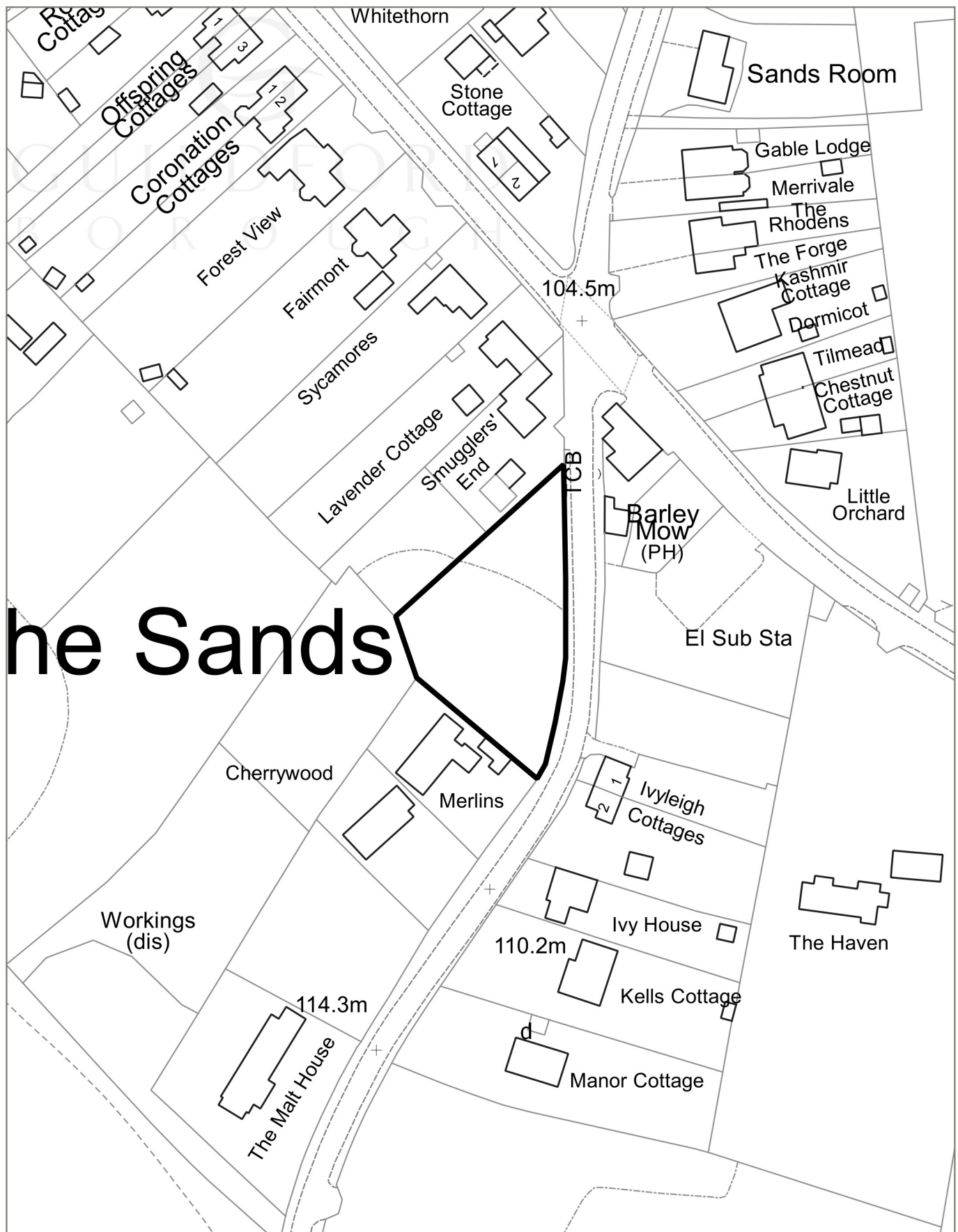


21/P/00535 - Land Between Smugglers End And Merlins, Smugglers Way, The Sands, Farnham



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BOROUGH

**21/P/00535 – Land between Smugglers End and Merlins, Smugglers Way
The Sands, Farnham**



Not to scale



App No: 21/P/00535
Appn Type: Full Application
Case Officer: Becky Souter

8 Wk Deadline: 09/09/2021

Parish: Seale
Agent : Mr M. Conoley
Michael Conoley Associates
The Old Forge
The Green
Elstead
GU8 6DD

