

Recommendation Report for Planning Permission

REF NO: FG/30/19/PL

LOCATION: Land adjacent to 2 The Grove
Ferring
BN12 5JA

PROPOSAL: 1 No. new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
	The proposed dwelling would measure approximately 6.6 metres wide, 14.8 metres in depth and would be built to a proposed height of 4m at pitch and 2.25m at the eaves. The East elevation would include one entry door, next to this door there will be a window serving the hallway. The proposed front elevation will include two, two pain windows. One positioned on the white render and one within the section which is to be clad with light blue cement board. Proposed within the rear (western) elevation are Bi-folding patio doors. Proposed on the side (northern) elevation there is an obscure glazed window and one skylight on the roof, along with cladding on the protruding porch area. On the proposed side (southern) elevation two matching windows are proposed. Also a sky light is proposed into the side (southern) roof slope.
SITE AREA	0.033 of a hectare.
BOUNDARY TREATMENT	The application site is enclosed to the rear by a 1.8 metre high close boarded fence.
SITE CHARACTERISTICS	Plot of land. (The site has been cleared)
CHARACTER OF LOCALITY	Residential.
Relevant history noted.	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council
Ferring Parish Council: Do not object:

The proposed property as detailed in the application appears sympathetic with the neighbouring dwellings.

Loss of garden space in the village is regretted, it would not appear to be out of keeping in that location.

Should Planning Officers be minded to approve the application, Ferring Parish Council recommend that conditions are imposed to prevent future upward extension of the property re: impact upon neighbours.

29 letters in response to this application. 10 in objection and 19 in support for the proposal:

Spoil the character of Ferring.

Medical and dental facilities are already overstretched.

The development would make the area over developed and cramped.

There would be an increase in congestion.

Fears that in the future it would then be developed into a house.

The application would cause issues for emergency services as accessibility would be reduced.

The development is a sympathetic design.

There is no need for such a property in the village, which would add more vehicles and pressure on local infrastructures.

Overdevelopment

Given the sympathetic design there can be no reason for any objection.

There would be ample off road parking.

There is a need for more housing in Ferring.

Should be a condition to always be a single storey development.

This is not social housing which is what the country as a whole needs - it is an unnecessary and unneeded development

Ferring Conservation group objects on the grounds of character and infrastructure:

Ferring's character depends on its open spaces even the spaces between buildings.

Filling in gaps is beginning to destroy Ferring's Character.

Increasing load on roads.

It would add to the increasing congestion and parking difficulties in the village centre.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments raised will be taken into account within the Conclusions section below.

Objection has been raised whereby it is considered that there should be a condition to always be a single storey development. Officers do not consider such a condition reasonable or relevant as planning permission would be required should the occupiers wish to turn it into a 2 storey dwelling. Additionally, should an application to turn the dwelling into a 2 storey property there is not guarantee that it would be granted.

The addition of 1 more dwelling will not have an appreciable impact on the infrastructure facilities available in Ferring.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council: Do not object, recommend conditions upon any grant of planning permission

The site is located on a privately maintained road; consequently these comments are for your advice only.

As the south of Ferringham Lane is not publically maintained, visibility cannot be assessed by the LHA, but visibility to the north appears sufficient.

Sussex Police data reveals that have been no recorded injury accidents within the vicinity of the site resulting from road layout over 5 year period.

The addition of one dwelling is not anticipated to exacerbate an existing safety concern, or result in a significant material intensification of use at the site.

The WSCC Car Parking Demand Calculator indicates 2 parking spaces required. At least 2 cars could park sufficiently in the space provided.

Cycle storage has also been demonstrated in the plans.

The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Engineers Comments Regarding Surface Water Drainage: Do not object.

Due to the scale and location of development we have no conditions to request.

Surface water drainage should be designed and constructed in accordance with building regulations.

COMMENTS ON CONSULTATION RESPONSES:

The consultation comments raised will be taken into account within the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

Ferring Neighbourhood Plan 2014 Policy 10

Sustainable water management

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

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

In this case the Policies of the of the Ferring Neighbourhood Development Plan would apply:

1a and 10.

