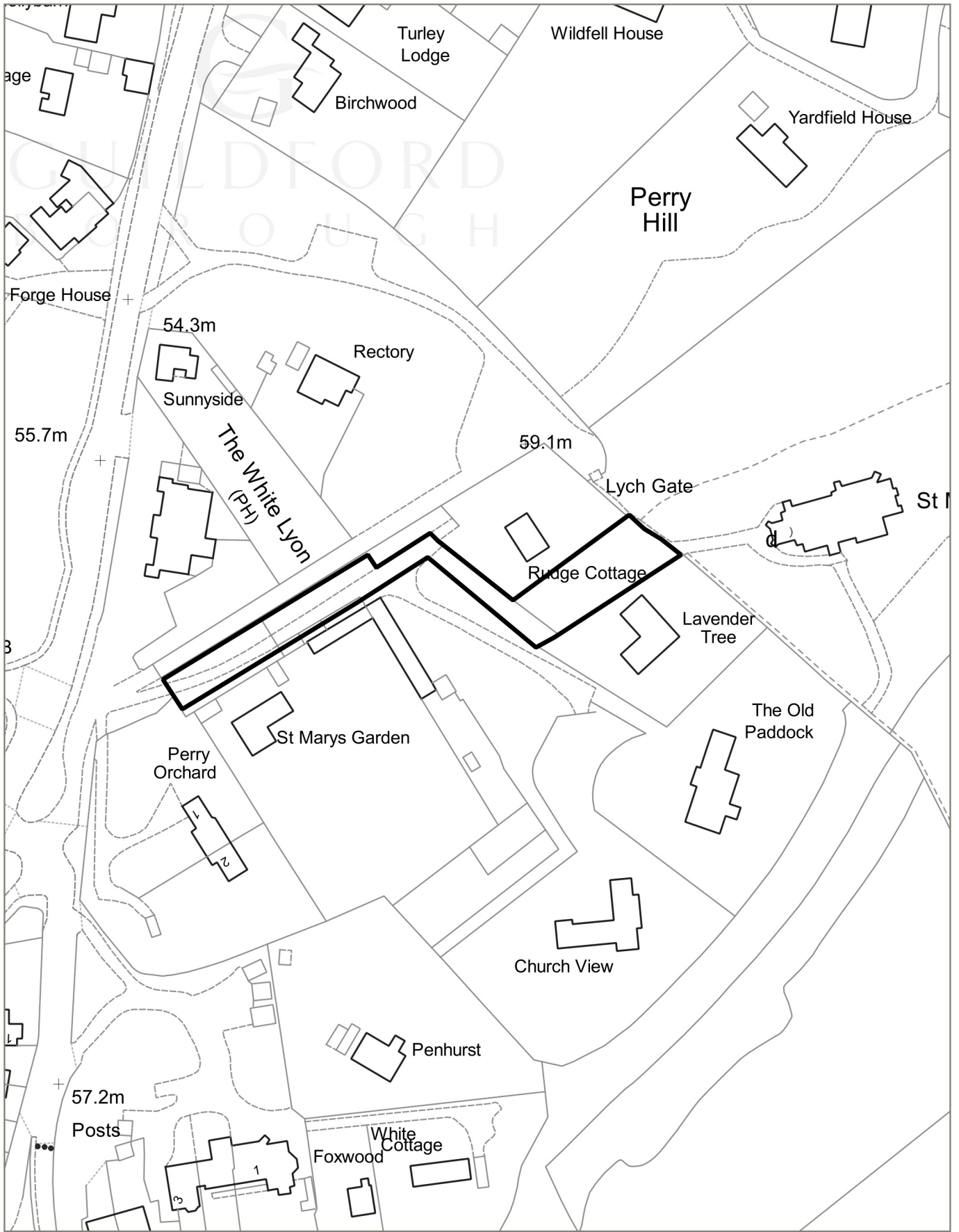


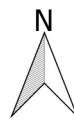
19/P/01479 - Rudge Cottage, Perry Hill, Worplesdon, Guildford



