

Recommendation Report for Planning Permission

REF NO: FG/94/18/PL

LOCATION: 55 Sea Lane Gardens
Ferring
BN12 5EG

PROPOSAL: Erection of 1 No. chalet style bungalow

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the provision of a 3 bedroom detached dwelling with a floor area of 7m by 11m. The proposed building is a 2 storey property with a ridge height of 6.6m and an eaves height of 4m. The application includes parking to the site frontage and a balcony on the north, front elevation. The materials are referred to generally on the elevation plans and include a slate roof, white smooth render, dark grey cladding, clay facing brickwork and smooth blue engineering bricks.
SITE AREA	0.048 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	21 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There is a group of mature trees along the edge of the driveway at entrance to the site. There is a larger group of mature trees along the rear boundary which should be retained.
BOUNDARY TREATMENT	Fencing and hedging.
SITE CHARACTERISTICS	The site is located within an area of detached dwellings on the north side of Sea Lane set back from the road and backing onto Greenways Crescent at the rear. It has a pleasant, low density character with extensive tree cover. No. 55 is a larger than average plot and measures approx. 26m wide by 52m deep. The proposed plot is of a similar depth but narrower by approximately 10-12m and situated between numbers 55 and 57 Sea Lane Gardens. The proposed dwelling would be set back approximately 15m from the front boundary with a rear garden of 20m in length.
CHARACTER OF LOCALITY	Predominantly residential. The site is located within an area of detached dwellings on the north side of Sea Lane, set back from the road and backing onto Greenways Crescent at the rear. It has a low density character with plots of varying sizes within extensive tree cover.

RELEVANT SITE HISTORY

FG/103/74	O/A To Demolish Existing Chalet Bungalow & Garage Equally Divide Land & Build 2 Chalet Bungalows	Refused 06-12-74
FG/32/18/HH	Reconstruction of existing front sunroom to current standards and to incorporate it with lounge/study by removing existing glazed screen/walls.	ApproveConditionally 08-05-18

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Objection - The proposed development is out of character with the area and it is evident this is an over development of the site. It will also change the visual impact on the street scene. Arun District Council's policy is against back garden development.

Ferring Conservation Group - Objection:

- Overdevelopment of the site.
- Out of character with Sea Lane Gardens (north). This is one of the most attractive areas of Ferring, with moderate-sized houses and bungalows on fairly large plots. The gardens are important to the setting of the dwellings and should not be filled with additional houses.
- The proposed dwelling is in fact a house.
- Gap between the proposed dwelling and the property to the east is too narrow. At two points the house on that property is built right up to the property boundary and this application would leave just one metre of space between the two buildings.
- The design of the building is also out of keeping with its neighbours.
- This would be a cramped development, overbearing on its neighbour to the east and out of character with the road as a whole.

Two Objections:

- Severe over development of the site.
- Contrary to policies (Parish Council & public) of infilling of gardens.
- Site access is to Sea Lane Gardens on a blind corner where cars are regularly parked on the bend.
- Proposed plans have no turning space.
- Form of the building is out of keeping with the surrounding area.
- Further pressure on local infrastructure.

COMMENTS ON REPRESENTATIONS RECEIVED:

The main concerns raised by the Parish Council and local residents relate to overdevelopment of the site and adverse impact on the street scene. It is considered that the proposed dwelling will be set back from the road and will be of sufficient size so as not to compromise the spacious character of the area. The new dwelling would be set back in line with 57 and 55 and would not constitute backland or back garden development. It would have a road frontage where county highways have not highlighted it as unsafe. The design is compatible with the local vernacular and is considered to be an example of a good quality contemporary design which will integrate with its surroundings.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection. Request that a Construction Management Plan, parking and cycle parking are conditioned. The WSCC car parking calculator would envision 2 parking spaces for a dwelling of this size in this location which has been proposed by the plans. A turn on site would be preferred, however there is not sufficient space on site for this. Given the low traffic along the private access road and similar existing neighbouring situations, it is not anticipated that vehicles reversing from the site onto the private access road would cause a 'severe' highway safety concern.

Drainage Engineer - No comment.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested conditions are recommended to be imposed.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

[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 District Local Plan 2011 -2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Arun District Local Plan was adopted on 18th July 2018.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Ferring Neighbourhood Plan has been made and the relevant policies considered in the determination 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."

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 site lies within the built up area boundary where the principle of residential redevelopment is acceptable. Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of the Local Plan.

Arun Local Plan 2011-2031.

In this case the key other Arun Local Plan policy considerations are deemed to be D SP1 (Design), DDM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards) and T SP1 (Transport and Development) of the Arun Local Plan 2011-2031. These policies seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

Ferring Parish Neighbourhood Plan.

Policies 1A (Spatial Plan for the Parish) and 10 (Sustainable Drainage Systems) of the Ferring Neighbourhood Plan 2014 (NP) are relevant to consideration of this application. Policy 1A, supports proposals inside the built-up area boundary provided they are suited to an urban setting and accord with the provisions of the Neighbourhood Plan and with other relevant development plan policies.

Policy 10 requires Sustainable Drainage Systems to be considered. The drainage for the proposal would

be controlled by Building Control Regulations.