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

PRINCIPLE:

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 and provided it is in accordance with other policies of the Local Plan. The key policies are considered to be D DM1, D SP1, W DM3, T SP1 and TDM1. Ferring Neighbourhood Development Plan Policies 1A and 10 are relevant

Further, the NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)).

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy D DM1 of the Arun Local Plan 2011-2031 (ALP) requires that the Council have regard to certain aspects including:

- (1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";
- (2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";
- (13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and
- (14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Ferring Neighbourhood Development Plan Policies 1A and 10 are relevant. Policy 1A highlights that the presumption in favour of development within the Built-up Area Boundary, provided that they accord with the provisions of the Neighbourhood Plan and with other relevant Development Plan Policies. Policy 10

highlights the importance of sustainable drainage design and that schemes that demonstrate effective sustainable drainage design features will be effective in managing the risk of surface water flooding within and beyond their boundary will be supported.

Policy T SP1 sets out that the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. It also sets out to achieve appropriate levels of parking in line with West Sussex County Council Highways guidance are provided with each development proposal.

W DM3 sets out that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process, in order to increase the levels of water capture and storage and improve water quality.

DESIGN AND VISUAL AMENITY

The applicant seeks planning permission for the erection of a new dwelling. At the time of the Officer's site visit it was noted that the application site had been cleared and severed from adjoining property number 2 via the erection of a closed fence along the common boundary.

Within the wider area there are a variety of dwelling styles ranging from 2 storey detached, semi-detached and terraced dwellings along with detached and semi-detached bungalows/chalet bungalows. Within close proximity to the application site there are a number of differing styles of bungalows/chalet bungalows. As such Officers consider that there is no one particular style of dwelling that characterises the area as a whole.

From Google street view (image capture 2009) it is noted that that number 2 appears different to that shown on the plans. From the Officer's site visit, it was noted that adjoining property number 2 was undergoing a number of alterations. This application only seeks to assess the proposed new dwelling adjacent to number 2, as proposed on the submitted application forms, and not any amendment that may have been carried out on adjoining property number 2. It is noted that property number 2 as amended (shown on plans) would have an almost similar (but not identical) design to the proposed dwelling.

While the use of red brick and red tiled roofs are a common feature, a mix of materials feature within the wider area eg, white/cream render and cladding. The proposed external materials would be as follows:

Walls: Weatherboard (Light Blue) and render (white)
Roof Tiles: Concrete - grey (similar to 2 and 3 the Grove)
Windows and Doors: Aluminium and wood - dark grey

While the proposed light blue weatherboard cladding is not a material that features within the wider area, it is considered that overall the proposed materials would be broadly acceptable. However to ensure that they would be suitable a condition requiring details of the proposed cladding be provided would be imposed upon any grant of planning permission.

Therefore, having regard to the size, scale, massing and overall design of the proposed dwelling, along it is considered that they would not have a detrimental impact on the street scene and wider area.

Officers note the objection raised whereby:

'Filling in gaps is beginning to destroy Ferring's Character.'

Officers note the character of the immediate and wider area and do not consider that the 'filling in' of this gap between dwellings would detrimentally impact on the character of the area.

As such, the proposal would comply with policy D DM1 and D SP1 of the Arun Local Plan.

RESIDENTIAL AMENITY:

The proposed development will be located 9.145m from the eastern boundary and 9.145m from the western boundary, 1.915m from the southern boundary and 0.05m from the northern boundary.

The proposed windows in the front (eastern) elevation would allow views out toward the highway and over the front gardens of adjoining properties. The folding doors in the rear (western) elevation would allow views out, at an angle, over the rear portion of the rear amenity space of adjoining properties 1 and 2. Any views out toward the rear would be out toward Colindale Road and would be limited given the rear boundary screening. 2 windows are proposed into the side elevation (southern) facing adjoining property number 1. However, Officers note the approximately 1.8 metres high close boarded fencing to the common boundary which would limit the majority of these windows.

2 rooflights are proposed into the side roof slopes, 1 into the northern elevation and 1 into the south elevation. Given that the proposal is a bungalow and that they would be set at a height of approximately 3.0 metres, it is considered that they would be for light only.