Ward: The Pilgrims
Applicant: Mr M. Keane
MPK Farnham Ltd
Sherwood House
41 Queens Road
Farnborough
GU14 6JP

Location: Land between Smugglers End and Merlins, Smugglers Way, The Sands, Farnham, GU10 1LW
Proposal: Erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Executive Summary

Reason for referral

The application has been called to the planning committee by Councillor Tony Rooth on the basis that the proposed development would not constitute 'limited infilling' in the Green Belt, would be out of scale and character with other properties in the surrounding area and would result in detrimental impact on residential amenities of the adjacent neighbouring properties contrary to policies P2 and D1(1) of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and policy G5 of the Local Plan 2003.

Key information

The application site relates to a parcel of land located to the south of Smugglers' End and to the north of Merlins in the centre of The Sands Village.

It lies within the Green Belt and forms part of the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value.

The site is within the 5 - 7 km buffer zone of the Thames Basin Heaths Special Protection Area.

The proposal is for the erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Summary of considerations and constraints

The application site is in close proximity to the village amenities, including the Barley Mow Public House and The Sands Village Hall. Therefore, owing to its proximity to the built up area of the village and the village amenities, it is considered that the site could reasonably be part of the village of The Sands.

The application site features residential development to both sides of the plot and opposite is the site of the Barley Mow and another residential property. The residential development to the north of the site is part of a continuous linear frontage which runs along Smugglers Way and Sands Road. The proposal would further extend the continuous linear stretch of development by connecting the built development to the south-west of the site with that of the north/north-west.

As a result of the positioning of the site and the surrounding built form and associated curtilage, the only part of the site which borders land devoid of any development is therefore the western edge. This is only a small section of the site and owing to its surroundings the plot is found to be substantially surrounded by built development. Therefore, the proposal represents limited infilling within a village.

The proposed building would be two storeys in height and would reflect the footprint and surrounding pattern of development. The ground level rises gently to the south and south-west and as a result of this and the height of the dwelling, the proposal would not exceed the ridge height of neighbouring Merlins but would instead occupy a position which creates a gradual step up in building heights from north to south.

The design and materials would blend with the surrounding dwellings and as such the resultant dwelling would be respectful to its surroundings and in keeping with the character of the area.

The site is of limited visibility from wider vantage points and would be located within a predominantly residential area surrounded by other built development and, as such, the proposed development would have not any materially harmful impact on the special landscape character of the AONB or AGLV.

As a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on the adjacent neighbouring properties, Smugglers' End and Merlins.

The proposal would also provide adequate living environment and would not result in detrimental impact on highways, parking or trees. Lastly, the proposal will incorporate rainwater harvesting, permeable driveway and parking area and all surface water will be discharged to soakaways.

Therefore, the application is recommended for approval subject to conditions.

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: 1533/S-01; 1533/S-02; 1533/S-03; 1533/P-02; 1533/P-03; 1533/P-04; 1533/P-05; 1533/P-06 and 1533/P-07 received on 12/03/2021 and amended plan 1533/P-01B received on 13/07/2021.

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 updated Arboricultural Impact Assessment and 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. No above slab level works shall take place until a scheme to enhance the biodiversity 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.

5. Prior to any above slab works, 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 in line with the energy hierarchy, following a fabric first approach, 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 use of on site low and zero carbon technology shall be achieved. 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 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

6. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Smugglers Way has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. 1533/P-01A, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users.

7. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, Drawing No. 1533/P-01A, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users.

8. The development hereby approved shall not be occupied unless and until the 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 drawing 1533/P-01B, it shall thereafter retained and maintained for its designated purposes.

Reason: In the interests of sustainability.

9. The first floor windows in the northern elevation of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the windows 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.

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 the interests of visual and/or residential amenity.

11. The development shall be carried out in accordance with the approved materials as specified in the Proposed External Building Materials Schedule, reference 1533, dated July 2021, received on 13/07/2021.

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

12. 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.

13. The development shall be carried out in accordance with the details of the submitted Sustainability and Energy Statement, reference 1533, dated July 2021, received on 13/07/2021.

Reason: In the interests of sustainability.

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 potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

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. Surrey County Council Highways Informatives

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs.

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149). The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

Officer's Report

Site description.

