



Appeal Decision

Site visit made on 5 November 2019

by J E Jolly BA (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2019

Appeal Ref: APP/C3810/W/19/3236188

11 Ocean Drive, Ferring BN12 5QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms D McGruddy against the decision of Arun District Council.
 - The application Ref FG/219/18/PL, dated 16 December 2018, was refused by notice dated 13 March 2019.
 - The development proposed is the demolition of an existing two-bedroom dwelling and its replacement with a four-bedroom dwelling, associated parking and turning.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing two-bedroom dwelling and its replacement with a four-bedroom dwelling, associated parking and turning at 11 Ocean Drive, Ferring BN12 5QJ in accordance with the terms of the application, Ref FG/219/18/PL, dated 16 December 2018, and the plans submitted with it, subject to the conditions in Annex A.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

Character and appearance

3. The appeal site is located in a residential area that is typified by one and two-storey brick and tile dwellings, some of which have been extended, in a variety of styles and ages. 11 Ocean Drive is a one storey, two-bedroom bungalow with a garage that sits across the appeal plot behind a deep set back and hedges. The generous plot has a good-sized rear garden that sits between a similar dwelling and a contemporary style two-storey dwelling. The bungalow would be demolished and replaced with a two-storey, 4-bedroom dwelling with three on-plot parking spaces and landscaping.
4. The proposal would have a ridge height in excess of the neighbouring properties however, the use of a shallow hipped roof and retained building line would reduce the visual appearance of the dwelling in the street-scene. Furthermore, the undulating height pattern in the surrounding built environment would not make it incongruous with the character and appearance of the area.

5. Indeed, the proposed elevational features and materials would bring a degree of cohesion with similar contemporary properties seen in the road and surrounding area including Nos 9 and 12 Ocean Drive. Moreover, the width and depth of the appeal plot means that the breadth of the proposal can be comfortably accommodated without cramping or compromising the general openness of the surrounding area. Efficient use of plots such as this can be seen in nearby dwellings that have been extended into the full width of the plot with garages and other buildings. Finally, despite its close proximity with Nos 9 and 12, the modest and obscured fenestration on the side elevations of the proposal ensures the privacy of the neighbouring dwellings.
6. Therefore, the proposal accords with Policies D DM1 and D SP1 of the Arun Local Plan 2018 and Policy 1A of the Ferring Neighbourhood Plan which state amongst other things that development should be suitable for an urban setting, make the best possible use of the available land in terms of scale, massing and design features. For similar reasons the proposal accords with Paragraph 127 of the National Planning Policy Framework, which says that development should be sympathetic to local character and history, including the surrounding built environment.

Other Matters

7. I acknowledge that the privately maintained street is unlit despite access by motor vehicles. However, additional lightning associated with the dwelling and on-plot parking will be provided through the imposition of a condition. Moreover, in this existing residential area the effect of one additional dwelling and its future occupants is likely to be limited.

Conditions

8. I have considered the suggested conditions against Paragraph 55 of the National Planning Policy Framework and the national Planning Practice Guidance and imposed the following conditions; in the interests of certainty, a standard time limit condition and a condition requiring that the development is carried out in accordance with the approved plans. To protect the character and appearance of the area, a condition related to materials and finishes of the proposal; this pre-commencement type condition in respect of materials has been re-worded as it is reasonable and necessary to allow ground works to commence. To encourage sustainable transport options and healthy life styles a condition related to cycle parking spaces is justified. The imposition of a condition to ensure the provision of car parking spaces to provide off-street parking is necessary to ensure the effective functioning of the dwelling. To ensure that the amenity of residents is not comprised, a condition for external lighting associated with the proposal.

Conclusion

9. For the reasons given above the appeal should succeed, subject to the conditions set out in Annex A.

J E JOLLY

INSPECTOR

Annex A - Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. This permission relates to the following approved plans: Drawing Number 1498/18/P/01A - Location, Block & Floor Plans, Elevations (Proposal).
3. No development above ground level shall take place until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the building hereby permitted will be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building hereby permitted.
4. Prior to first occupation covered and secured cycle parking spaces shall be provided in accordance with the approved plan
5. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved block plan. These spaces shall thereafter be retained at all times for their designated purpose.
6. Prior to first occupation details of any external lighting shall be submitted to and approved in writing by the Local Planning and thereafter shall be carried out in accordance with the approved details.