Having regard to the above assessment it is considered that no detrimental overlooking would occur, out toward the occupiers of adjoining properties, as a result of the windows in the proposed dwelling.

The proposed dwelling would extend past the rear elevation of adjoining property number 1 by approximately 8.8 metres. It is not ideal to have the built form of a new dwelling to extend past the rear elevation of adjoining properties for such a significant depth, as it could have a detrimental impact. However, there would be a 1.8 metre high fence to the common boundary, the property would be set in from the common boundary by 1.915 metres and the dwelling would have an eaves height of only 2.2 metres at which point the roof would pitch away. It is considered that the proposal would be of such a modest size, scale and massing, that even though the occupiers of adjoining property 1 would notice the dwelling from their rear garden, it would not be considered to be overbearing such that would warrant refusal.

There is a window in the side elevation of adjoining property number 2 which the porch of the proposed dwelling would be sited in front of. However, given the separation distances that would be present and the size and scale of the porch, it is not considered that detrimental levels of loss of light or overshadowing would occur.

Officers consider that the proposal would not have a detrimental impact on the occupiers of adjoining and neighbouring properties with regard to, overlooking, overshadowing, overbearing effect and loss of light/sunlight.

As such it is considered that the proposals would comply with Policy D DM1 of the Arun Local Plan.

SPACE STANDARDS:

Policy D DM2 of the ALP states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally

Described Space Standards will provide guidance". It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the two houses are suitable for residential use.

From an assesment of the internal space standards it is considered that they would broadly comply. Additionally it should be noted that they are guidance only.

There are no external space standards applied via local or national Planning Policy. However from an assesment of the rear amenity space (garden) is deemed acceptable.

As such, the proposed dwellings would comply with the internal space standards as set out in the 'Technical housing standards - nationally described space standard (2015)' and Policy D DM2 of the Arun Local Plan.

PARKING AND HIGHWAY SAFETY:

Arun Local Plan 2011-2031 Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

Regard should also be had to paragraph 109 of the NPPF which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The Highways Officer has commented on this application and does not object. They note that as the south of Ferringham Lane is not publically maintained, visibility cannot be assessed by the LHA, but visibility to the north appears sufficient. Additionally they consider that the addition of one dwelling is not anticipated to exacerbate an existing safety concern, or result in a significant material intensification of use at the site.

The WSCC Car Parking Demand Calculator indicates 2 parking spaces required. At least 2 cars could park sufficiently in the space provided.

The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Objections have been raised with regard to parking and highway safety/usage, whereby it is considered that the proposal would Increase load on roads and would add to the increasing congestion and parking

difficulties in the village centre. Officers do not consider, given the highway officer comments received, that the addition of 2 cars would have a detrimental impact on highway capacity (loads) or that they would lead to an increase in congestion and parking difficulties in the village centre such that would warrant refusal.

It is therefore considered that the proposal is in accordance with Policy T SP1 of the Arun Local Plan.

DRAINAGE:

The Councils Drainage Engineer has commented on this application and due to the scale and location have no conditions to request. Surface water drainage should be designed and constructed in accordance with building regulations.

As such, Officers consider that the proposal would comply with Policy W DM3 of the Arun Local Plan.

NEIGHBOURHOOD DEVELOPMENT PLAN:

From an assesment it is considered that the proposal would comply with The relevant Policies of the Ferring Neighbourhood Development Plan, in this case 1A and 10.

SUMMARY.

This proposal is considered to represent an efficient use of land and does so without compromising the visual amenity of the area, highway safety or the amenities of existing residential occupiers.

Officers do not consider the size, scale and massing of the development would lead to overdevelopment of the site. It is therefore recommended that permission be granted subject to the following conditions

HUMAN RIGHTS ACT

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 Plan

005_01

005_02

005_03

005_04

005_02

005_06

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 part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

Reason: To provide alternative travel options to the use of the car in accordance with Policy T DM1.

- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with Policy T SP1 and T DM1

- 5 No development above damp proof course (DPC) level shall take place unless and until details of the proposed cladding have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling.

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

- 6 **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.