The application site relates to a parcel of land located to the south of Smugglers' End and to the north of Merlins in the centre of The Sands Village. It lies within the Green Belt and forms part of the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value. The site is within the 5 - 7 km buffer zone of the Thames Basin Heaths Special Protection Area.

Proposal.

Erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Relevant planning history.

None relevant.

Consultations.

Statutory consultees

County Highway Authority:

The proposed development has been considered by the Highway Authority who have assessed the application on safety, capacity and policy grounds and has raised no objection. Conditions regarding visibility splays, parking, EV charging and cycle storage are recommended. The following comments were also made by the Highway Authority:

- All costs associated with relocation of existing street furniture if required, must be met by the applicant.
- Swept path analysis from the access provided is satisfactory.
- Existing vegetation must be maintained at all times to ensure good visibility is achieved from the proposed access to site.
- It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.

Thames Water: No response.

Non statutory consultees

CPRE Surrey: Objection.

- The application cannot be regarded as appropriate limited infilling with the meaning of the policy as included in the adopted Local Plan.
- It is unacceptable and inappropriate in terms of the Green Belt policy. The policy of allowing some limited infilling in specified villages in the Green Belt cannot outweigh the other policies of constraint in the Local Plan that seek to protect nationally important designated countryside.
- Policies introduced under NPPF, to allow some limited small infilling must be considered on a case by case basis and within the context of the overall purpose and importance of preserving the openness and permanence of the Green Belt.
- Very special circumstances will need to be found in order to outweigh the harm to the Green Belt and other harms if permission is to be lawfully granted.
- The development will have an adverse impact on the character of the village and sense of openness that this grassy open plot affords.
- The local environment will be adversely affected by the loss of pasture land, trees, habitat and peace and tranquility.
- There is no case that the harms will be outweighed by the benefits of allowing these buildings in the setting of this village in the Surrey Hills.
- Making way for a large house is not serving the needs of local people, crying out for affordable housing.

Surrey Hills AONB Officer: Objection.

- The open grassland nature of the site with a few good trees allows short distance views through to the higher landscape beyond.
- The undeveloped character of the site provides a pleasant setting to the Barley Mow Public House when seen from the nearby junction of Smugglers Way, The Green, and Sands Road (also shown as Littleworth Road). The site provides for this nationally protected landscape to flow into the village making a significant positive contribution to its attractive character.

- The proposed house being larger than its neighbours, located closer to the lane than others on this side of the lane and on slightly rising ground would form a dominant visual feature in this part of the village. Other larger dwellings in places along this side of the lane and further along opposite tend to be set further back from the lane behind verdant frontages thereby reducing their visual impact. The exception are the traditional smaller cottages on the opposite side of the lane immediately to the south east.
- The view of the development would not be restricted just from Smugglers Way but would be gained also from the road junction to the north. However, the impact on the AONB would be localised and would not affect the wider AONB landscape. With the well wooded nature of the Surrey Hills AONB that is often the case with many development proposals but if considered to be a justification for development would be capable of being repeated too often for the integrity of the AONB.
- When initially I looked at the submitted site plan and having seen photos I considered there might not be a justification for recommending refusal on AONB grounds. However, only from my site visit did I gain a proper appreciation of the setting and the impact of the proposed development. If notwithstanding the above AONB concerns decision makers are still inclined towards granting permission I suggest a proper assessment can only be made from a site visit. [Officer note: The Planning Officer has visited the site and assessed the proposal with a full understanding of the context of the site.]

Internal consultees

Environmental Health Officer: No objection.

Parish Council

Seale and Sands Parish Council: Objection.

- Site is in the Green Belt, AONB and AGLV where there is a presumption against development.
- Site lies within the Thames Basin Heaths Special Protection Area.
- The parish is not identified in the new Local Plan as having any development requirement and as such no previous approval has been given for this type of potential infilling to take place. [Officer note: This does not preclude the parish from any development and applications cannot be refused for this reason as it does not mean that an application is unacceptable in principle.]
- The density of the new dwelling and garage is totally out of keeping with the surrounding properties.
- It would dominate the street scene and result in a loss of openness.
- It would adversely affect views from neighbouring gardens. [Officer note: This is not a material planning consideration.]
- The size and street facing elevation of the proposed property is completely out of keeping.
- Trees have been felled on site before permission was granted.
- Harmful impact on surface water issues due to loss of trees and open grassland.
- Proposal is a change of use.
- Construction would cause major disruption.
- Permission would set a precedent for future infilling development. [Officer note: All planning applications are determined on their own merits and any future applications for limited infilling within the village would not necessarily be approved solely because permission were granted for this dwelling.]

