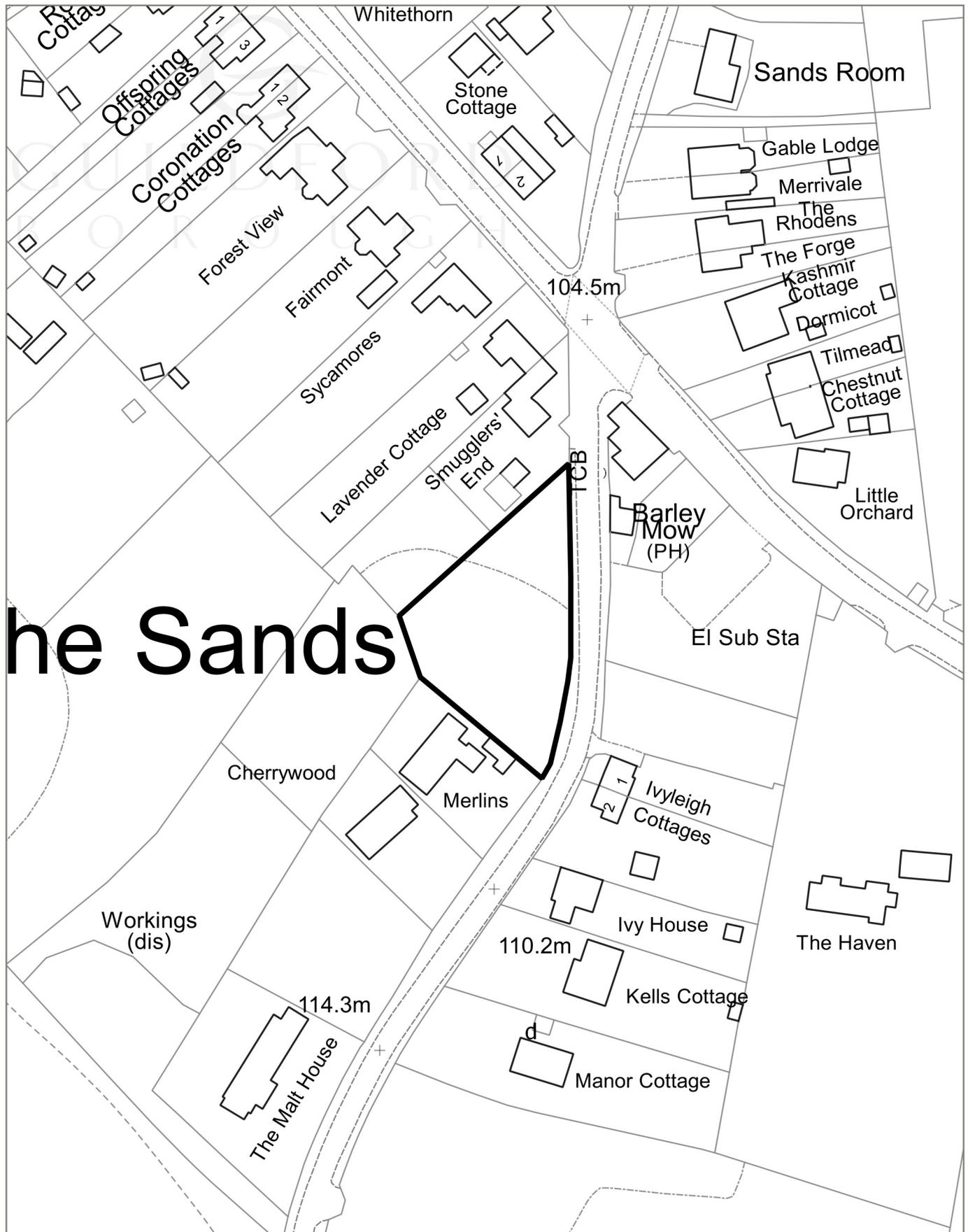


21/P/02454 - Land Between Smugglers End And Merlins, Smugglers Way, The Sands, Farnham



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21/P/02454 – Land Between Smugglers End and Merlins, Smugglers Way, The Sands, Farnham



Not to scale

App No: 21/P/02454
Appn Type: Full Application
Case Officer: Becky Souter

8 Wk Deadline: 29/04/2022

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

Ward: The Pilgrims
Applicant: Mr 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 attached garage on land between Smugglers End and Merlins, Smugglers Way.