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Print Date: 15/07/2020

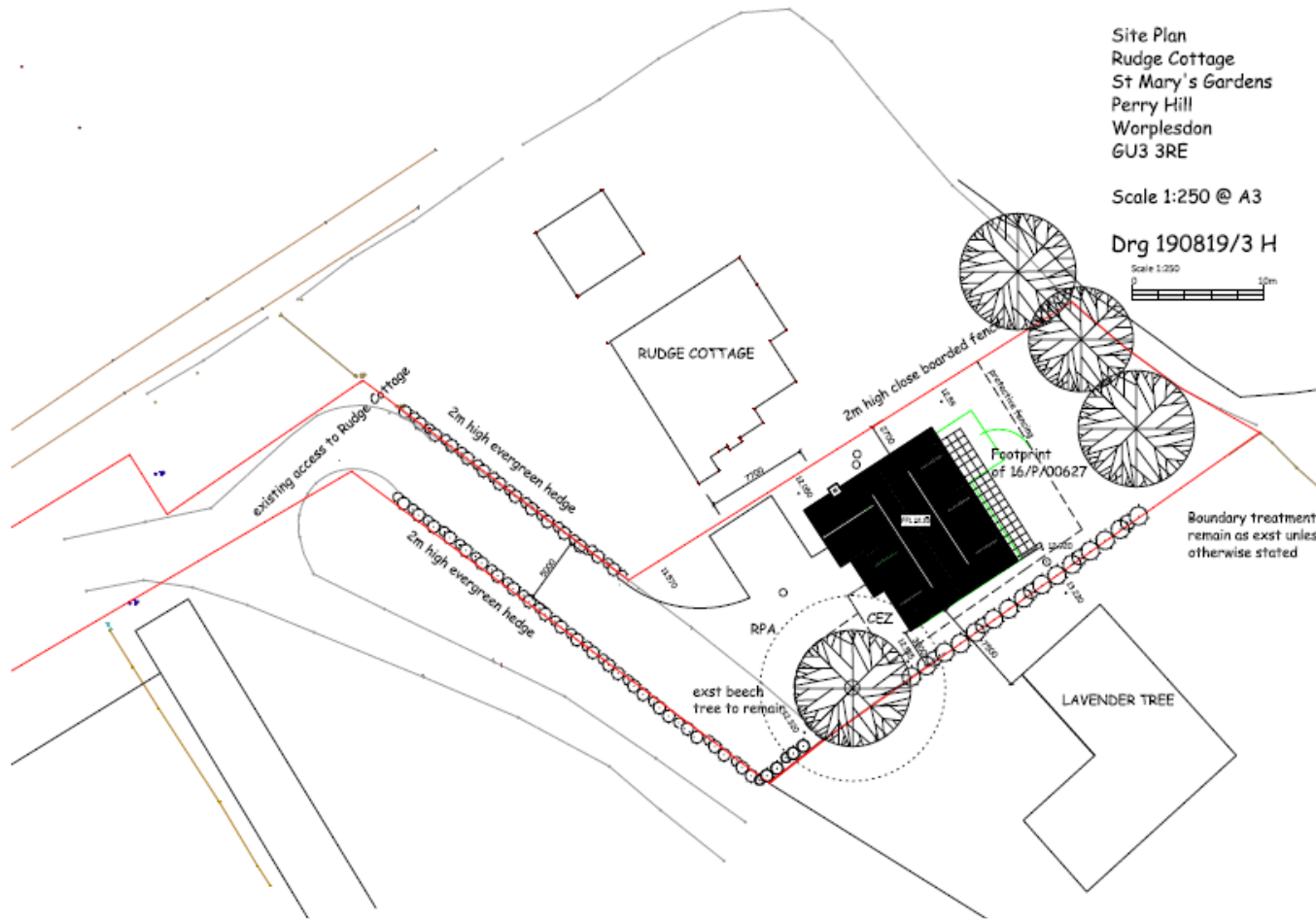


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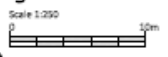
GUILDFORD
BOROUGH

