

PLANNING APPLICATION REPORT

REF NO: FG/67/23/PL

LOCATION: 5 Grange Park
Ferring
BN12 5LS

PROPOSAL: Demolition of existing dwelling and erection of 1 No new dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling (resubmission of FG/94/22/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct 1 No. new dwelling to replace an existing dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling. It is a resubmission of FG/94/22/PL.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to the front of the property, abutting the highway. Block wall of around 1.8m to the western boundary, and low brick wall to the east, extending to the side of the existing property, where it rises to a wall at around 1.8m high.
SITE CHARACTERISTICS	Dwelling.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

PAA/88/22/	1 New Dwelling	Refuse Pre App 29-11-22
FG/94/22/PL	Demolition of existing dwelling and erection of 1 No new dwelling with detached garage. This site is in CIL Zone 4 and is CIL Liable as new dwelling.	Withdrawn 12-07-22

An application for a new dwelling was submitted in 2022, under reference FG/94/22/PL. This was subsequently withdrawn due to Planning Officer's opinion that the scheme was out of keeping with its context.

A pre-app for a similar dwelling was submitted in 2022, under PAA/88/22. The decision for the pre-app was refusal, as the proposed dwelling would represent an out of character development in terms of materials, design and massing on site; and would also adversely affect the amenity of neighbouring

occupiers due to overlooking.

The current scheme is similar to those above but has sought to address the issues raised previously. These reasons for refusal will be assessed below to consider whether they have been sufficiently overcome.

REPRESENTATIONS

Ferring Parish Council - Objection:

- The design would be out of keeping and visually harmful to the residential setting.
- It does not respect or enhance local distinctiveness or character of the surrounding area.
- It would present an un-neighbourly impact on adjacent residential dwellings due to its scale and close proximity to the boundary.
- The adverse impact on the street scene fails to take account of Arun's Local Plan criteria contained within policies D DM1 for new developments to reflect, or improve on, the character of the site and surrounding area.

2 letters of objection received from nearby occupiers:

- The scale and size of the property would dominate both the street and the neighbouring properties as well as being inconsistent with the other properties in the road.
- The proposal would mean a significant loss of their privacy, particularly from the first-floor balconies and the roof space.
- It fails to accord with the Arun Design Guide.
- Will result in overlooking and a loss of privacy.

1 letter of objection received from Ferring Conservation Group:

- The dwelling is oversized, and in a style inappropriate for the local neighbourhood.
- The Council's policy is to respect and enhance local distinctiveness; this development does not respect the character of Grange Park any more than the previously withdrawn application.
- Its design is brash and strident.
- Highlight a need to conserve the built environment in Ferring, just as much as its open spaces.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built Up Area Boundary
CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1 D DM1 Aspects of form and design quality

DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 complies with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties, nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site benefits from being within the Built-Up Area Boundary where the principle of residential redevelopment is acceptable subject to consideration of other relevant policies of the within the Arun Local Plan. Furthermore, it is of relevance that this application is for a replacement dwelling.

The key Development Plan policy considerations for this proposal are D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards), T SP1 (Transport and Development), ECC SP2 (Energy and Climate Change mitigation), QE SP1 (Quality of the environment), W DM1 (Water Supply and Quality), W DM3 (Sustainable Urban Drainage Systems) and ENV DM5 (Development and Biodiversity) of the Arun Local Plan (ALP). Furthermore, Policy 1A of the Ferring Neighbourhood Plan (FNP) which concerns proposals within the Built Up Area Boundary, and sections H & J of the Arun Design Guide.

This proposal for a replacement dwelling within the BUAB is acceptable in principle and would be considered 'sustainable development', according with the ALP and policy 1A of the FNP.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees, and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment.

Arun District Council Design Guide SPD provides detailed design guidance for developments in the district. This includes Section P.01 on Infill Development which provides detailed guidance on the redevelopment of sites, and Section J.01 which concerns building design, in particular Form and Character.

There are no specific policies in the Ferring Neighbourhood Plan in respect of design except for site allocations, in Conservation Areas and Areas of Special Character. However, its objectives promote "Appropriate well designed development in accordance with policies in this Plan and the Arun District Plan and South Downs Plan", "To plan and deliver a range of well-designed housing mix and types" and "Sustainable, well designed development and reduction in resource use".

The proposal seeks to demolish an existing two-storey hipped roof detached dwelling, brick built of a traditional design and dating from the 1930s/40s; and replace with a two storey flat roof property, rendered white and of an art deco/modern design. As the scheme seeks the redevelopment of the whole building and site, this will be highly visible from the street scene.

Grange Park Road is characterised by other traditionally built detached dwellings, on large plots and all set back around 15m from the street itself. All buildings within the road vary in design, but share common architectural features, primarily being hipped roofs. All are similar in terms of their footprints but have differing massing. Those to the north of No.5 are all two storey, and those to the east are low rise chalet style bungalows, of one and a half storeys. Nos 3 and 4 to the west are of slightly different form, but still integrate with the traditional style of the street. The properties to the east are characterised by open frontages with occasional low brick walls, to the west low built fences with mature planting behind can be seen.

