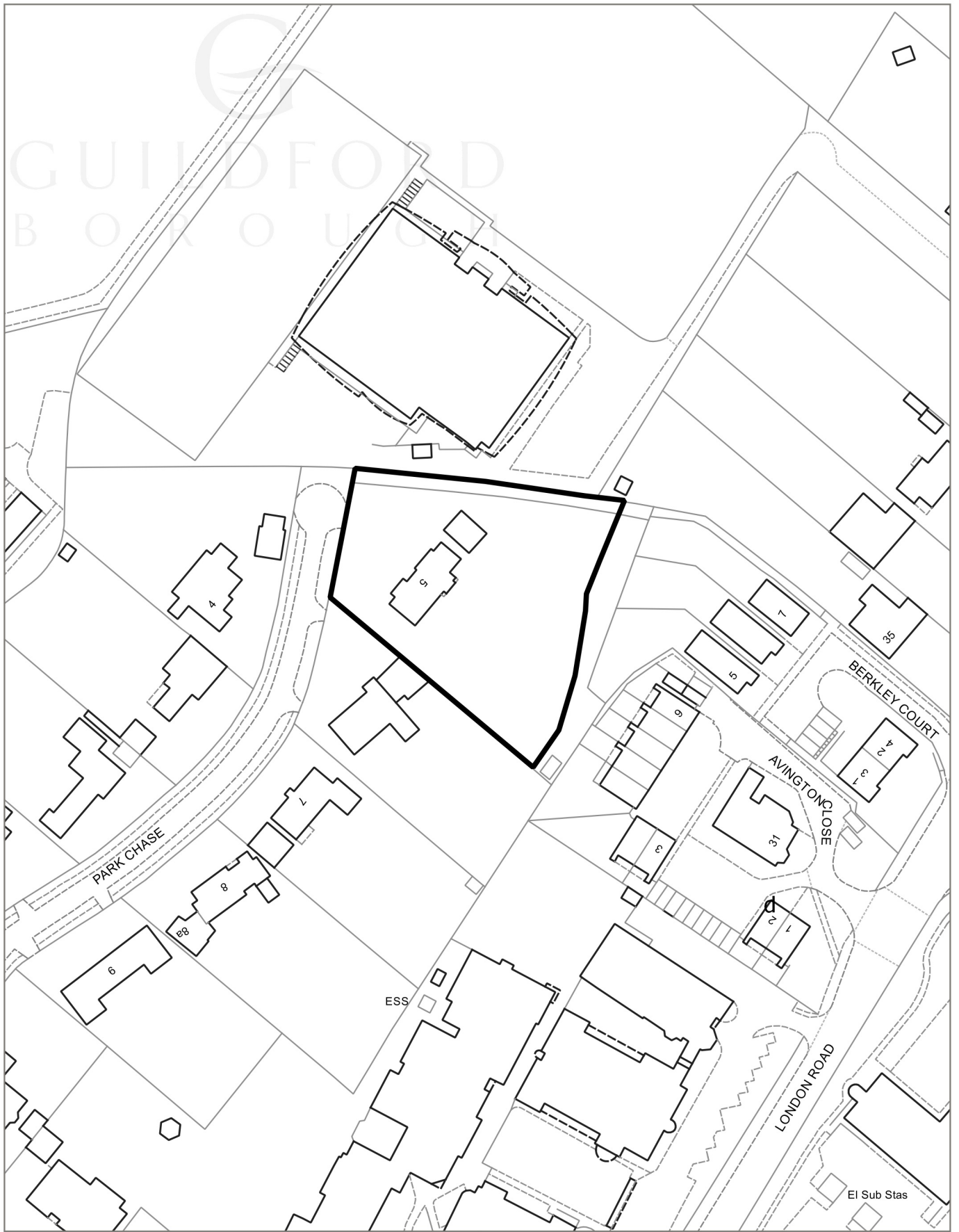


# 20/P/01340 - 5 Park Chase, Guildford



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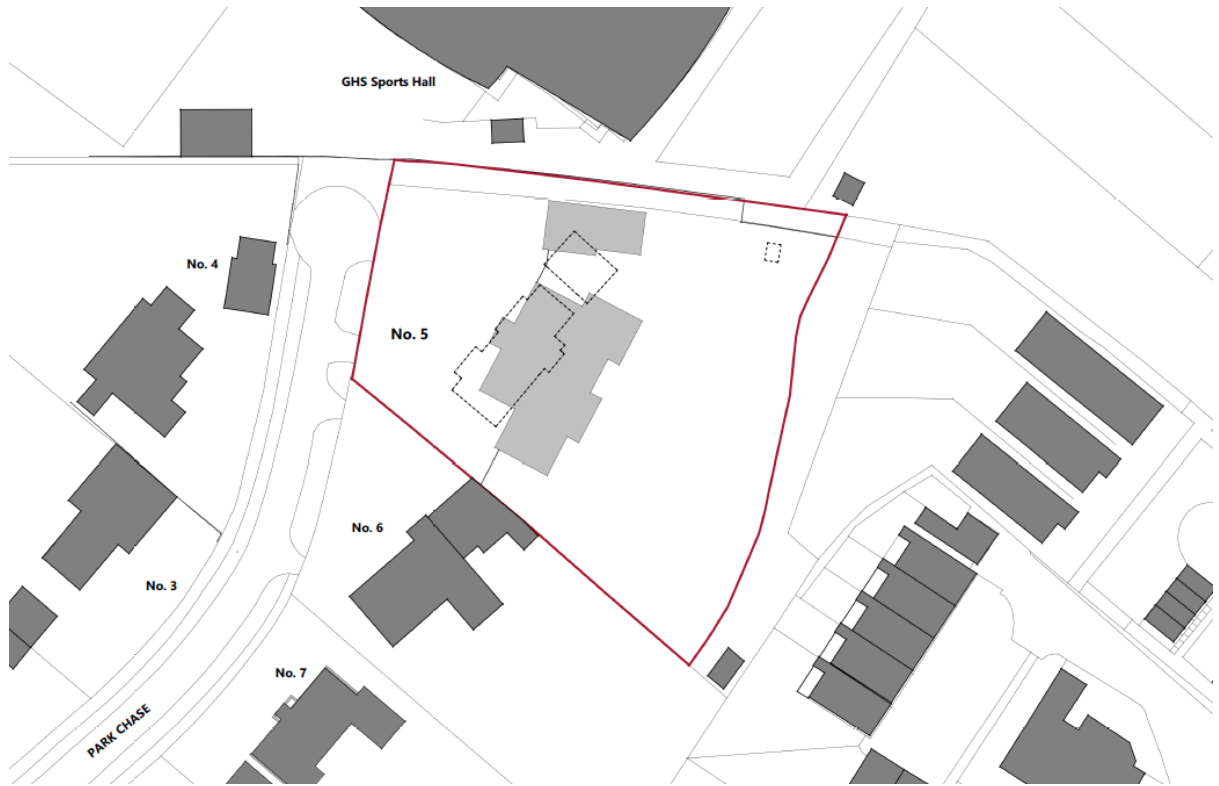


Not to Scale



GUILDFORD  
BOROUGH

20/P/01340 – 5 Park Chase



Not to scale

**App No:** 20/P/01340  
**Appn Type:** Full Application  
**Case Officer:** Becky Souter

**8 Wk Deadline:** 05/03/2021

**Parish:** Christchurch  
**Agent :** Mr M Furner  
Lytle Associates Architects  
20 Quarry Street  
Guildford  
GU1 3UY

**Ward:** Christchurch  
**Applicant:** Mrs Li  
5 Park Chase  
Guildford  
Surrey  
GU1 1ES

**Location:** 5 Park Chase, Guildford, GU1 1ES

**Proposal:** Erection of a dwelling house with detached garage following demolition of existing dwelling house and detached garage.

