

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

REF NO: FG/205/21/HH

LOCATION: Church Cottage
Church Lane
Ferring
Worthing
BN12 5HN

PROPOSAL: Erection of timber summer house in rear following the demolition of existing.
(This application may affect the character and appearance of the Ferring Conservation Area and listed building).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a timber summer house.
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RELEVANT SITE HISTORY

FG/118/12/	New timber framed oak boarded single garage (re-submission following FG/43/12/)	ApproveConditionally 30-10-12
FG/43/12/	New timber framed oak boarded single garage	Withdrawn 28-05-12
FG/113/08/	Reinstate ancient flint wall along original footing (1m high) with picket gate.	ApproveConditionally 26-09-08
FG/62/08/	To extend existing wall northwards by 3m within house boundard. Introduce wooden gate access to "cottage garden".	Inc Docs Ret'nd 22-05-08
FG/84/96	Erection of new wooden gate and single fence panel to match existing boundary fences	Approve 13-03-97

REPRESENTATIONS

Ferring Parish Council - No response

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection

The proposal is for a replacement timber summer house in rear garden area (following the demolition of an existing structure). The existing shed is of no significance and its loss is acceptable. The structure would be slightly further away from the listed building than the existing shed, and would not be clearly seen from the lane to the front of the listed building. The design of the replacement is simple with timber walling and a flat roof. It is considered to be acceptable and not cause harm to the heritage assets.

Tree Officer - No response

Historic England - No response

POLICY CONTEXT

Built Up Area Boundary

Listed Building (Grade II)

Conservation Area

TPO

Archaeological Notification Area

CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

[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

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1, HER DM1 and HER DM3 of the Arun Local Plan.

Ferring Parish Council has a 'made' Neighbourhood Development Plan, of which Policy 1A is considered. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal is located to the rear of the property and is not visible from the street scene.

The structure will replace an existing decaying timber summer house. It will be a modest size, slightly smaller than the existing, with a width of 3.6m, depth of 3m. The summer house will be constructed from timber and have a flat shallow pitch roof.

Being to the rear, the summer house is not clearly visible from the street scene. As a result, it will have no impact upon the composition or appearance of the street. It is situated around 15m from the main building and is not considered to pose any harm to the visual amenity of the dwelling or the surrounding area.

Given its modest size and location, the proposal will not result in adverse harm to the character of the area and is in accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The summer house will have a height of 2.24m. It will retain a distance of 1m to the north boundary, 4.4m to the east and 11.3m to the west. Given its height, the proposal will not be obtrusive to neighbouring properties and is not considered to result in adverse overbearing or overshadowing.

The proposal features two windows to the east and double doors with sidelights to the south (front). These features, given their height and location, are not considered to result in any overlooking, overshadowing or overbearing of neighbouring properties and are not unacceptably harmful to residential amenity.

The proposal does not adversely impact residential amenity and is in accord with D DM1 of the Arun Local Plan.

HERITAGE AND CONSERVATION

Church Cottage is a Grade II Listed Building, thought to date back to the 17th Century, and is in the Ferring Conservation Area. It is considered to be of historical significance, and therefore any impact upon the buildings appearance or the surrounding area, in relation to the proposed works, must be carefully examined. The proposed works should aim to conserve the significant elements which contribute to the buildings heritage assets.

The building does not cause harm as described in the relevant section of the NPPF.

The proposal replaces an existing shed in the rear garden (following its demolition), of which has no significance to the listed building and is not a substantial loss. The summer house is an acceptable replacement, located further away from the main building and of a simpler style. It is not considered to result in adverse harm to the appearance or heritage assets of the listed building and is in accord with HER DM1, HER DM2 of the Arun Local Plan, and the NPPF.

SUMMARY

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

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.

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 in accordance with the following approved plans:

- Location Plan 1
- Existing and Proposed Block Plan 2A, 3A
- Proposed Elevations 4
- Proposed Plans 5
- Existing Plan and Elevation 6

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

- 3 **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.