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

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 follows a similar scheme refused by the Planning Committee in September 2021. The reason for refusal was:

The proposal would, by virtue of the scale, bulk and design of the dwelling and the location and positioning of the detached garage, have a materially harmful impact on the local character and appearance of the area. The proposal would therefore fail to comply with policies D1 of the Guildford Borough Local Plan: Strategy and Sites, 2015-2034, G5(2) of the saved Local Plan, 2003, and Chapter 12 of the NPPF, 2021.

This proposal has sought to amend the scheme in line with the reason for refusal by reducing the overall scale of development and incorporating the garage within the built form of the dwelling.

	Proposed (21/P/02454)	Refused application (21/P/00535)
Gross external floor area	291.0 square metres	320.5 square metres
Footprint	157.5 square metres	173.6 square metres
Height	8.1 metres	8.5 metres
Width	19.6 metres	20.0 metres
Depth	12.7 metres	13.3 metres

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 an Air Source Heat Pump and photovoltaic panels, along with sustainable measures to be utilised for the development.

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/P/101; 1533/P/-102A; 1533/P/-103; 1533/P/-104; 1533/P/-105; 1533/P/-106; 1533/P/-107; 1533/P/-108; 1533/S-01; 1533/S-02 and 1533/S-03 received on 25/11/2021.

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. The development hereby approved shall be carried out in accordance with the details within the completed Climate Change, Energy and Sustainable Development Questionnaire (completed by James Deverill and Richard Payne); 'SAP 2012 "As Designed" Calculation for Part L1A' by SBS Energy, Reference 3432A30/03/2022 and Sustainability Evidence Letter with calculations by Specialist Building Surveys, dated 30/03/2022, all received on 30/03/2022. These include measures to achieve a [44.4% carbon reduction] using an Air Source Heat Pump and Photovoltaic panels. 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. No vehicle shall access the site unless and until the proposed vehicular access to Smugglers Way hereby approved has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m 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 plans 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-101, it shall thereafter retained and maintained for its designated purposes.

Reason: In the interests of sustainability.

9. 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.

10. 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.

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: In the interests of sustainability and in accordance with the requirements of policy D2 of the Guildford Borough Local Plan: Strategy and Sites, 2015-2034.

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 and the application was acceptable as submitted, subject to additional sustainability information being provided during the application process.

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-crossovers-or-dropped-kerbs.

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 attached garage on land between Smugglers End and Merlins, Smugglers Way.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/P/00535	Erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.	Refuse 09/09/2021	N/A

Consultations.

Statutory consultees

County Highway Authority: No objection.

- It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. Vegetation should be regularly maintained at the site access to ensure maximum visibility splays are achievable at all times. The Highway Authority considers that the proposal will not have a material impact on highway safety.

Non-statutory consultees

Surrey Hills Area of Outstanding Natural Beauty Officer: Objection.

- The application should be refused and reference be given to the development harming the Surrey Hills AONB.

Parish Council

Seale and Sands Parish Council: Objection.

- The impact on this site is the same as the previous proposal which was refused.
- Site is in the Green Belt, AONB and AGLV where there is a presumption against development.
- 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.]
- Proposal would not be in compliance with policy D1 of the Local Plan, G1 or G5 of the saved 2003 plan, chapter 12 of the NPPF and resultant design guidance.
- Proposal is a change of use.
- The proposal does not reflect the characteristics of local built form and street scene.
- Adverse impact on privacy of neighbours.
- Trees have been felled on site before permission was granted.