Third party comments:

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

- The dwelling is too large for its setting.
- Only one dwelling should be permitted and this restricted by condition.
- There should be minimal disturbance when the property is being built.
- Hedges to form screening between the proposed dwelling and 'Merlins' should be planted.
- The plot has only one access route which is on to a quiet and narrow no through road which is used for public access to woodland. Construction site will impair access. [Officer note: SCC Highways are content with the proposal.]
- The AONB will be blighted.
- The proposal would overlook neighbouring properties.
- No change of use has been applied for and it is agricultural land.
- Would destroy a green highway link for wildlife.
- It is not 'limited infilling', not a small gap.
- Fails to comply with various elements of NPPF and P1 as detailed by AONB Officer and CPRE.
- It will block the view of Crooksbury Hill for many other properties in the vicinity.

Planning policies.

National Planning Policy Framework (NPPF), 2021:

Chapter 5: Delivering a sufficient supply of homes.

Chapter 8: Promoting healthy and safe communities.

Chapter 9: Promoting sustainable transport.

Chapter 11: Making efficient use of land.

Chapter 12: Achieving well-designed places.

Chapter 13: Protecting Green Belt land.

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:

H1: Homes for all.

P1: Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value.

P2: Green Belt.

P5: Thames Basin Heaths Special Protection Area.

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:

National Design Guide (NDG), 2019.
GBC Maximum Vehicle Parking Standards, 2006.
Residential Design Guide, 2004.

Planning considerations.

The main planning considerations in this case are:

- the principle of development and the impact on the green belt
- change of use
- the impact on the character of the area
- living environment
- the impact on neighbouring amenity
- the impact on highways and parking
- the impact on trees and vegetation
- the impact on operational services
- sustainability
- biodiversity

The principle of development and the impact on the green belt

The application site is located within the green belt and outside the identified settlement area of The Sands. The NPPF attaches great importance to the Green Belt and the construction of new buildings is regarded as inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149 sets out a number of exceptions to this which include 'limited infilling in villages', the LPSS sets out further criteria related to the assessment of whether a proposal constitutes limited infilling. For the purposes of policy P2 limited infilling is considered to be the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage.

Policy P2 of the Local Plan, 2015-2034, sets out that limited infilling may be appropriate in the certain specified villages, where it can be demonstrated that the site should be considered to be within the village. This includes the village of Seale.

Is the site within a village?

The application site is in close proximity to the village amenities, including the Barley Mow Public House and The Sands Village Hall. The site is opposite the Barley Mow access and the village telephone box and defibrillator. The Sands Village Hall is approximately 100 metres from the proposed infill plot. The proposed site access would be under 30 metres from the closest section of public footpath linking the village. Therefore, owing to its proximity to the built up area of the village and the village amenities, it is considered that the site could reasonably be part of the village of The Sands.

Is the site substantially surrounded by built development?

The application site features residential development to both sides of the plot and opposite is the site of the Barley Mow and another residential property. The residential development to the north of the site is part of a continuous linear frontage which runs along Smugglers Way and Sands Road. The proposal would further extend the continuous linear stretch of development by connecting the built development to the south-west of the site with that of the north/north-west. As a result of the positioning of the site and the surrounding built form and associated curtilage, the only part of the site which borders land devoid of any development is therefore the western edge. This is only a small section of the site and owing to its surroundings the plot is found to be substantially surrounded by built development.

Therefore, the proposal represents limited infilling within a village and is therefore considered to represent an appropriate form of development in the Green Belt. The proposal is found to be compliant with policy P2 of the LPSS, 2015-2034, and paragraph 149(e) of the NPPF, 2021.

The impact on the character of the area, AONB and AGLV

The National Design Guide sets out that well-designed development is influenced by local character and the characteristics of existing built form, and it is important to consider the composition of street scenes, the height, scale, massing and relationships between buildings, the scale and proportions of building and landscaping, both hard and soft. The proposal relates to the construction of a new detached 5 bedroom dwelling with detached garage and associated landscaping works. The site is currently comprised of vegetation, grass and trees with no built form. The boundaries are predominantly marked by stock fencing and vegetation. Whilst the site does not currently feature built form, it does sit between other residential development. The surrounding area is characterised by the rural nature with low density development which is well spaced and permits through views.