## **Executive Summary**

### **Reason for referral**

This application has been referred to the Planning Committee by Councillor Dennis Booth for the following reasons:

- The scale and bulk of the proposal would be out of character with its surroundings contrary to policy G5 of the saved Local Plan, 2003.
- The building to be demolished is of historical interest.

The Officer has recommended the application be approved.

### **Key information**

- The application site is located within the Guildford urban area
- The application seeks permission for a replacement dwelling.
- There is no in principle objection to the demolition of the existing dwelling as it is not statutorily listed, nor is it locally listed or within a conservation area.
- Vehicular access to the site would remain as existing.
- There would be adequate parking for two vehicles on the driveway and a further two vehicles in the double garage, exceeding the Council's Maximum Parking Standard.
- The proposed dwelling would be a six bedroom, three storey property.
- The application site is the largest plot within Park Chase and situated at the end of the cul-de-sac.

### **Summary of considerations and constraints**

The proposal would have no materially harmful effect on the character of the site, the immediate street scene or the wider surrounding area. No adverse harm to neighbouring amenity has been identified. The proposal would create an acceptable living environment for future occupants. The development would result in no parking concerns. Whilst some smaller trees are to be removed from the site, tree planting is proposed and the protection of the significant mature trees to the front of the site will be secured by condition. No adverse impact on protected species, which cannot be mitigated, has been identified, the mitigation measures, along with a scheme for biodiversity enhancement is to be secured by condition.

Sustainability measures are also subject to conditions. The proposal is in compliance with both the national and local policies and, as a whole, is considered to be acceptable.

## **RECOMMENDATION:**

### **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: 1895\_01 Rev C; 1895\_02 Rev C; 1895\_03 Rev C; 1895\_04 Rev C and 1895\_25 Rev A received on 10/08/2020, amended plans: 1895\_07 Rev H; 1895\_08 Rev H; 1895\_09 Rev H; 1895\_10 Rev H; 1895\_11 Rev I; 1895\_12 Rev H; 1895\_13 Rev H; 1895\_14 Rev H; 1895\_17 Rev D and 1895\_18 Rev D received on 03/12/2020 and amended plan: 1895\_06 Rev H received on 04/12/2020.

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 until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2005 (or any later revised standard) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

4. Prior to any above slab level works, details and samples of the proposed external facing and roofing materials including colour and finish shall be 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.

5. Prior to the commencement of development, energy information shall be submitted to and approved in writing by the Local Planning Authority. The energy information will identify the building regulations Target Emissions Rate (TER) and the Dwelling Emission Rate (DER) for the proposed dwelling(s), and demonstrate that the DER is at least 20 per cent lower than the TER for each dwelling hereby approved, including the use of energy efficiency measures and low and zero carbon energy technologies in line with the energy hierarchy, an accurate and robust appraisal of all potential technologies. The approved details shall be implemented prior to the first occupation of that dwelling and maintained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in the interests of sustainability.

6. Prior to any above slab level works, a scheme to enhance the nature conservation interest of the site shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

7. 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.

8. The development hereby approved shall not be occupied unless and until 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 the interests of sustainability.

9. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in the ecological assessment [15th July 2020/Project number P3372/The Ecology Co-op] prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the ecological assessment.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

10. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In order to limit the impact of the development on protected species.

11. The first floor windows serving bedroom 1 and its dressing room on the southern elevation of the development 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.

#### **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.

In this case pre-application advice was sought and provided which addressed initial issues, the application was not submitted in accordance with that advice, however, Officers have worked with the applicant to overcome these issues.

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](mailto:buildingcontrol@guildford.gov.uk)

## **Officer's Report**

### **Site description.**

The application site is located within the urban area of Guildford. The area is characterised by large two storey houses of differing styles and designs, situated at the end of a private cul-de-sac. The site itself is a large two storey house which has a detached 2 bay garage situated to the side. Buildings are set back from the road and there are trees and shrubs along the frontages. No 5 has one tree in the front garden and an in and out drive, there is timber fencing along the shared boundaries and the site is generally flat in contour. The plot shape is tapered so that the road frontage is shorter than the rear boundary.