The proposal will see the construction of a two storey art deco style dwelling, with a footprint of around

17.2m wide and 18m deep, measuring 7.4m high. The width, height and building line of the property will retain that of the existing dwelling, and in terms of massing within its street context, will not appear as an unduly different built form to that already there. It will retain the ridgeline of the existing and its neighbouring properties, and not appear as an unduly dominant form against its context. The proposal will see in an increase in the footprint on site than that existing. This has raised concern that this increase in size from the existing dwelling will appear as an overdevelopment of the site and be inconsistent in size and scale with its context. The scale of the proposal, when viewed from the street scene, will be consistent with that existing, and will follow the established building line of all buildings on this southern side of the street. Its size and footprint, when compared to other neighbouring properties within the vicinity, is not significantly larger than any other plot within the street. It fills an appropriate amount of area on the land, whilst retaining sufficient external amenity space to the front and rear of the building and will not appear as an overdevelopment on the site. In terms of scale and massing, this proposal is an appropriate replacement for the existing.

The main concern raised by the proposal is that of its character and design. Objections have been raised that the art deco/modern design would be out of keeping with the traditional character of the locality and will not enhance the distinctiveness of the area. Arun Local Plan policy, and the Arun Design Guide do not oppose the use of innovative or contemporary design and do not require all in fill or replacement development to be a pastiche of its surroundings. Part J.01 of the Arun Design Guide states 'Good contemporary design that takes cues from well-designed elements of its existing environment by incorporating architectural features and detailing such as chimneys, dormer windows or half-hipped roofs while also expressing its own complementary character will be supported.' Whilst the design of the dwelling does not follow the obvious design cues of its surroundings, such as the use of traditional brick or hipped roof, it does reflect similar characteristics of other properties within the street, and that of the wider locality. Nos 14, 15 and 16 to the northeast of the site all exhibit white render to their external elevations, of which will be followed by the proposal. No.16 in particular, has a 1930s character, with art deco style windows to its front elevation. The proposal itself will reflect a far more modern 1930s character than this, yet will reflect elements of its immediate vicinity, and will not be wholly out of keeping.

In the wider context of Ferring, there are a number of art deco/modern style buildings, such as 1 to 8 South Point, and Ocean Parade around 300m south west of the site. Whilst not in the immediate vicinity of the site, these two properties do set an example of more contemporary design within Ferring, as part of its diverse and distinctive character. The proposal therefore would not appear out of keeping within the wider context of the character of Ferring and would be a positive addition to its varied form and character.

It should also be noted that permission has been recently granted for various works to No.3 to the west (reference FG/54/23/HH), which will significantly alter its appearance and character. The proposal will see this single storey bungalow of traditional design changed to that of a very modern and contemporary design, with timber cladding, white render, stone and aluminium cladding, and a flat roof. The design of this scheme is significantly more contemporary than that existing within the street, and also that of the proposed at No.5, and was primarily granted due to its limited visibility from the street scene.

The proposal will see an overall improvement to the site, both in terms of the dwelling and its landscaping. At present, the design of the existing is dated and declining, and appears quite unattractive against its neighbours. There is limited boundary treatment to the front, and the front garden appears overgrown. The proposal will see new boundary treatment and landscaping, including a low white rendered brick wall to the front east, west and north boundaries, with hedging to the west and north boundaries above the wall. Gravel will be used to the front of the property, to provide a more permeable driveway surface than the existing concrete. Grass with plants, trees and hardstanding will be used to landscape the rear garden. Green roofs, by way of meadow turfs will be installed to the flat roofs of the

property. Notwithstanding its alternative character to the traditional nature of the street, these changes to the appearance of the site will be a significant improvement to the existing and appear far more attractive against its context. This will enhance both the visual amenity of the plot, and the street.

The proposal has drawn upon existing examples within the street and wider area, and will be a positive improvement to existing site, and an enhancement to the character of the locality. This is in accord with D DM1 of the Arun Local Plan, and the Arun Design Guide.

RESIDENTIAL AMENITY

The proposal will see the replacement of a 7.4m hipped roof dwelling with a new flat roof dwelling, with parapet roof also measuring 7.4m high. This will also include a single storey projection to the east elevation, measuring 3.7m high, and two single storey projections to the rear, to create balconies at first floor level. These balconies will be 3.2m high, with screening to the east and west sides at 5.2m high to reduce risk of overlooking. The dwelling will retain a minimum of 13.4m to the northern boundary, 0.3m to the east, 22.9m to the south and 1m to the west. These distances will follow that of the existing dwelling, the only difference being that of the distance retained to the northern and southern boundaries. The proposed will project deeper than the existing, and as such be slightly more overbearing to the sides of Nos 4 and 6. However, the proposal will not project further than their rear building lines. The proposal will project past a rear building line of No.6 to the east, and result in some overshadowing of their rear garden and elevation. This overshadowing will not be adverse however, given its single storey height. This projection also has no conflict with the 45 and 60 degree rules usually implemented for assessing extensions as part of the Arun Design Guide. Therefore, the dwelling will not have a significant or detrimental overbearing or overshadowing effect on neighbouring amenity.

