

**PLANNING APPLICATION REPORT****REF NO:** FG/65/11/**LOCATION:** The Old Barn  
Ferringham Lane  
Ferring**PROPOSAL:** Change of use from retail/warehouse into 3No. residential units.**SITE AND SURROUNDINGS**

|                                 |                                                                                                                                                                                                                                                    |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION      | Proposal is to convert the buildings on site to 3 residential dwellings. The barn would be a 4 bedroom dwelling and single storey element would be converted to 2 x 1 bedroom units. A car barn and 5 parking spaces are included in the proposal. |
| SITE AREA                       | .078 hectares                                                                                                                                                                                                                                      |
| RESIDENTIAL DEVELOPMENT DENSITY | 38 dwellings per hectare                                                                                                                                                                                                                           |
| TOPOGRAPHY                      | Predominantly flat                                                                                                                                                                                                                                 |
| TREES                           | 2 mature Ilex oaks on site frontage of significant visual amenity.                                                                                                                                                                                 |
| BOUNDARY TREATMENT              | Boundary wall to footpath to rest home 1m high. Walling to Ferringham Lane. Buildings also sit on site boundaries.                                                                                                                                 |
| SITE CHARACTERISTICS            | The site comprises a 2 storey flint barn with a tiled roof and single linked flint building. The buildings were previously used as a carpet showrooms. A warehouse building is joined to the rear elevation of the main barn.                      |
| CHARACTER OF LOCALITY           | Predominantly residential comprising mixed style and age of dwellings and plot sizes. Site lies within the Ferring Conservation Area.                                                                                                              |

**RELEVANT SITE HISTORY**

|          |                                                                                                           |                            |
|----------|-----------------------------------------------------------------------------------------------------------|----------------------------|
| FG/3/88  | Removal of existing garage door and replacement with bay window and infill brickwork to match existing    | Approve Cond<br>08-02-1988 |
| FG/58/94 | Change of use to retail sale of carpets, antiques & reproduction furniture                                | Approve Cond<br>19-09-1994 |
| FG/99/94 | Use of premises for retail sale of carpets, antiques and reproduction furniture and Class B1 business use | Approve Cond<br>08-02-1995 |

|             |                                                                                                                                                              |                            |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| FG/181/10/  | Change of use from (A1) retail use sale of carpets and (B1) business use to (A1) retail use for the sale of goods in connection with charitable organisation | Withdrawn<br>05-01-2011    |
| FG/7/49     | Barn and outbuildings                                                                                                                                        | Approve Cond<br>24-02-1949 |
| FG/138/72   | Outline application to demolish existing buildings & erect three detached houses with integral garages                                                       | Refused<br>11-05-1973      |
| FG/19/76/EU | Application for an Established Use Certificate as warehouse and depository                                                                                   | Refused<br>02-04-1976      |
| FG/25/78    | Change of use for addition to storage involve workroom for carpet planning sales area admin offices                                                          | Refused<br>10-05-1978      |
| FG/33/78    | Change of use - the covered area for storage of furniture                                                                                                    | Refused<br>10-05-1978      |
| FG/97/78    | Change of use - in addition to storage involve a workroom for carpet planning as sales display and office                                                    | Approve Cond<br>06-10-1978 |

## REPRESENTATIONS

### Representations received:

Ferring Parish Council: Awaited

One Letter of Representation: No objection.

The west and part of the northern boundary party walls and owned by The Old Flint House and should remain to preserve privacy and structural integrity. The western elevation barn roof velux windows should be opaque to preserve existing privacy in relation to The Old Flint House and to conform to Listed property specifications. Any tree pollarding deemed necessary should only be carried out in consultation with the Conservation Officer and neighbours.

One letter of objection:

Loss of privacy. Concern regarding structural integrity of wall and inaccuracy of drawings and potential finish of buildings. Welcome creation of walled garden. Hope trees are preserved. Roof tiles of Old Barn are not slate.

### Comments on Representations received:

The roof light windows in the west elevation would be 17m from the boundary with The Old Flint House and this distance is adequate to preclude any material loss of privacy. It is not clear whether the warehouse is to be removed as part of the proposal. Conservation Area Consent would be required. Drainage to property is a private matter. The trees on the site frontage are protected.

## CONSULTATIONS

Conservation Area Advisory Com  
Senior Estates Surveyor  
WSCC Local Development Divis.  
Council's Arboriculturalist

### Consultations responses received:

Arboricultural Officer: Awaited

Property Services Manager: Insufficient information on the retail assessment questionnaire to make a reasoned opinion as to whether or not the property has been properly exposed to the open market. It might be useful if the applicant referred to one or both of their selling agents to assist in the completion of the form.