To the north are the tennis court for Stoke Park and the Guildford High School sports hall.

The site is within the 400m-5km buffer of the Thames Basin Heaths Special Protection Area. The highway along Park Chase has a low risk of surface water flooding and is the Townscape character area of Institutional Buildings associated with Open Spaces Guildford College/Stoke Park (10D).

### **Proposal.**

Erection of a dwelling house with detached garage following demolition of existing dwelling house and detached garage.

### **Relevant planning history.**

<b>Reference:</b>	<b>Description:</b>	<b>Decision Summary:</b>	<b>Appeal:</b>
19/P/01768	Proposed erection of a detached two storey dwelling with rooms in the roof, detached garage with rooms above, car port and covered walkway following demolition of the existing detached house and garage.	Refuse 30/12/2019	N/A
11/P/00346	Detached garage.	Approve 21/04/2011	N/A

10/P/00639	Erection of detached garage with storage at first floor, following demolition of existing garage.	Refuse 01/06/2010	N/A
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## **Consultations.**

### Statutory consultees

County Highway Authority: No objection. The Highway Authority considers that the proposal is unlikely to have a material impact on highway safety issues.

### Amenity groups/Residents associations

Arts and Crafts Movement in Surrey: Objection. The proposal will result in demolition of an Arts and Crafts home which is a building of significant historical and architectural interest designed by a notable architect. Its demolition will cause great harm to the street scene and its replacement will be of detriment to the character of Park Chase. The building should be considered as a non-designated heritage asset. [Officer comment: The building is not statutorily listed, locally listed or within a conservation area. The Conservation Officer has reviewed the existing building against the requirements for Local Heritage Listing as set out in the Historic England Advice Note 7 which includes 10 criteria; Age, Rarity, Aesthetic Interest, Group Value, Archaeological Interest, Archival Interest, Historical Association, Designed Landscape Interest, Landmark Status, Social and Communal Value and in the majority of these categories the significance is rated low, whilst there is considered to be a medium level of significance with relation to age and group value, it is unlikely that the building would be considered to have a level of historic significance which merits the Council locally listing the building.]

### **Third party comments:**

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

- The scale of the building.
- The existing house could have been sympathetically extended. [Officer comment: This is not what has been applied for under this application.]
- The applicant has ruined the street view by removing all vegetation on site, exposing the plot.
- The building works will result in damage to the private road and resurfacing will be needed, the applicant should be made to pay into the fund. [Officer note: This is a civil matter between neighbours.]
- The construction period will result in noise and disturbance to neighbouring properties.
- The landscaping replacement is inadequate.
- The height of the proposal is excessive and not in keeping.
- Landscaping conditions would be required to remediate the loss of vegetation on site.
- The size of the dwelling is likely to exceed the water requirement of 110 litres/per person/per day.
- The Design and Access Statement contains many errors.
- The materials are out of keeping with the existing property.
- Impact on neighbours, it will be an imposing building.
- The extent of glazing would impact on neighbour's privacy.



- There are covenants which restrict any commercial enterprises being carried out, the size and layout is excessive for a residential property and may be used for commercial purposes. [Officer note: Covenant restrictions are a legal matter and not a planning matter. Any use of the property in future for a commercial purpose would require a planning application and cannot be converted without consent.]
- Lorries and vehicular movements associated with the construction will have an impact on surrounding roads, such as Nightingale Road.
- Out of keeping.
- Water supply to the road is inadequate for such a large house.
- A basement has not been considered as a way to reduce bulk.

Following the receipt of amended plans 11 additional letters (10 from those who have already made representation) have been received reiterating the original comments and making these further points:

- The scale is still significant and nearly twice the size of the existing house.
- There is no updated design statement.
- Reduction in fenestration on the rear elevation is a positive change.
- No material changes made.
- The latest plans go as far as we can hope, adherence to them should be ensured.