Third party comments:

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

- Development should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside, the proposal is contrary to this policy.
- The dwelling is too large for its setting.
- Harm to the AONB.
- The proposal is not limited infilling.
- The amendments are not enough to address concerns of previously refusal application.
- No change of use has been applied for and it is agricultural land.
- Adversely impact on views of Crooksbury Hill.
- Loss of a green highway link for wildlife between the upper woods/fields and the village recreation ground, golf course and farmland beyond.
- Building works will cause noise pollution.
- Impact on local roads.
- The proposal would overlook and cause an adverse impact on privacy neighbouring properties.

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:

- background
- the principle of development and the impact on the green belt
- design and the impact on the character of the area
- the impact on the AONB and AGLV
- 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

Background

This application follows a previously refused proposal for a similar development. The former application was recommended for approval by Officers but refused by the Planning Committee, the reason for which is set out below:

"The proposal would, by virtue of the scale, bulk and design of the dwelling and the location and positioning of the detached garage, have a materially harmful impact on the local character and appearance of the area. The proposal would therefore fail to comply with policies D1 of the Guildford Borough Local Plan: Strategy and Sites, 2015-2034, G5(2) of the saved Local Plan, 2003, and Chapter 12 of the NPPF, 2021."

To address the reason for refusal the following amendments have been made:

- The gross external floor area of the dwelling has decreased from 320.5 square metres to 291.0 square metres, this reduces the overall scale and bulk of the proposed dwelling when compared to that previously refused.
- The eaves of the proposed dwelling have been reduced so that the first-floor windows are now half-dormers.
- The footprint of the dwelling has also been made smaller.
- The scale and bulk of the building has reduced and the ridge height has decreased to 8.1m.
- The height of the building is now identical or lower than the surrounding two-storey dwellings.
- The garage is now attached to the dwelling, positioned on the northern elevation.

Proposed scale amendments:

	Proposed (21/P/02454)	Refused application (21/P/00535)
Gross external floor area	291.0 square metres	320.5 square metres
Footprint	157.5 square metres	173.6 square metres
Height	8.1 metres	8.5 metres
Width	19.6 metres	20.0 metres
Depth	12.7 metres	13.3 metres

Further, Councillors raised concerns at the proposed location and positioning of the detached garage on the former proposal at the application site. It is useful to note that a replacement outbuilding at neighbouring Smugglers End is now under construction, this outbuilding introduces more bulk than the one it replaces and therefore is more visible than that demolished. The dwelling now proposed includes an attached garage which would be far less visually prominent and of extremely modest scale when compared to that undergoing construction at Smugglers End.

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.

Design and the impact on the character of the area

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 4 bedroom dwelling with attached 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.

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.

Impact on the AONB and AGLV

The AONB Officer previously made comments regarding the proposal and raised concern following his own site visit. In relation to former application 21/P/00535 it was set 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 was concluded by the AONB Officer that the impact on the AONB would only be localised and would not affect the wider AONB landscape, however, recommended refusal on this ground.

In relation to this revised submission the AONB Officer has commented: "*The submitted justification for the proposed development does not recognise the significant and positive contribution the undeveloped nature of this land plays in instilling an attractive landscape character to this part of the village. This land provides for the AONB landscape to flow into this part of the village rather than for the village character merely to be roads lined throughout by dwellings.*" Concern remains, in line with previous comments, and further the AONB Officer considers that "merely replacing and enlarging the previous single storey side extension to provide a garage detracts from the appearance of the house. In time, the garage would likely be incorporated as living accommodation with permission sought and likely granted for a replacement garage as the current attractive character of the site would have then been spoiled".

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. It should also be noted that the previously larger scheme, including detached garage, was not refused on AONB or AGLV grounds and as such to recommend refusal on this ground would introduce significant inconsistency in decision making. The assessment of this case 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 policy P1 of the LPSS, 2015-2034 and the requirements of Chapter 15 of the NPPF, 2021.