19/P/01479 - Rudge Cottage, Perry Hill, Worplesdon



Site Plan
Rudge Cottage
St Mary's Gardens
Perry Hill
Worplesdon
GU3 3RE

Scale 1:250 @ A3
Drg 190819/3 H



Boundary treatment
remain as exst unless
otherwise stated

Not to scale



App No: 19/P/01479
Appn Type: Full Application
Case Officer: Lisa Botha

8 Wk Deadline: 31/07/2020

Parish: Worplesdon
Agent : Mr L Taylor
Stedman Property
Consultants Ltd
47 Howards Lane
Addlestone
KT15 1ET

Ward: Worplesdon
Applicant: Mr R Byrne
Ashfronts Ltd
Ash Farm
Bousley Rise
Ottershaw
Chertsey
KT16 0LA

Location: Rudge Cottage, Perry Hill, Worplesdon, Guildford, GU3 3RE
Proposal: Erection of a new detached house and car port in garden area of Rudge Cottage.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

This application is for the erection of a new detached house and car port in garden area of Rudge Cottage.

width: 11.5m

depth: 9.2m with a gable projection increasing the depth to 11.0m

height: 7.3m

The site is located within the Green Belt and within the Worplesdon Conservation Area. The site is also located within 400m-5km of the Thames Basin Heaths Special Protection Area. A Grade I listed building is located just to the north-east of the application site

Summary of considerations and constraints

Planning permission was granted in 2017 for the construction of a new detached house in garden area of Rudge Cottage and this permission remains extant. The principle of the development is therefore acceptable.

In comparison to the extant permission (16/P/000627), the proposed dwelling would be sited on largely the same footprint but would be 3.6sq m greater, 0.3m higher, no wider and its depth would be reduced by 1.4m when comparing the maximum depth of the dwellings.

The proposed development represents appropriate development within the Green Belt, falling within the exception of limited infilling within a village. It is also important to note that an extant permission exists for a dwelling on the site which was approved in 2017.

The proposed dwelling has a similar footprint, scale and form to the extant permission, it would respect the ridge heights of the adjacent dwellings and would be of a good design. The proposal would comply with nationally described space standards, would respect the character of the area and have no material impact on designated heritage assets, impact on trees, in this case the conservation area or the grade I listed church to the rear of the site.

No materially adverse impact on neighbouring amenity would occur and no significant impact on highway considerations would result.

Subject to a legal agreement to secure the necessary financial contributions to mitigate against the impact of the proposal on the Thames Basin Heaths Special Protection Area, the application is recommended for approval.

RECOMMENDATION:

(i) That a S106 agreement be entered into to secure:

A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area

(ii) That upon completion of (i) above, the application be determined by the Planning Development Manager. The preliminary view is that the application should be granted subject to conditions.

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 190819-5 C received 05/04/20, 190819-6G received 11/05/20, 190819/3H received 07/07/20, 190819/1B received 02/04/20 and 190819/2F received 09/07/20

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. No development shall take place above slab level until an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the provision of appropriate renewable and low carbon energy technologies on site and / or in the locality of the development and improvements to the energy performance of the building. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's Sustainable Design and Construction SPD 2011.

4. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 2100 Mondays to Saturday and at no time on Sundays or Bank or National Holidays. After the 13th May 2021, works shall be limited to the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

5. No development shall take place above slab level until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

6. The development must accord with the Arboricultural Assessment and Method Statement prepared by Barrell Tree Consultancy, dated 25th February 2020. No development shall start on site until the protective fencing and any other protection measures shown on the Tree Protection Plan in the Arboricultural Report have been installed. At all times, until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.

Reason: To protect the trees on and adjacent to the site which are to be retained in the interests of the visual amenities of the locality.

7. No development above slab level shall take place until details of all boundary treatments on all boundaries on the site have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development. The approved scheme shall be maintained in perpetuity.

Reason: To safeguard the visual amenities of neighbouring residents and the locality.