The majority of the boundary treatments that front Smugglers Way comprise mainly hedges made up of indigenous plants and therefore this treatment is reflected in the proposed design. This will help to create an attractive green boundary. The new access which is proposed to the south of the existing access will be in the form of a wooden 5-bar gate which will give a softer and more attractive appearance but still in-keeping with the rural theme, the existing metal gate would be removed and vegetation planted in its place to add to the green buffer at the front of the site.

The proposed building would be two storeys in height and would reflect the footprint and surrounding pattern of development. The ground level rises gently to the south and south-west and as a result of this and the height of the dwelling, the proposal would not exceed the ridge height of neighbouring Merlins but would instead occupy a position which creates a gradual step up in building heights from north to south.

The Design and Access Statement sets out that the palette of materials utilised on surrounding houses is as follows:

- Walls: Stone, render, tile hanging, timber, composite cladding, brick
- Roofs: Cedar shingles, grey slates, concrete roof tiles, clay roof tiles

The proposed design would have the following material palette:

- Roof: Red/brown clay tiles
- Walls: A mixture of random rubble stone and second hand bricks
- Windows: A combination of oak framing and Crittal style black polyester powder finished aluminium
- Special features: Oak framing and struts

The design and materials would blend with the surrounding dwellings and as such the resultant dwelling would be respectful to its surroundings and in keeping with the character of the area.

The site is of limited visibility from wider vantage points and would be located within a predominantly residential area surrounded by other built development. As a result of these factors and the appropriate scale, design and vegetative boundary treatment, it is not considered that the proposal would have any materially harmful impact on the character of the immediate surrounding area or the special landscape character of the AONB or AGLV.

The AONB Officer has made comments regarding the proposal and raises concern following his site visit, having previously considered that there might not be justification for refusal on AONB grounds. The Officer sets out that: "the house design is not unattractive in itself but its size and the bold extensive glazing on the frontage would reinforce its visual presence in the village scene. It would be higher than many others, some of which are single storey. The open grassland with sporadic trees would change in character not just from the presence of the proposed house but through there being the attendant paraphernalia, including parked vehicles close to the lane and a domestic garden with possibly structures. The landscape which currently tends to dominate the buildings would change in character, to its detriment." It is concluded by the AONB Officer that the impact on the AONB would only be localised and would not affect the wider AONB landscape. Whilst the AONB Officer is a consultee, it is for the Local Planning Authority to make a judgement on the advice and in this case Officer's do not feel that there would be a material impact from the scheme which is able to warrant refusal. This decision is made on the basis of the proposed location, design and positioning of the dwelling and its surroundings, further the AONB Officer concludes in his view that any harm would only be localised and considering the limited visibility of the site in longer AONB views, the proposal is found to be acceptable in this regard.

The proposal is found to be compliant with policies D1 of the LPSS, 2015-2034, and G5 of the saved Local Plan, 2003, and the requirements of Chapter 12 of the NPPF, 2021, the National Design Guide, 2019, and the Residential Design Guide, 2004.

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 application proposes the construction of a 5 bedroom, two storey dwelling. The standard requires 128 square metres of floor area for a 5 bedroom, 2 storey, 8 person, dwelling. The proposal would well exceed this requirement.

The standard also sets out dimensional requirements in respect of bedroom sizes, double bedrooms must be at least 11.5 square metres in area and one double must be at least 2.75 metres wide with every other double at least 2.55 metres wide. Single bedrooms must be at least 7.5 square metres in floor area and at least 2.15 metres wide. The proposed dwellings comply with these dimensional requirements. The floor plans show appropriate room sizes for their intended use and adequate outlook.

The proposed garden area would be adequate in terms of outdoor amenity space.

The proposal is found to be acceptable in this regard.

The impact on neighbouring amenity

The closest neighbouring properties are Smugglers' End and Merlins.

Smugglers' End is the immediate neighbouring property to the north of the application site. The dwelling would be located, at the closest point, over 8 metres from the shared boundary which consists of substantial mature vegetation. There would be two small first floor windows in the northern side elevation of the dwelling, these would serve as a window for the second bedroom en-suite and a secondary window to the master bedroom. As a result of their function and positioning, it is considered appropriate to condition that these windows are obscure glazed. As a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on this neighbouring dwelling.