DESIGN AND VISUAL AMENITY

No 55 is larger than the average plot in the locality and measures approx. 26m wide by 52m deep. The proposed infill plot is approx. 10m wide x 45m deep. Although narrower than other plots in the surrounding area it is considered to be of sufficient size to accommodate a modest 2 storey dwelling without compromising the spatial standards or amenities of the area. The division of the site represents an efficient use of the space for housing and is more in keeping with the plot size of many of the surrounding properties.

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)).

The proposed dwelling would be set back approx. 15m from the front boundary with a rear garden of 20m. The proposed set back position reflects that of the adjacent properties and would be in keeping in the street scene. The new proposed dwelling will replicate the adjacent chalet bungalow design. The proposed dwelling would be 2 storey with a pitched roof with a gable end front elevation facing the road. The design incorporates extensive glazing to front and rear elevation with a full width balcony to the first floor and a full height glazed section to the ridge. Whilst this is not comparable with materials found elsewhere it does not represent a materially harmful impact on the character and appearance of the locality. The overall height is slightly lower, but comparable with nos. 55 and 57 and the separation between 55 and the new dwelling is acceptable so as to not compromise the spatial characteristics of the area.

The site is reasonably well screened from the road frontage. Retention of existing hedging/vegetation is proposed along the site frontage which includes several mature trees near the entrance to the site. Additional planting is indicated on the site plan in the form of approx. 10 cherry trees, but these are not within the red edge of the application site. They may provide additional screening in the longer term but cannot be controlled by condition and there is therefore considered to be justification for the imposition of a landscaping condition to cover additional planting along the side boundaries to provide sufficient screening in the long term. The hard and soft landscaping elements will utilise high quality materials and decorative features to match the quality of the proposed building. This will help to enhance the building and link the external and internal spaces.

The proposal is therefore considered to accord with policies DSP1 and DDM1 of Arun District Local Plan.

RESIDENTIAL AMENITY

The new dwelling will be 8m from no. 55 but only 1m from no 57. The 1m gap between the proposed dwelling and no. 57 provides only minimum separation, but due to its position on the site adjacent to the neighbouring dwelling it is not considered to result in material residential amenity harm. The first floor balcony may result in some degree of overlooking of the front garden of 57 but there will be no harmful loss of privacy to amenity since the front garden is not the principal private amenity area.

The proposed building is a 2 storey property with a similar ridge and eaves heights to number 55 & 57. From the road, the principal elevation has been purposely reduced in scale to minimise any impact to the neighbouring properties and also is well screened from the mature trees and roadside planting.

There are considered to be sufficient mature trees along the rear boundary to provide adequate screening to the existing properties in Greenacres Crescent to the north and these should be retained via the recommended landscaping condition.

The adjacent chalet style dwelling to the east has no principal windows in the side elevation and the

dwelling proposed would not extend significantly forward or behind this neighbouring property which would prevent any undue overbearing effects resulting.

There are no windows proposed in the side elevations of the dwelling although roof lights are incorporated within both roof slopes. These would have a cill height of 1.7m and would not therefore result in any materially harmful overlooking to neighbouring dwellings.

The proposal is therefore considered to accord with policy DDM1 of the Arun Local Plan.

The proposal has a gross internal floor area of 112 sqm. Policy DDM2 of the Local Plan requires adherence to the Nationally Described Space Standards. According to these standards the minimum gross internal floor area for a 3 bedroom 2 storey dwelling is of 102 m2. The proposal would therefore comply with this standard and policy DDM2 of the Arun Local Plan.

ACCESS AND PARKING

Adequate on site parking is proposed for 2 spaces in front of the dwelling. County Highways have raised concern about the lack of turning space within the site but accept that there is not sufficient space on site for this. Given the low traffic along the private access road and similar existing neighbouring layouts, it is not anticipated that vehicles reversing from the site onto the private access road would cause a 'severe' or unacceptable highway safety concern. On this basis no highway objections are raised. The proposal is therefore considered to accord with policy T SP1 of the Arun Local Plan.

SUMMARY

For the reasons set out above the proposal is considered to accord with Arun Local Plan policies SD SP2, DDM1, DDM2, QE SP1 and TSP1 and is therefore compliant with policy 1A of the Neighbourhood Plan which supports proposals inside built up area boundaries provided they are suited to an urban setting and accord with provisions of the neighbourhood plan and with other relevant development plan policies.

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
Location 1000 rev00, Block 1001 rev00, Site 1002 rev00, Proposed Plans & Section 2001 rev00 and 2002 rev00.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.

- 3 The dwelling shall not be occupied, until details of boundary treatment have been submitted and approved and constructed in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the amenity in accordance with policy DDM1 of the Arun District Local Plan.

- 4 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy DDM1 of the Arun District Local Plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side elevations of the dwelling without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DDM1 of the Arun District Local Plan.

- 6 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling

houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy DDM1 of the Arun District Local Plan.

- 7 The dwelling shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy TSP1 of the Arun District Local Plan.

- 8 The dwelling shall not be occupied until provision for cycle parking has been made in accordance with details to be submitted to and approved by the Local Planning Authority. The space so provided shall be retained in perpetuity.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy T SP1 of the Arun District Local Plan.

- 9 No development shall be commenced until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction and confirming operating hours. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access which could compromise highway safety in accordance with policy T SP1 of the Arun District Local Plan and the NPPF.

- 10 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.