### **Planning policies.**

#### National Planning Policy Framework (NPPF), 2019:

Chapter 8: Promoting healthy and safe communities.

Chapter 12: Achieving well-designed places.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change.

Chapter 15: Conserving and enhancing the natural environment.

#### Guildford Borough Local Plan: Strategy and Sites (LPSS), 2015-2034:

D1: Place shaping.

D2: Climate change, sustainable design, construction and energy

ID3: Sustainable transport for new developments.

ID4: Green and blue infrastructure.

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

G1 General Standards of Development

G5 Design Code

NE5 Dev. Affecting Trees, Hedges & Woodlands

#### Supplementary planning documents:

Residential Design Guide, 2004.

Vehicle Parking Standards, 2006.

National Design Guide, 2019.

Climate Change, Sustainable Design, Construction and Energy, 2020.

## **Planning considerations.**

The main planning considerations in this case are:

- background
- the impact on the scale and character of the site and the character and appearance of the surrounding area
- living environment
- the impact on neighbouring amenity
- highways/parking considerations
- sustainability
- trees and vegetation
- the impact on protected species and biodiversity

### Background

The application follows a previously refused proposal for a replacement dwelling. The reasons for refusal are set out below:

1. The proposed development, by virtue of the built form, height, mass and flat roof design of the main building and the size, height and location of the forward projecting garage, would have an adverse impact upon visual amenity of the street scene, be out of scale and character with the prevailing pattern of development and fail to maintain the spacious relationships to boundaries. The proposal is therefore contrary to policy D1 of the Guildford Borough Local Plan: strategy and sites 2019, policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007), the requirements of the National Planning Policy Framework (NPPF), Planning Policy Guidance (PPG) and advice in the supplementary planning guidance: Residential Design Guide 2004 and National Design Guide 2019.

2. The proposals fail to demonstrate that there would be no harm to habitats for bats, a legally protected species contrary to policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) the requirements of the National Planning Policy Framework (NPPF) and statutory provisions of the Wildlife and Countryside Act (1981) (as amended) and Conservation of Habitats and Species Regulations (2017) (as amended).

The applicants have undertaken pre-application discussion post this decision making amendments to the scheme. The current application has also been amended during the determination process in order to respond to further concerns over the scale and bulk of the dwelling. The amended plans resulted in a change to the proposals by virtue of the removal of the two storey projection on the northern side of the property and the reduction in scale of the rooflight to the front elevation.

### The impact on the scale and character of the site and the character and appearance of the surrounding area

The site falls within character type 5 of the Guildford Residential Design Guide SPG, which describes such areas comprising land was sold off in separate plots and individually designed dwellings were built. Many of the houses are detached houses, some with substantial garden areas and high levels of greenery.

These are extracts from the design checklist:

- respect street layout and widths, plot boundaries, building lines, spaces between buildings and adjoining building heights;
- the building does not dominate the plot, neighbouring property or the street scene;
- identify and respect local building styles, materials and detailing;
- where consistent boundaries exist, including walling and hedges, they should be retained and enhanced
- incorporate existing landscape feature;

Park Chase is a small cul-de-sac, with large detached houses, set back from the highway with attached and detached garages. There is a grass verge to the roadway and mature trees in the front and rear gardens. The dwellings all have an individual design and appearance. However, the landscape setting and sense of spaciousness is a feature of the street scene.

The application site shows a relatively open vista and there is good visibility into the site and as such the existing dwelling is clearly visible within the street scene. However, due to the angle of the building away from the road and the minimum set back of 13.9m at the southern end, it does not appear unduly prominent.