8. The bathroom window in the north-west elevation of the development at first floor level hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

9. The development hereby approved shall not be occupied unless and until each of the proposed dwelling is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order to encourage more sustainable modes of transport.

10. Prior to first occupation of the dwelling hereby approved, details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

11. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

12. No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A and E shall be carried out on the dwellinghouse(s) hereby permitted or within their curtilage.

Reason: Having regard to the size of the dwelling approved, the local planning authority wishes to retain control over any future extensions / outbuildings at the property, in order to safeguard the character of the area, the Green Belt, to prevent overdevelopment of the site and to protect the residential amenities of adjoining properties.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission. Minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

3. The developer is advised that Public Footpath Numbers 431 and 432 are located at the rear of the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

Officer's Report

Site description.

The site is located within the Green Belt and within the Worplesdon Conservation Area. The site is also located within 400m-5km of the Thames Basin Heaths Special Protection Area. A Grade I listed building is located just to the north-east of the application site which is also Area of High Archaeological Potential.

The area is residential in character. The application site itself was formerly part of the garden of Rudge Cottage located to the north-west and is accessed via the driveway into Rudge Cottage. The land slopes up gradually from north-west to south-east and from the south-west to the north-east corner of the site.

Proposal.

Erection of a new detached house and car port in garden area of Rudge Cottage.

width: 11.5m

depth: 9.2m with a gable projection increasing the depth to a maximum of 11.0m

height: 7.3m

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
19/T/00195	Crown lift to 3 metres the branches of Tree the beech tree in the front garden of Rudge Cottage which overhang Lavender Tree and are obstructing the driveway/garden.	Application Approved 13/09/2019	N/A
16/P/02025	Proposed erection of a detached two storey dwelling with integral garage.	Withdrawn 08/06/2017	N/A
16/P/00627	Construction of a new detached house in garden area of Rudge Cottage.	Approve 16/11/2017	N/A

Consultations.

County Highway Authority: No material impact on the safety and operation of the adjoining public highway. As such the County Highway Authority has no highway requirements.

Historic England: Do not wish to offer any comments.

Recycling and waste: No objections.

Natural England: No comment provided the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

Worplesdon Parish Council: Object for the following reasons:

- the site is located within the Green Belt due to its open nature and the importance of this historic village
- the site was not identified within the Local Plan for development (Officer note: this is a small windfall site and as such would not be identified within the Local Plan)
- it will not be an entry level home and therefore fails to comply with paragraph 71 of the NPPF
- by virtue of its scale, bulk and mass, elevated height and proximity to Rudge Cottage and Lavender Cottage, the proposed property would result in a detrimental impact on the openness of the Green Belt and due to the plot size, would result in a cramped form of development
- no very special circumstances have been demonstrated to outweigh the harm to the Green Belt by virtue of its inappropriateness or the harm caused to the openness
- the submitted plans does not show the entire length of the access or whether or not there would be acceptable visibility splays
- the Parish is not satisfied that there will be no likely significant effect on the SPA in the absence of an appropriate assessment (Officer note: An appropriate assessment has been undertaken and a legal agreement will be secured to mitigate against the impact of the proposal on the TBHSPA)
- there is no presumption in favour of sustainable development where development requiring an appropriate assessment under the Birds and Habitats Directives is being considered, planned or determined.
- overdevelopment due to size, scale and bulk which would fail to preserve or enhance the character and appearance of the Conservation Area and would have an adverse and overbearing impact on St. Mary's Gardens.
- there is a history of drainage and flooding issues in the area. Any increase in surface water emanating from the proposed development would be totally unacceptable.
- adverse impact on the Grade I listed church as the dwelling would be a prominent feature visible immediately upon approaching and leaving the main entrance of the church, it will also block views of the church from Perry Hill itself
- a Beech tree will be severely compromised by the development
- no ecological survey has been carried out despite the known presence of bats and badgers

Campaign for the Protection of Rural England: Object for the following reasons:

- the site is within a conservation area which lies within the Green Belt and is situated outside the settlement boundary of the village of Worplesdon. The new Local Plan is still subject to a relevant judicial review which is expected to be heard November 2019 (Officer note: The judicial review has now been dismissed)
- the heritage assets of the conservation area and listed church should have their setting protected and not adversely affected by inappropriate housing development and change to the tranquility, character and appearance of the locality, involving such issues as reduced screening through tree felling and the development of residential gardens for housing the neighbourhood as in this case
- the proposal cannot be justified as appropriate development within the Green Belt under very special circumstances or exceptional circumstances if the Green Belt boundary were to be considered for amendment if the judicial review is allowed (Officer note: the judicial review has now been dismissed)
- out of keeping
- excessive height
- additional traffic

- loss of daylight / sunlight to rooms in Lavender Tree
- noise and disturbance from the construction work and subsequent proximity of the proposed dwelling (Officer note: if approved hours of construction could be controlled by condition)

Surrey Fire and Rescue: The site appears to demonstrate compliance with the Fire Safety Order in respect of means of warning and escape in case of fire. It is strongly recommended that consideration is given to the installation of Automatic Water Suppression Systems such as sprinklers as part of a total fire protection package.

Third party comments:

26 letters of representation have been received raising the following objections and concerns:

- the Plan is not up-to-date and the Council cannot demonstrate a five year housing land supply (Officer note: The recently adopted Local Plan is up-to-date and provides 5.93 years of land housing supply)
- does not constitute infilling in a village - inappropriate development within the Green Belt and no very special circumstances exist
- overdevelopment
- loss of daylight
- loss of privacy
- loss of outlook
- sets a harmful precedent
- overbearing impact
- limited light would access the proposed dwelling
- small rear garden
- pressure to remove trees due to overshadowing from the rear boundary
- it will be highly visible from the grade I church and harm its setting
- it is close to the Special Protection Zone (Officer note: a legal agreement will be secured to mitigate the impact on the Thames Basin Heaths Special Protection Area)
- more affordable housing is needed not more market housing
- adverse impact on the character of the area
- impact on a Special Scientific Interest (Officer note: the site is not located within a SSSI)
- the chimney would represent a health hazard to the occupants of the neighbouring dwelling
- concern that land ownership certificates have not been correctly completed (Officer note: the applicant has confirmed that the correct certificates have been completed)
- the plans are not accurate relating to plot size, tree position, missing trees
- loss of trees along the boundary would result in the proposal being highly visible from the church
- concern over land ownership of the site (Officer note: land ownership is not a planning matter)
- High Hedges Act would prevent a tall hedge being established along the boundary with Lavender Tree
- concern regarding the validity of the 2016 application (Officers note: an Ombudsman found no fault with how the Council dealt with the planning application)

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development
Chapter 3: Plan-making
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
Chapter 6: Building a strong, competitive economy
Chapter 12: Achieving well-designed places
Chapter 13: Protecting Green Belt land
Chapter 15: Conserving and enhancing the natural environment
Chapter 16: Conserving and enhancing the historic environment

South East Plan 2009:

NRM6: Thames Basin Heaths Special Protection Area

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

The Guildford borough Local Plan: strategy and sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the development plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

As a recently adopted plan and in accordance with paragraph 74 of the NPPF, the Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 6.84 years based on most recent evidence as reflected in the GBC LAA (2019). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2019 measurement is 83%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (45%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

The following policies are relevant:

S1 Presumption in favour of sustainable development
H1 Homes for All
P2 Green Belt
P5 Thames Basin Heaths Special Protection Area
D1 Place Shaping
D2 Climate Change, Sustainable Design, Construction and Energy
D3 Historic Environment

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

- G1(12) Safeguarding and enhancement of the landscape and existing natural features
- G5(2) Scale, proportion and form
- G5(3) Space around buildings
- G5(4) Street level design
- G5(5) Layout
- G5(7) Materials and architectural detailing
- G5(8) Traffic, parking and design
- NE4 Species protection
- NE5 Development affecting trees, hedges and woodlands

Supplementary planning documents:

- Residential Design SPG 2003
- Sustainable Design and Construction SPG 2011
- Vehicle Parking Standards SPD 2006
- Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- Technical Housing Standards - nationally described space standard
- the impact on the character of the area
- impact on heritage assets
- Impact on neighbouring amenity
- Impact on trees
- Highway / parking considerations
- Sustainability
- Thames Basin Heaths Special Protection Area and Appropriate Assessment

Principle of development

The NPPF attaches great importance to Green Belt, and the construction of new buildings is regarded as inappropriate development, unless for specific, identified, purposes. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

One of the exceptions to this is limited infilling in villages. The application site is surrounded on all sides by development and is located within the heart of Worplesdon, located immediately adjacent to the church and within the boundary of the conservation area which defines the historic core of Worplesdon. As such it is considered that the site is located within a village and that the small scale development of this site would represent limited infilling.

On this basis, the proposed erection of a dwelling on this particular green belt infill plot is considered acceptable in principle and would not conflict with the purposes of including the land in the green belt.

It is also important to note that permission was granted in 2017 under 16/P/00627 for construction of a new detached house in garden area of Rudge Cottage a width of 11.5m, a maximum depth of 12.4m and a maximum height of 7m and this permission remains extant. In comparison to the extant permission, the proposed dwelling would be sited on largely the same footprint and would be 0.3m higher, no wider and its overall depth would be reduced by 0.5m.

Policy D3 of the Local Plan 2019 states that the historic environment will be conserved and enhanced in a manner appropriate to its significance.

Technical Housing Standards - nationally described space standard

With an internal floor area of 202 sq m the proposed dwelling would meet the standard for a 4 bed, 8 person dwelling. The bedroom sizes proposed also meet the floor area and width requirements of the space standards with the principle bedroom having a floor area of 18.14 sq m (in excess of the 11.5 sq m required), the smallest bedroom having a floor area of 14.39 sq m (in excess of the 7.5 sq m required) and the bedroom with the smallest width being 3.3m (in excess of the required 2.55m). Sufficient garden amenity area would be provided for the future occupants of the dwelling. As such, no objection is raised in this regard.

Impact on the character of the area

Amended plans were received during the course of the application, handing the footprint of the dwelling, reducing the height of the dwelling by 0.4m, reducing the height of the front gable by 0.65m, reducing the scale of the three dormers on the rear roofslope and amendments to the glazing design at ground floor level of the dwelling and removing a car port previously proposed sited forward of the dwelling.

In comparison to the extant permission (16/P/000627), the proposed dwelling would be sited on largely the same footprint but would be 3.6sq m greater, 0.3m higher, no wider and its depth would be reduced by 1.4m when comparing the maximum depth of the dwellings.

The area is characterised by a small number of dwellings set back within their plot, each with their own vehicle access, and screened to some extent by significant hedges along their frontages so that the dwellings themselves are not visually prominent from the private access road they front onto. The dwellings themselves differ in terms of their scale, form and design and as such there is no defined style of property within this small cluster of properties.

The proposed dwelling would be sited within the plot on the same alignment as the adjacent neighbouring dwellings and would respect the established building line by being set back within its plot. The site would be accessed partly via the access to Rudge Cottage the neighbouring dwelling to the north-west, and then by a new driveway which would be constructed on an area of land currently visually cut off from the application site by a hedge which extends along the front boundary of Rudge Cottage and along towards the neighbouring dwelling, Lavender Tree. The proposed dwelling would therefore largely have its own vehicle access defined on either side by the hedging, with the existing hedge along the frontage and a new hedge along the south-west boundary of the site. Whilst some currently undeveloped grassed area to the west of the application site would be reduced to provide the driveway, a depth of several metres would be retained and would help to maintain the open and verdant character of this area. Furthermore the proposed hedging would provide some screening to the new dwelling and as such would maintain the existing character of dwellings tucked behind hedging thus reducing their prominence in the street scene.