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 4 bedroom, two storey dwelling. The standard requires 115 square metres of floor area for a 4 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 9 metres from the shared boundary which consists of substantial mature vegetation. No first floor side windows are proposed. 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. One small side window is proposed in the south-western elevation of the proposed dwelling, this would serve a bathroom and therefore will likely be obscure glazed. However, owing to the distance and boundary treatment, even if the window were clear glazed, it would not materially harm privacy. 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 attached garage and two available on the driveway. The garage would be of sufficient scale, measuring 6x3m internally. 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

Policy D2 (1) sets out that:

"Applications for development, including refurbishment, conversion and extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated including:

- (a) the efficient use of mineral resources and the incorporation of a proportion of recycled and/or secondary aggregates
- (b) waste minimisation and reusing material derived from excavation and demolition
- (c) the use of landform, layout, building orientation, massing and landscaping to reduce energy consumption
- (d) water efficiency that meets the highest national standard and
- (e) measures that enable sustainable lifestyles for the occupants of the buildings, including electric car charging points"

Further policy D2 (3) states that:

"Major development should include a sustainability statement setting out how the matters in this policy have been addressed. Smaller developments should include information proportionate to the size of the development in the planning application."

A completed Climate Change, Energy and Sustainable Development Questionnaire, SAP 2012 "As Designed" Calculation and Sustainability Evidence Letter by Specialist Building Surveys Ltd has been submitted during the application process.

This information sets out that a fabric first approach is proposed, the U-values and air tightness details demonstrate that a fabric first approach has been followed. The scheme proposed to use an Air Source Heat Pump and photovoltaic panels on the roof. The SAP calculations demonstrate that the dwelling will achieve a 24% reduction in carbon emissions, when compared to the target emission rate for the dwelling, (using the SAP 2012 calculations). Therefore, the proposal would meet the policy requirement in this regard.

Use of minerals and construction materials and management of waste, waste minimisation: The proposal relates to the construction of a new dwelling on an undeveloped site so limited opportunities for materials from the site to be reused. The excavation works will result in the creation of spoil however this will be reused to landscape the garden. Pallets and packaging from non-mineral construction waste will be returned to supplier for appropriate re-use or disposal. The design includes the use of plain clay tiling and red facing brickwork which are local construction materials and therefore can be sourced locally. The walls are to be constructed using a mixture of random rubble stone and second hand bricks. Oak framing is also included in the design and will be locally sourced. All timber to be FSC certified.

With regards to water efficiency, the details provided in part 3 of the Climate Change, Energy and Sustainable Development questionnaire set out that all sanitary fittings will be specified in accordance with water efficiency requirements. Rainwater harvesting proposed to provide water for the garden and to wash cars. A condition will be added to secure the submission of water efficiency calculations.

Measures to enable sustainable lifestyles: The building provides a study / home office to encourage remote working. An electric car charge point is proposed next to the garage. The dwelling is located in a sustainable position in the village centre. Secure cycle storage is proposed within the garage. Bin storage is also shown to be provided to the northern side elevation of the dwelling.

Climate change adaptation: The building has been designed so that it will provide a constant temperature for occupants. It allows solar gains within the morning and evening where temperatures are lower but will have a very high level of insulation to prevent gains through the fabric. The use of soft landscaping and permeable surfaces will be maximised. The location is shown on the proposed site plan. The new driveway will be of a permeable construction.

A review of the application and has confirmed that the proposals are adequate in this regard.

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.

The impact on biodiversity and ecology

It is of note that the LPSS, 2015-2034, require a net gain in biodiversity to be achieved on a site. The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement. The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023, the absence of this change to TCPA and no Development Plan policy regarding biodiversity net gain. It would be unreasonable to maintain this reason for refusal, in this instance. However, as para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity and policy ID4 of the LPSS seeks to contribute to biodiversity and as such it is found to be appropriate to require biodiversity enhancements by condition.

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.