It is acknowledged that the Park Chase is mixed in terms of the sizes of plots and spacing between dwellings and to the boundaries and there are examples of enlargements to the original buildings. A number of the properties are of large scale with development spread across almost the entire width of their plot. The existing building at the application site is positioned centrally in the plot so as to ensure good spacing to both side boundaries. The application site is the largest plot in Park Chase and by virtue of its location, at the end of the road and adjacent to the Guildford High School Sports Hall, and its positioning, facing north-west, it is not read in the street scene in the same way as the other dwellings. The property itself is white rendered and as such is more prominent than other neighbouring dwellings.

The proposal relates to the demolition of the existing dwelling and detached garage and their replacement with a new dwelling and garage which would be link detached from the dwelling by virtue of a covered walkway. A number of comments have been made identifying the existing property as having historic merit and it being a good example of an Arts and Crafts property. The Conservation Officer has reviewed the existing building against the requirements for Local Heritage Listing as set out in the Historic England Advice Note 7 which includes 10 criteria; Age, Rarity, Aesthetic Interest, Group Value, Archaeological Interest, Archival Interest, Historical Association, Designed Landscape Interest, Landmark Status, Social and Communal Value and in the majority of these categories the significance is rated low, whilst there is considered to be a medium level of significance with relation to age and group value, it is unlikely that the building would be considered to have a level of historic significance which merits the Council locally listing the building. Whilst there is architectural merit to the property it is not a designated heritage asset and even if it were to be locally listed, which is unlikely based on the Conservation Officer's assessment, it would still remain a non-designated heritage asset and the Council would be unable to prevent its demolition. Therefore, there is no objection to the demolition of the existing property.

The scale of the replacement dwelling compared to the existing and previously refused proposal is set out in the table below:

	Existing	Proposed	Refused scheme (19/P/01768)
Max height	9.5 metres	10.7 metres	11.0 metres
Max width	19.4 metres	23.0 metres	28.6 metres
Max depth	9.9 metres	18.0 metres	21.6 metres
Garage height	6.7 metres	5.8 metres	6.9 metres
Garage width	6.0 metres	6.0 metres	6.8 metres
Garage depth	8.5 metres	13.0 metres	10.0 metres

The proposed dwelling would be a much larger property in all respects, but the biggest increase in scale is in the depth of the property, the increases in height and width are not insignificant however are reasonable considering the size of the plot.

It is of note that the neighbouring property, 7 Park Chase, has recently been granted planning permission which when constructed would result in a dwelling which is two storey across a width of 24.3 metres and extends across the majority of its plot width, being set right against the shared boundary with the application site. The proposed replacement dwelling would conversely be smaller in width than the neighbouring dwelling but maintain sufficient separation distances to the boundaries, particularly above ground floor level ensuring the spacious character is retained.

The ridge heights of neighbouring dwellings are identified on the elevational drawings and demonstrate that there is a gradual increase in height from 6 Park Chase to 7 Park Chase. The drawing also indicates that the height of the proposal would thus respect that of neighbouring properties. The existing dwelling extends at full two storey height over a greater width than the proposed dwelling which sets down to a single storey element on the southern edge.

The proposed garage would be attached to the dwelling by virtue of a covered link way, however, this would be set behind fencing and whilst the roof form of this element would be visible within the street scene, it would be set far back into the site and there would be a clear separation between the roof form of the garage and the dwelling, thereby, giving the illusion of detached elements. The garage would not exceed beyond the front building line of the main dwelling ensuring significant set back from the access and limiting its prominence in the street scene.

The proposed materials would include a palette of brick, render and timber boarding, red/brown plain clay tiles, metal painted casement windows and timber doors. The design of dwellings along Park Chase is quite individual and the proposed materials would not be unacceptable, the level of render on the property is already extensive and the proposed dwelling would retain rendered elements but utilise red/brown brickwork which is a feature of other dwellings. The proposed design would appear two storey from the front elevation with some small rooflights which indicate the presence of second floor accommodation but do not result in a three storey appearance which would dominate in the street scene. The design approach includes pitched roof forms, brick plinths, half height render panels and feature brick chimneys. The front elevation would have a very balanced fenestration and ensures symmetry in the design.

