

Recommendation Report for Planning Permission

REF NO: FG/22/20/PL

LOCATION: Ferring Country Centre Limited
Rife Way
Ferring
BN12 5JZ

PROPOSAL: Timber frame barrel vault canopy with fire retardent Opal 60 fabric roof cladding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The construction of an open sided building with a timber frame and see through fabric canopy roof, 19.5 metres long, 6.3 metres wide and 4 metres high for the purpose of covering plants.
SITE AREA	122.85 sq. metres
TOPOGRAPHY	Predominantly flat.
TREES	None 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.
None relevant.	

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No comment received from Ferring Parish Council.

1 letter of support.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environmental Health
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

ADC Surface Water Drainage - No objections

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

OUTS BUILT AREA

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HWBSP1	HWB SP1 Health and Wellbeing
SDSP3	SD SP3 Gaps Between Settlements
WDM2	W DM2 Flood Risk

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

The Neighbourhood Development Plan

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 plant storage building 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 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 horticultural facilities 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 proposed design of the building is in keeping with the rural appearance of the locality since it would reflect the design of other garden centre buildings appropriate in this rural area. The building has a limited height and would be located in the centre of the site and would blend in with the existing buildings on the site. In terms of visual amenity it is therefore considered appropriate and would not appear as an isolated feature 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 east 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 building 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 would have no adverse overbearing impact on residential amenity being well away from any residential properties 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 the drainage engineers were consulted and no further conditions were considered necessary.

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:
Proposed Plan and elevations dwg.no. GA-01 dated 10/02/2020

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.