously approved under reference FG/168/18/PL (Appeal Reference APP/C3810/W/19/3221037) and there has been no change in planning policy, nationally or locally, since the previously allowed Appeal which would alter the Inspector's findings. Additionally, the site conditions remain exactly the same.

We would therefore ask the Local Planning Authority to remain consistent with the Inspector's decision and grant full planning consent for this resubmission application as soon as possible to allow the time limit attached to the original consent to extend by a further 3 years.

If you have any further queries or require further information please contact me [redacted]

[redacted]

Yours sincerely
ECE Planning

[redacted]

Chris Barker MATP MRTPI
Managing Director

Appendix A – Appeal Decision Reference APP/C3810/W/19/3221037

The Planning Inspectorate

Appeal Decision

Site visit made on 8 May 2019

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2019

Appeal Ref: APP/C3810/W/19/3221037
4 Sea Lane, Ferring BN12 5DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr D Lawrence against the decision of Arun District Council.
- The application Ref FG/168/18/PL, dated 7 September 2018, was refused by notice dated 20 December 2018.
- The development proposed is erection of 2 bedroom single storey dwelling to rear of existing property.

Decision

1. The appeal is allowed and planning permission is granted for erection of 2 bedroom single storey dwelling to rear of existing property in accordance with the terms of the application, FG/168/18/PL, dated 7 September 2018, subject to the following conditions:

   1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

   2) The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan Drawing No 10; Block Plan Drawing No 11; Proposed Site Layout Drawing No 12 Rev A; Proposed Plans and Elevations Drawing No 13 Rev A.

   3) No above ground development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building and a 'statement of detail' has been submitted to and approved in writing by the Local Planning Authority. The 'statement of detail' shall set out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The development shall be carried out in accordance with the approved details.

   4) The dwelling shall not be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Procedural Matters

2. Following the Council's decision on the application that led to this appeal, a new version of the National Planning Policy Framework has been published. No changes have been made to the content directly relevant to the main issue of this appeal. Consequently, I consider that no prejudice would occur to any

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parties as a result of me taking the revised Framework into account in my assessment of the appeal's merits.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers with particular reference to 6 Sea Lane.

Reasons

4. The proposed driveway would be in close proximity to the side windows and openings at 6 Sea Lane. There are a number of roads and parking areas which extend close to the rear portion of both 4 and 6 Sea Lane including Oaklands, Sea Lane Close and access for Regency Court, therefore the existing context of these rear garden areas is that they presently experience some comings and goings from nearby properties.

5. The additional part of the driveway proposed would lead to just one property, and therefore the likely number of comings and goings would be relatively limited. Although these vehicle movements would be closer to some of the windows to 6 Sea Lane than currently exist, I am not presented with evidence which suggests that they would be so frequent or otherwise harmful so as to represent an unacceptable level of disturbance to this property.

6. Although there may be some noise and disturbance during construction, this would be likely to be short term. I am not persuaded that the site is so constrained that this temporary situation would be unacceptably harmful to the living conditions of neighbouring occupiers.

7. The proposed layout would not result in any direct overlooking between windows. The windows at the proposed dwelling would be at ground floor only, so any views towards neighbouring gardens would be screened by boundary treatment. As such I do not find harm in relation to loss of privacy. The proposed dwelling is single storey with a pitched roof which would set its bulk away from neighbouring properties and detailed evidence has not been submitted which persuades me that the proposed development would result in a loss of light nor be overbearing to neighbouring occupiers. I note that the Council did not refuse the application in relation to the outlook for future or existing occupiers and I am not provided with substantive evidence which leads me to a different conclusion in this regard.

8. For the reasons above I conclude that the proposed development would not have an unacceptably harmful effect on the living conditions of the adjacent properties. Consequently, in this regard, the scheme would not conflict with Policy D DM1 (Aspects of form and design quality) nor D DM4 (Extensions and alterations to existing buildings (residential and non-residential)) of the Arun Local Plan 2011-2031 Adopted July 2018 (the Arun Local Plan).

9. The Council refer to Policy 1A of the Ferring Neighbourhood Plan[1] and D SP1 of the Arun Local Plan in their reason for refusal. However, in the main, these policies relate to a high level spatial plan for the parish and urban design

[1] Ferring Parish Neighbourhood Plan 2014-2029 Submission Plan Including post examination modifications Published by Ferring Parish Council under the Neighbourhood Planning (General) Regulations 2012 and EU Directive 2001/42 on Strategic Environmental Assessment November 2014

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considerations in terms of character and appearance. Therefore, I find the policies quoted above more relevant to this main issue.

Other Matters

10. As noted above, part of the immediate area's character includes roads and parking areas which extend close to the rear portion of these houses. Nearby dwellings are in a variety of designs, styles and layouts. As such I do not find the proposed development to be out of character with the surroundings. Nor am I presented with evidence that persuades me that the proposed development would be unacceptably cramped.

11. Issues including parking, highway safety, access for emergency vehicles and drainage have been drawn to my attention. These matters are largely identified and considered within the Council officer's report and the Council did not feel that these were reasons to refuse the application. I have been provided with no substantive evidence which would prompt me to disagree with the Council's conclusions on these matters. I also note that there is some dispute as to the location of the boundary, however this would be a private legal matter and not a planning consideration to which I can attribute any degree of weight.

Conditions and Conclusion

12. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents, including ensuring that the conditions would not unnecessarily delay the delivery of development.

13. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord. A condition requiring details of materials to be approved would be necessary to preserve the character and appearance of the area. A condition requiring the implementation of the vehicle parking and turning space is also attached to ensure adequate provision of parking for the proposed development.

14. For the reasons above, and subject to the conditions listed, I conclude that the appeal should be allowed.

H Miles

INSPECTOR

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