Whilst the replacement dwelling would be of greater scale than that existing, the proposed design is considered appropriate for its setting. The dwelling and garage would sit comfortably within the plot and retain spacing and views through, the built form is set back from the front boundary of the site and by virtue of its location at the end of the street there is scope for a slightly larger property. The overall approach predominantly respects the character of the surrounding area which is in the Guildford Urban area.

The proposal is therefore found to be compliant with policies D1 of the LPSS, 2015-2034 and G5 of the saved Local Plan, the Residential Design Guide, 2004, the National Design Guide, 2019, and the requirements of the NPPF, 2019.

### Living environment

Policy D2 of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The proposal has resulted in the creation of a six bedroom, three storey dwelling, the Technical Standards require 134 square metres of floor area for a dwelling of this size. The floor space to be provided within the proposed dwelling would exceed this requirement and is acceptable in this regard. The standard also sets out dimensional requirements in respect of bedroom sizes, the proposed dwelling complies with these dimensional requirements. The floor plans show appropriate room sizes for their intended use and adequate outlook. There is adequate external amenity space.

### The impact on neighbouring amenity

The closest residential neighbouring properties are 4 and 6 Park Chase and 5-8 Avington Close and 5-7 Berkeley Court.

#### 4 Park Chase

The neighbouring property opposite the application site. The proposed dwelling, due to its orientation, would not face directly towards the front elevation of this property and would instead look towards the garage element, therefore, it is not considered that the proposal would result in any significantly harmful impact on neighbouring privacy. The dwelling would be positioned to the north-east of the application site and there would be a good separation distance and as such would not cause a loss of light. Whilst the new dwelling would be much larger and taller, it is not considered to be of a scale to cause any materially harmful overbearing impact.

#### 6 Park Chase

The immediate neighbouring property to the south/south-west of the application site. This property has recently been granted planning permission for a first floor extension close to the boundary with the application site. There are no windows on the side elevation of the new first floor element at number 6 (which is currently under construction), the proposed dwelling would introduce 4 first floor side windows on the southern elevation which look towards the neighbouring property. Owing to its positioning within the plot and the separation distance it is not considered that the first floor side windows serving bedroom 4 would offer any opportunities for significant overlooking. It is also of note that there are first floor windows on the existing property.

The first floor windows serving bedroom 1 and its dressing room due to their relationship with the neighbour may create opportunities for some overlooking and considering that the nature of the dressing room and that it is served by two rooflights, it is appropriate to condition this to be obscure glazed and fixed shut, the same condition will be applied to the side window for bedroom 1 as this bedroom is served by several rear windows. The proposed dwelling is situated to the north of this neighbour and owing to the path of sunlight during the day would not result in loss of light. Whilst the building is of large scale, it would be single storey closest to the boundary and as such would not be harmfully overbearing.

#### 5-8 Avington Close

Line of neighbouring properties to the south-east of the application site. These properties would be opposite the rear of the proposed dwelling with a rear to rear relationship. The land appears to rise slightly towards these neighbouring properties, there would be a minimum separation distance of 38.6 metres. Whilst there will be a number of windows on the rear elevation and at roof level which look directly toward the rear boundary of the site, the separation distance, boundary treatments and land levels will prevent any significant overlooking thereby ensuring the privacy of these residential dwellings is maintained. The orientation and positioning of the proposed dwelling is sufficient to prevent any loss of light levels or overbearing impact.

#### 5-7 Berkeley Court

Line of neighbouring properties to the east of the application site. These properties would be opposite the rear of the proposed dwelling with a rear to rear relationship. The land appears to rise slightly towards these neighbouring properties, there would be a minimum separation distance of 38 metres. Whilst there will be a number of windows on the rear elevation and at roof level which look directly toward the rear boundary of the site, due to the proposed orientation, positioning, separation distance and land levels, the proposed dwelling would not be directly opposite the rear elevation of any of these properties in Berkeley Court and it is not found that there would be any significant impact on light levels received by these properties or privacy. Potential for overbearing impact is also limited.