County Highways: No objection

### Comments on Consultation responses:

Comments noted

## POLICY CONTEXT

Designation applicable to site:  
Conservation Area  
Grade II Listed Building  
Within Built Up Area Boundary

## DEVELOPMENT PLAN POLICIES

|                           |                        |                                        |
|---------------------------|------------------------|----------------------------------------|
| South East Plan:          | <a href="#">SEPBE6</a> | Management of the Historic Environment |
| Arun District Local Plan: | <a href="#">GEN7</a>   | The Form of New Development            |
|                           | <a href="#">GEN28</a>  | Trees and Woodlands                    |
|                           | <a href="#">AREA2</a>  | Conservation Areas                     |

## PLANNING POLICY GUIDANCE

|      |                                       |
|------|---------------------------------------|
| PPS1 | Delivering Sustainable Development    |
| PPS5 | Planning for the Historic Environment |

## SUPPLEMENTARY POLICY GUIDANCE

|      |                                   |
|------|-----------------------------------|
| XXX6 | Interim Affordable Housing Policy |
|------|-----------------------------------|

## POLICY COMMENTARY

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

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

## DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"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 the relevant Development Plan policies in that it would

have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties, and it would have an adverse impact upon the established character of the surrounding area.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:  
In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to conflict with these criteria in that it is considered to materially affect the character of the Conservation 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**

The site lies within the built up area boundary where re-use of the buildings for residential purposes is acceptable in principle provided normal development control criteria are met. Before the application can be considered for an alternative use it is necessary to take account of policy DEV30 to ensure that retailing is no longer a viable use particularly where the premises have remained vacant for a long period and reasonable attempts have been made to market it for retail purposes. The information submitted with the application refers to marketing the premises for 18 months with 2 agents. The estates manager has advised that this information is not adequate to determine whether the property has been properly exposed to the open market and the proposal is therefore contrary to policy DEV30.

The application proposes conversion to 3 residential units. Whilst it is not clear from the information submitted whether the warehouse building is to be demolished it is assumed this area would provide residential curtilage to the main barn. However units 2 and 3 in the single storey building would have no private amenity space to serve them. Conversion to 3 units would therefore be cramped and out of keeping. The refuse storage area is not existing and it cannot be provided in the area indicated without a reduction in length of the building. The parking and garage proposed would utilise an existing area of hard standing, but the provision of 7 parking spaces overall would provide little opportunity for landscaping in the forecourt area. Indeed, the existing significant Holm Oak trees which are subject to a Tree Preservation Order would be adversely affected by the provision of the car barn. Their spread and the space around them would be cramped and their visual contribution to the area would be reduced. The provision of a window in the main barn under the canopy and a car barn under the trees would result in pressure in the future to prune the trees or even remove them completely. The importance of the long term retention of the trees and their significant contribution to visual amenities of the area are recognised in their Tree Preservation Order status.

The proposal would result in an overdevelopment of the site which would not make a positive contribution to the character and appearance of the Conservation Area. The built form would be increased, an opportunity ameliorating for landscaping would be lost. The refuse area would be adjacent to the road further detracting from the appearance of the area.

Whilst activity levels are likely to be less than would have been generated by use as a carpet showrooms the additional building and impact on the visual amenities and character of the area outweigh any benefit from reduced disturbance.

In terms of residential amenity there would be no material loss of privacy from first floor roof lights in the main barn which would be 15m from the rear boundary which is an adequate distance to preclude any adverse overlooking effects. No windows are proposed in either the north or south end elevations of the main barn.

The building is Listed and the alterations proposed which involve subdivision of both units would adversely affect its character. The internal space within the main barn would be compromised. In addition the proposed windows in the northern end of the east elevation does not respect the previous opening/arch within the elevation.

Finally the proposal would result in the creation of 3 new residential units of accommodation which requires the provision of a legal agreement to provide commuted sum payments in accordance with the Council's interim affordable housing policy. No such agreement has been provided as part of the proposal.

The application is therefore recommended for refusal for the following reason.

#### **RECOMMENDATION**

#### **REFUSE**

- 1 The site by virtue of its size, shape and layout is considered unsuitable to accommodate 3 dwellings and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped form of development which would be detrimental to the character and amenities of the surrounding residential area and the character and appearance of the Conservation Area, contrary to policies GEN7 and AREA2 of the Arun District Local Plan, policy BE6 of the South East Plan and PPS5.
- 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.
- 3 The proposed car barn and external alterations to the main barn would adversely affect the visual amenities and character of the area which is designated as a Conservation Area and in particular would be detrimental to the setting of the barn which is listed as being of special architectural or historic interest and the longterm retention of preserved trees and the proposal is therefore contrary to policies GEN7, GEN28 and AREA2 of the Arun District Local Plan, policy BE6 of the South East plan and PPS5.
- 4 From the information submitted, the Local Planning Authority is not convinced that the building currently designated as a Class A1, retail, use is no longer viable. The proposed change of use is therefore contrary to policy DEV30 of Arun District Local Plan.