The proposed dwelling would be partly set into the ground towards the south-east boundary of the site where the land naturally rises up to the south-east and north-east, and combined with the proposed height of the dwelling this would enable the dwelling to respect the rise in ridge heights from Rudge Cottage to Lavender Cottage. Gaps to the side boundaries of the site of 2.7m and 3m would be retained with these distances comparable to those of the extant scheme.

The dwelling would have a traditional form and design with half hipped roofs, an external chimney stack, a gable front projection, pitched roof dormer windows and would be brick faced under a tiled roof with timber detailing.

The proposed dwelling would have a similar footprint, scale and form to the extant permission, it would respect the ridge heights of the adjacent dwellings and would be of a good design. The introduction of a hedge along the south-west boundary would replicate the existing hedge currently in place and as such would help to maintain the established character of the area. As such, no objection is raised in this regard.

Impact on heritage assets

Statutory provisions:

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 193 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 195-199 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The site is located within the Worplesdon Conservation Area and adjacent to a Grade I listed church located to the north-east.

The buildings on Perry Hill, including Rudge cottage, are of no particular architectural interest, however are included within the conservation area; a designated asset. Any development on this site will have some effect upon the context of the listed church but given the existing houses and the current tree screening there will be very little impact on the listed building from this proposal and no harm to its significance. It should also be noted that the site is located within the conservation area and as such any works to trees requires consent. A landscaping condition is also proposed to ensure that a robust tree screen is provided along the rear boundary of the site.

The proposed dwelling as submitted, was considered to have a top-heavy appearance with a high roof apex, with three large dormer windows on the rear roof slope and a large gable making the building appear more vertical and less characterful than would be expected of a dwelling of this design within a conservation area. Amended plans were then received making numerous changes to the scheme including reducing the height of the dwelling by 0.4m, reducing the height of the front gable by 0.65m, reducing the scale of the three dormers on the rear roof slope as well as amendments to the glazing design at ground floor level of the dwelling. A car port previously proposed, sited forward of the dwelling was also removed.

Following the submission of these amended plans, the Council's conservation officer considers that the revisions that have been made go a significant way to overcoming the concerns previously raised and that the proposed development is of a design and scale which would serve to preserve the special character and appearance of the Worpleston Conservation Area. The proposal would therefore not result in any material harm to the setting of the Conservation Area or the listed Church.

No material harm to the designated heritage asset has been identified and having due regard to Section(s) 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990 permission should be granted.

Impact on neighbouring amenity

In terms of neighbouring properties, the nearest neighbouring dwellings are located to the north-west, Rudge Cottage, and to the south-east, Lavender Tree.

With regard to Rudge Cottage, the proposed access to the site would run past the dwelling at a distance of approximately 9m. Taking into consideration this distance, together with the existing hedge which would form the north-east extent of the driveway and the residential nature of the proposed dwelling it is not considered that any adverse impact from noise and disturbance would occur due to the location of the proposed driveway access to the new dwelling. A separation distance of approximately 7.4m would be retained between the proposed dwelling and the south-east elevation of Rudge Cottage; due to this separation distance, it is not considered that any overbearing impact would occur. Whilst the proposed dwelling would extend beyond the rear wall of Rudge Cottage, it would not interfere with any 45 degree lines from windows on the rear elevation and as such no loss of light would occur. A single window is proposed at first floor facing towards Rudge Cottage and would serve a bathroom; taking into consideration the nature of the use of the room and to ensure that no loss of privacy towards the garden of Rudge Cottage occurs, a condition is recommended to ensure that this window is obscure glazed and fixed shut up to 1.7m from the finished floor level in the room.

With regard to Lavender Tree, the proposed dwelling would be located approximately 6.5m at its closest point and 7.5m at its furthest from Lavender Tree. The dwelling would be set slightly into the existing ground level along part of its south-eastern elevation and would be set very slightly further away from the south-east boundary of the site than the extant scheme. Although the proposed dwelling would be set a little further back into the site than the extant scheme, this set back was proposed in order to maintain the health of the Beech tree located towards the front of the site. Due to the separation distances proposed, and taking into consideration Lavender Tree sits on a slightly higher ground level than the application site, it is not considered that the proposed dwelling would result in any overbearing impact on this dwelling. No windows are proposed on the elevation facing towards Lavender Tree at first floor level, and whilst dormer windows are proposed on the rear elevation they would provide oblique views towards the rear-most part of the garden of Lavender Tree and as such it is not considered that any material loss of privacy would occur.

