

PLANNING APPLICATION REPORT

REF NO: FG/57/11/

LOCATION: Land R/O Magpies
Sea Lane
Ferring

PROPOSAL: Application for Outline Planning Permission with all matters reserved for 2No. new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is for outline consent with all matters reserved for the construction of 2No. dwellings within the garden area to the rear of Magpies and Bramble Cottage which front Sea Lane.
SITE AREA	0.08 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Some trees would be removed, however none are considered to be of any significant amenity value to warrant being made the subject of a Tree Preservation Order.
BOUNDARY TREATMENT	Dwarf flint wall to front boundary of site. Northern boundary formed by fencing approximately 1.4m in height and various hedging. Mature hedging to west boundary and timber fencing to southern boundary. Flint wall enclosing driveway between the 2No. dwellings approximately 1.8m in height.
SITE CHARACTERISTICS	Detached 2 storey dwelling with vehicle access to north side of dwelling leading to a large rear garden area. The dwelling has flint and red brick gable elevations to the front elevation and rendered to sides and rear. Gable red tiled roof with hipped sections to rear. Detached double garage within rear garden.
CHARACTER OF LOCALITY	Sited within a residential area, arable fields to the east. Mix of property types and designs fronting Sea Lane. Predominantly bungalows to the rear of the site in Laburnum Close and Sea Lane Gardens.

RELEVANT SITE HISTORY

FG/119/88	Outline Application for erection of a detached two storey residential dwelling and garage	Approve Cond 10-08-1988
FG/138/89	Erection of detached garage and vehicular crossing	Approve Cond 20-12-1989
FG/26/90	Detached house and vehicular crossing (Scheme No 3)	Approve Cond 09-05-1990
FG/72/90	Double garage to serve Bramble Cottage and double garage to serve new dwelling	Approve Cond 01-08-1990
FG/61/91	Outline Application for detached dwelling	Refused 29-07-1991 Appeal: Dismissed 29 01 1992
FG/108/91	Outline application for bungalow and double garage	Refused 25-11-1991

REPRESENTATIONS

Representations received:

Ferring Parish Council

Objection; on the grounds of over-development of the site as a rear garden in fill and because of access problems onto Sea Lane.

14 Letters of Objection:

- Undesirable in-fill development.
- Increase risk of collision between passing and emerging vehicles onto a very narrow and busy road.
- Does not fit with the local strategic plan.
- Bramble Cottage has a right of access to the drive.
- Does this contravene planning rules as these properties will be too close to a thatched cottage.
- Loss of nearly all the garden.
- Out of character and cramped with the remaining space paved over.
- Additional burden on drainage and sewage.
- Will set an undesirable precedent.
- Detrimental to private amenity of 8 Laburnum Close, giving a clear unobstructed view into the rear garden.

Comments on Representations received:

Comments are noted.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

Built-up Area Boundary

The Form of New Development

PLANNING POLICY GUIDANCE

PPS1

PPS3

Delivering Sustainable Development

Housing

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality as well as 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 application seeks outline permission for the construction of 2No. dwellings within the garden area to the rear of Magpies and Bramble Cottage. The area is currently garden land for Magpies and is accessed via an existing vehicle crossover from Sea Lane Gardens between Bramble Cottage and Magpies. The site is located within the built-up area boundary in which the development is acceptable in principle subject to compliance with relevant development plan policies.

The site has been subject to various refused applications for dwellings on the site. The recent changes to development of garden land in PPS3 are considered to further support the previous

refusals of development of this site. It should be noted that, whilst a presumption in favour of garden land development is no longer pursued, PPS 3 does not advocate taking a negative stance towards garden land development. The core aim of PPS 3 is to achieve development that is better integrated with its surroundings and does not produce excessive density and development of garden land that satisfies this aim would be viewed more favourably.

In this case the proposal is considered to be exactly the sort of development which PPS 3 seeks to avoid and the design and scale of the scheme confirms that 2 dwellings cannot properly integrate with and respect the existing character of the area.

CHARACTER AND STREET SCENE:

The revisions to PPS 3 make it clear that the need for development to be 'in character' is no longer modified by either the need for a minimum density or the need to make efficient use of residential garden land. The assessment of whether a scheme is 'in character' with the surroundings is therefore considered against a differing criteria compared to that before the change to PPS 3.

Having regard to the proposed development it is considered that the size of the plot is uncharacteristically small to accommodate the proposed dwellings. The properties fronting Sea Lane vary in their appearance with large amenity areas to the rear. Whilst plots sizes within Sea Lane Gardens and Laburnum Close are comparable to that proposed, the proposed development does not reflect the form of development in Sea Lane in which they would be sited. As such it is considered that the proposal would fail to integrate with and be at odds with the established character of the area appearing cramped and out of keeping with the layout of properties fronting Sea Lane Gardens.

AFFORDABLE HOUSING

The Affordable Housing policy relates to all schemes which propose the net gain of one or more housing units for which affordable housing provision is a requirement. The policy requires that a commuted sum be secured which is payable upon commencement of the development. There is no legal agreement in place to secure necessary financial contributions therefore the proposal is contrary to the requirements of the Council's Affordable Housing Policy.

It is therefore recommended that the application be refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The site by virtue of its size, shape and position to the rear of Magpies and Bramble Cottage is considered unsuitable to accommodate a 2No. dwellings and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped and unneighbourly form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policy GEN7 of the Arun District Local Plan and PPS3: Housing.
- 2 The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of PPS 3 and the Council's interim affordable housing policy adopted on 18 August 2010.