The proposal is, therefore, not found to result in any materially harmful impact to neighbouring amenity in terms of loss of light, loss of privacy or overbearing impact and as such is compliant with policy G1(3) of the saved Local Plan and the requirements of the NPPF, 2019.

#### Highways/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. It is not considered that the proposed development would result in a significant increase in vehicular trips on the surrounding highway network, as this would be a one for one replacement.

The site benefits from two accesses to form an in/out driveway, these will be retained. There is sufficient space on the proposed driveway to accommodate two or more vehicles on the driveway and a double garage is to be provided. Therefore, the level of parking would exceed the Council's maximum standard requirement.

As this is a private road any damage to the road from construction or occupation activities would be a private civil matter for those that own/manage the road.

## Sustainability

The development is required to achieve a 20% reduction in carbon emissions through the use of energy efficiency measures and low and zero carbon energy technologies in line with the energy hierarchy. The focus should be on a fabric first approach meaning that in the first instance carbon emissions are reduced by maximising the performance of the components and materials that make up the building fabric and designing the building to make best use of the surrounding environment before improving efficiency further through the use of efficient building services or lowering carbon emissions further through low carbon energy. The development will also need to achieve a water efficiency of 110 litres per person/per day. However, no detailed information has been provided by the applicant in this respect. A condition will be added to secure the submission of these details to demonstrate compliance. A condition will also be applied to ensure the provision of a fast charge socket for electric vehicle charging in order to support sustainable transport.

## Trees and vegetation

There are some trees on site, most of which are to be retained, a few smaller trees will be removed along the northern boundary in order to facilitate the development, however, it is proposed to plant new trees along this boundary.

There are some larger retained trees around the northern vehicular access, to ensure that the root protection areas (RPAs) of these trees are not at risk of constriction activity such as excavation, storage and movements of heavy vehicles, details of tree protection can be secured by condition. This will be a pre-commencement condition for which the Council has served the required notice on the applicant.

The proposal is found to be acceptable in this regard.

## The impact on protected species and biodiversity

The presence of protected species is a material planning consideration, which needs to be addressed prior to any permission being granted. Circular 06/2005 (Biodiversity and Geographical Conservation - Statutory Obligations and Their Impact Within the Planning System) states that "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted otherwise all relevant material considerations may not have been addressed...".

Paragraph 175 of the NPPF states that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

A Phase I Ecological Survey has been submitted with the application which identifies that the property is used for roosting by bats. The proposal includes the complete demolition of the existing dwelling and detached garage and as such without mitigation the development could potentially cause harm to individual bats. The report sets out that a European Protected Species (EPS) licence will be required in order for the development to be legally compliant in this regard. The report sets out a number of mitigation measures which should likely be required by the conditions of the licence, however, it is also appropriate to secure these by condition.

The habitats surrounded the property are used by foraging and commuting bats of at least five species as part of a wider resource across the landscape, it is important to minimise potential disturbance from artificial lights. As such a lighting scheme for any external lighting will be conditioned as part of any approval.

It is considered that on the basis of the information presented and the mitigation outlined along with the requirement for the development to secure a Bat Licence from Natural England, the Council can be satisfied that it is able to comply with its duty in this regard. The proposal is compliant with policy NE5 of the saved Local Plan and Chapter 15 of the NPPF, 2019.

Policy ID4 of the LPSS requires new development to achieve net gains in biodiversity across a site and this supports the requirements of Chapter 15 of the NPPF in regard to biodiversity. The Ecological Survey includes suggested ways in which biodiversity enhancements may be achieved but these are not detailed clearly enough to be conditioned and as such the submission of a scheme of biodiversity enhancement will be required by condition in order to demonstrate compliance with this policy.

### **Conclusion.**

The proposal is found to be compliant with both local and national planning policies and as such is recommended for approval.