A large window is present on the north-west elevation of Lavender Tree which currently overlooks the garden and side elevation of the south-west elevation of Rudge Cottage. Views of the neighbouring garden of Rudge Cottage would therefore be interrupted by the proposed dwelling, and as such would provide some privacy for the occupier of that dwelling. A gap of approximately 6.8m would be also retained between the first floor window on the side elevation of Lavender Cottage and the new dwelling and would therefore still enable views out towards the front and rear garden of the proposed dwelling as well as up towards the sky due to the dwelling being set on higher ground levels in comparison to the proposed dwelling. As such, the proposed dwelling would not result in a materially adverse impact on outlook from this window.

Due to the orientation of the proposed dwelling towards the north-west, the proposed dwelling would not result in any loss of light to Lavender Tree.

The proposed dwelling would therefore not result in any materially adverse impact on the amenities of the adjacent dwellings and no objection is raised in this regard.

Impact on trees

During the course of the application amended plans were submitted to move the dwelling further away from the existing Beech tree located to the front of the site along the south-east boundary to reduce the impact of the development on this tree.

An arboricultural assessment and method statement was submitted during the course of the application and takes into account the handing of the footprint of the dwelling. The report states that only 3 small, low quality trees would be removed from the site which are not prominent as skyline features from any public viewpoints and that their removal would have no adverse impact on the landscape character or current levels of visual amenity. It goes on to say that there would be some encroachment into the root protection area of a grade B tree, however this encroachment is on the outer extent of the root protection area and relatively small when compared to the area that will be left undisturbed; as such it is considered that this tree would tolerate this minor incursion without any significant adverse impact on health provided that the guidance detailed within the report is observed, and as such the proposal could be carried out without any significant adverse impact on the tree and therefore the local character.

The Council's tree officer has reviewed the submitted report and raises no objection, subject to conditions ensuring the works are carried out in accordance with the methods of construction detailed within the report.

Highway / parking considerations

The application site is accessed via a private road and does not form part of the public highway, therefore it falls outside the County Highway Authority's jurisdiction. However, the proposed access would use an existing access into Rudge Cottage with a 5m wide driveway provided to reach the proposed dwelling. Due to the nature and scale of the development proposed, it is not considered that the addition of a single residential dwelling would result in a significant increase in vehicular trips on the surrounding highway network and as such no concern is raised in this regard.

Sufficient space would also be provided on site for at least two vehicles, together with space to manoeuvre on site to leave the site in forward gear. As such no objection is raised in this regard.

Sustainability

A condition is recommended to ensure that 20% of the energy requirement of the property would be provided through on-site low or zero carbon technologies, together with the provision of a fast charge electrical vehicle charging point and a water efficiency condition of 110 litres of water per person.

Thames Basin Heaths Special Protection Area and Appropriate Assessment

The application site is located within the 400m – 5km buffer zone of the TBHSPA. Natural England advise that new residential development in this proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a new dwelling and as such has the potential, in combination with other development, to have a significant adverse impact on the protected sites. The Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD in July 2017 which provides a framework by which applicants can provide or contribute to the delivery, maintenance and management of Suitable Alternative Natural Green Space (SANGS) within the borough and to Strategic Access Management and Monitoring (SAMM) which can mitigate the impact of development.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England has been consulted on the AA and they confirm they are happy with the conclusions of the AA.

Conclusion.

There is no in principle objection to the proposed development. The proposal would not result in any materially adverse impact on the character of the area, heritage assets, neighbouring amenity or trees and would not result in any adverse impact on the highway. Subject to a legal agreement to secure the necessary financial contributions to mitigate against the impact of the proposal on the Thames Basin Heaths Special Protection Area, the application is recommended for approval.