Merlins is the immediate neighbouring property to the south-west of the application site. The dwelling would be over 20 metres from the common boundary which is a significant separation distance and will mitigate any impact on this neighbour. Further no side windows are proposed in the south-western elevation of the proposed dwelling. The boundary treatment between these properties would consist of vegetation. Therefore, as a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on this neighbouring dwelling.

Therefore, the proposal is compliant with policy G1(3) of the saved Local Plan, 2003, and the requirements of the NPPF, 2021.

The impact on highways and parking

The proposal would provide parking off road for three vehicles, one space being within the detached garage and two available on the driveway. The garage would be of sufficient scale, measuring 6x3m internally, this allows for the parking of a vehicle and cycle storage. The parking provision would be compliant with the Council's Parking Standards which require two vehicle parking spaces per dwelling.

The County Highways Department has reviewed the application in terms of highway safety and capacity and have raised no objection. The applicant has provided information which demonstrates that there is space within the site for all vehicles to manoeuvre so that they can enter and leave the site in forward gear.

Therefore, the proposal is found to be acceptable in this regard, and compliant with policy ID3 of the LPSS, 2015-2034, and the requirements of the NPPF, 2021.

The impact on trees and vegetation

The application site is located in an area which has a rural character, the site features a number of trees and mature vegetation. The Council's Arboricultural Officer has visited the site and whilst it was identified that a small number of trees which formed part of the tree survey report have been removed prior to development.

However, the Arboricultural Officer considers that whilst they would have had aesthetic benefit, they looked to have some decay so their loss would not have been objectionable. An updated Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan should be submitted prior to the commencement of development, therefore, a condition will be added in this regard.

Therefore, subject to conditions, the proposal would be compliant with policy NE5 of the saved Local Plan, 2003, and the requirements of Chapter 15 of the NPPF, 2021.

The impact on operational services

The dwelling will be provided with sufficient bin storage to the side of the property, bins will be able to be presented for kerbside collection.

Therefore, the proposal is found to be acceptable in this regard, and compliant with policy D1 of the LPSS, 2015-2034, and the requirements of the NPPF, 2021.

Sustainability

The sustainability measures are set out in the Sustainability and Energy Statement, dated July 2021, this details that the development will achieve the carbon emissions reduction through:

- Rainwater harvesting to supply water for garden watering and general outside use such as car washing,
- Extensive use of low energy lighting,
- The dwelling will be fitted with shower save systems,
- A standard of thermal insulation higher than that required by the current building regulations,
- The dwelling will be fitted with an Air Source Heat Pump to serve the heating system, and
- The dwelling will have a whole house ventilation system with heat exchanger.

Conditions will be added to cover submission of reports and calculations to demonstrate compliance with the 20% carbon emissions requirement and water efficiency target.

Therefore, the development is found acceptable in this regard and would be compliant with policy D2 of the LPSS, 2015-2034, and the requirements of the NPPF, 2021.

The impact on flooding

A number of third party comments make reference to potential for the proposal to exacerbate existing flooding in the area. The Environment Agency has designated this site to lie within an area which is at low risk from surface water flooding. The Design and Access Statement states that the proposals will incorporate rainwater harvesting, permeable driveway and parking area and all surface water will be discharged to soakaways.

Therefore, the proposal is found to be acceptable in this regard.

Biodiversity

Policy ID4 of the LPSS requires a improvements in biodiversity to be achieved on a site, the supporting Design and Access Statement sets out mitigation in terms of bats and that bird boxes would be delivered. However, further commitments are required to ensure biodiversity enhancements and net gain, therefore, the submission of a detailed biodiversity enhancement strategy will be conditioned.

The proposal is compliant with policies ID4 of the LPSS, 2015-2034, NE4 of the saved Local Plan, 2003, and the requirements of the NPPF, 2021.

Conclusion.

The proposal is found to represent appropriate development within the green belt, have a design which respects the surrounding area and the special landscape character of the AONB and AGLV, have an acceptable living environment for occupants, cause no materially harmful loss of light, loss of privacy or overbearing impact to neighbouring properties, present no highway safety or capacity issues and provide a sufficient, standard compliant, level of parking. Further there would be no adverse impact on trees or vegetation or operational services. The development would provide sustainable measures and will deliver biodiversity enhancement on the plot. The application is compliant with both local and national planning policy and is, therefore, recommended for approval.