Concern has been raised in regard to the risk of overlooking and harm to privacy the proposal may result in. This is due primarily to the two rear balconies. Screens have been added to the side of each balcony, to prevent any direct overlooking of No.4 and No.6. These are acceptable and will reduce direct harm to the privacy and amenity of neighbours. It is noted that the plans show the screens stopping a short distance before the end of the balconies on either side. A condition will be added requiring these screens to cover the full depth of the balconies, to prevent residents looking round the screens. Whilst the balconies will result in some minimal overlooking, the resulting harm has been reduced to an acceptable level and will not be detrimental to the privacy and amenity of neighbouring properties.

The proposal also includes two portholes to the east elevation, which will overlook the western side of No.6. These portholes serve two bathrooms, and therefore will be conditioned to be obscure glazed to prevent any potential overlooking.

The development will not be unduly harmful to residential amenity and is in accord with D DM1 of the Arun Local Plan, and Arun Design Guide.

SPACE STANDARDS

The proposed elevations identify the internal floor to ceiling heights as being greater than 2.3m at both ground and first-floor of the dwelling and the internal floor area is substantially greater than that of the minimum required for a dwelling of this size. The dwelling also boasts a substantial front amenity space and private rear amenity space far greater than the minimum 10.5m depth required by Section H of the Arun Design Guide.

The proposed dwelling is, therefore, compliant with policy D DM2 of the ALP and Section H of the Arun Design Guide.

PARKING, EV CHARGING, CYCLE SPACES

Arun Local Plan 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.

Arun District Council adopted a Parking Standards SPD (Jan 2020). For a 4 bed property in Parking Behaviour Zone 2 a minimum of 3 car parking spaces on site are required. In the interests of sustainability electric vehicle (EV) charging points should be provided for all new homes. The Arun Parking Standards SPD and policy T SP1 require new dwellings to provide electric vehicle charging points if they feature driveway or garage. The SPD also requires the provision of 2 cycle spaces for 3+ bed houses.

Access to the property will be via an existing driveway to the eastern side of the site. The dwelling at present provides 4 parking spaces for the property. This will be increased to 8 with the replacement dwelling, and potentially include a car port with green roof, however this has not been included within the current permission. This far exceeds the minimum required parking spaces outlined in the Arun Parking Standards, and as such is acceptable. It is also stated in the application form that an Electric Car Charging Point will be installed to the front garden, and 4 cycle spaces. This is in accord with both the SPD and policy T SP1 of the ALP.

All access, parking, cycle and charging provisions are acceptable and in accord with T SP1 of the Arun Local Plan and the Arun Parking Standards SPD.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. The scheme proposes two meadow roofs to the dwelling: one to the roof of a ground floor side projection, and the other to the main flat roof of the house. The main roof of the property will also include a set of three insect boxes, and the garden will be landscaped to encourage insects to use these boxes. Trees will also be planted to the rear and hedging installed to the western corner of the front boundary. Whilst positive additions towards biodiversity, it is unclear whether these additions will meet the 10% net gain in biodiversity.

However, in terms of Policy ENV DM5, the applicant has endeavoured to include multiple biodiversity based schemes throughout the site and is therefore in accord with the Arun Local Plan.

CLIMATE CHANGE

ALP policy ECC SP2 requires residential development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems.

The proposal includes four rows of solar panels to the roof of the property. This will provide a renewable energy source to sustainably power and heat the dwelling. It is also proposed from the application form that the new house will obtain passive house status. These are positive low carbon and renewable additions for the new dwelling, which will help to ensure that the property has limited impact in terms of climate change. This is therefore in accord with ECC SP2 of the ALP.

SUMMARY

The proposal has successfully addressed all previous reasons for refusal of FG/94/22/PL as outlined above. The development is now in accordance with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

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:

- Block Plan
- Proposed Location Plans
- Proposed Streetview
- Proposed Roof Plan
- Proposed Ground Floor Plan
- Proposed First Floor Plan
- Proposed Side (East) Elevation
- Proposed Side (West) Elevation
- Proposed Rear Elevation
- Proposed Front Elevation

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 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays. In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan

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 of the T SP1 of the Arun Local Plan.

5 Prior to the balconies hereby permitted first being used, privacy screens extending the full depth of the balconies (obscured and to minimum height of 1.7m - max 2.0m) on the east and west sides should be installed. The screen shall be permanently retained in perpetuity.

Reason: To safeguard the amenities of the occupiers of neighbouring property in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

6 The two bathroom porthole windows on the first floor of the east elevation of the building shall be glazed with obscured glass and fixed to be permanently non-opening up to 1.7m high. These shall be permanently retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

7 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires all dwellings with a garage or driveway to have EV charging points in 100% of parking spaces with electric ducting provided to all other spaces where appropriate to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

8 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

9 **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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on this link.

FG/67/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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