

# PLANNING STATEMENT

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**IN RELATION TO:**

***'PROPOSED ERECTION OF A REPLACEMENT  
DWELLING, FOLLOWING DEMOLITION OF THE  
EXISTING PROPERTY AND 2 NO. ASSOCIATED  
GARAGE BUILDINGS'***

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**7 MILL HILL, SHOREHAM-BY-SEA, WEST SUSSEX,  
BN43 5TG**

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**FEBRUARY 2025**



## 1. INTRODUCTION

1.1 We are instructed by our clients, Mr. Adam Hempenstall and Ms Sabrina Barron, to prepare this Statement in support of a full Planning Application for the erection of a replacement dwelling, following the demolition of the existing property and 2 No. associated garage buildings.

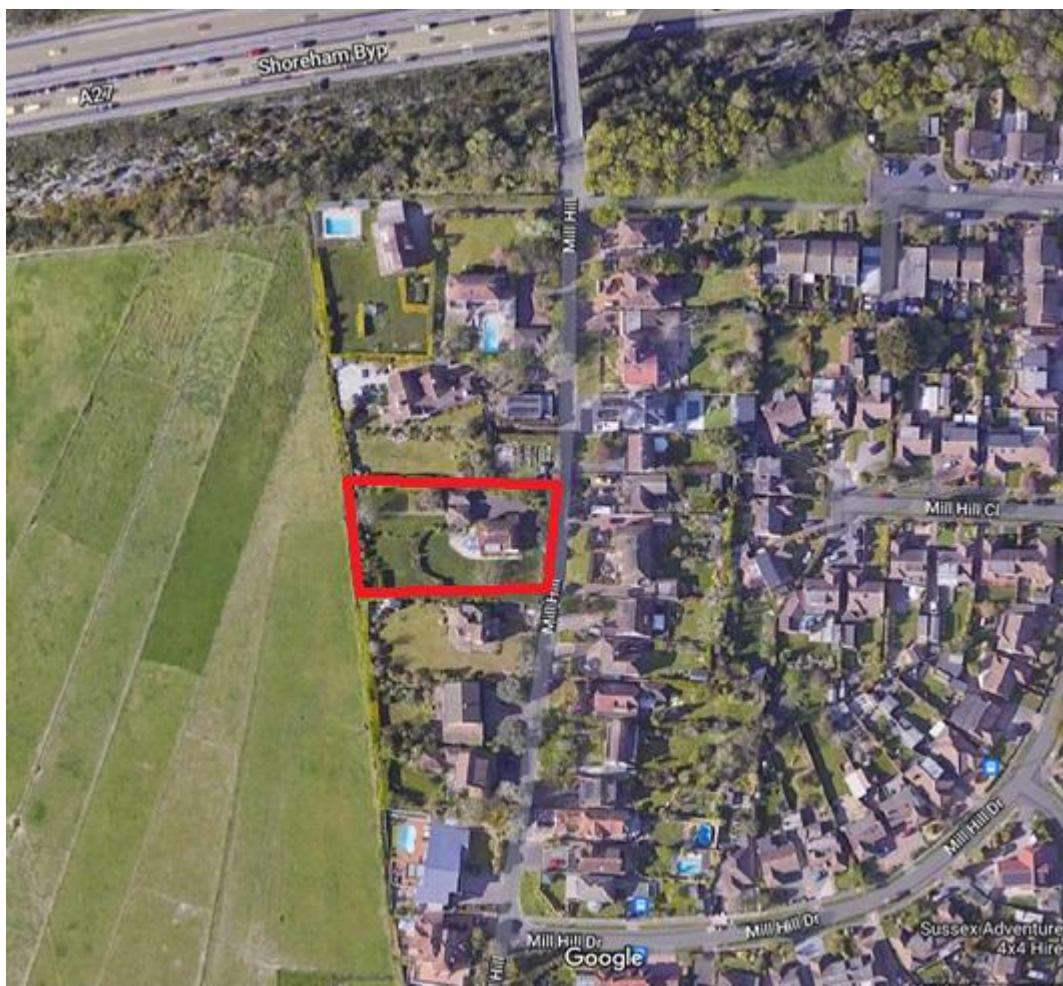
1.2 The planning application is accompanied by a complete set of drawings, which have been prepared by Fresh Architects.

1.3 The application is also accompanied by the following technical reports:-

- Design and Access Statement, prepared by Fresh Architects;
- Arboricultural Impact Assessment & Method Statement, prepared by Arbortrack Systems Ltd;
- Preliminary Ecological Appraisal, prepared by Phlorum; and
- Bat Activity Survey Report, prepared by Phlorum.

## 2. SITE CONTEXT

- 2.1 The existing property comprises a 2-storey detached, four bedroom (8 person occupancy) dwelling house. It is located on a substantial sized plot towards the top of Mill Hill, on the west side of the road. The application site also has two associated detached garages, which are intended to be demolished as part of the development.
- 2.2 The existing building is traditional in form and comprises of brickwork and a pitched roof with clay tiles.



**Fig 1.** Aerial map showing the site and its surroundings (courtesy of Google Maps)

- 2.3 The site is broadly rectangular in shape, measuring 0.19 hectares in size.
- 2.4 The application site adjoins Mill Hill to the east side. The site is bordered by neighbouring 2-storey properties to the north and south, and fields to the west. The District boundary with the South Downs National Park lies a short distance to the north, on the opposite (north) side of the A27 trunk road, which is located in a cutting in the hill.
- 2.5 Mill Hill and the surrounding streets are residential in character, generally comprising substantial sized properties located on large plots. Properties are typically set back from the road. Properties are varied in scale, form, design and use of materials. We are aware of a number of recent planning applications relating to significant alterations to neighbouring properties.
- 2.6 In terms of planning designations and constraints, it is understood that the Site lies within the defined built up area boundary where the principle of new development is generally accepted. The Site lies in flood zone 1, and we are not aware of any Ancient Woodland or protected trees on or close to the site.

### 3. RELEVANT PLANNING HISTORY & PRE-APPLICATION DISCUSSIONS

#### (i) Planning History - The Application Site

3.1 According to the Council's records, the application property has the following planning history:

- **Planning ref: SU/48/84/TP/3011/**: Double Garage. Application Permitted 16<sup>th</sup> April 1984.
- **Planning ref: SU/45/84/TP/3002/**: Alterations to roof (including raising ridge height) to provide rooms at first floor level. Application Permitted 2<sup>nd</sup> April 1984.
- **Planning ref: SU/286/79/TP/8877/**: Rooms in roof two bedrooms and toilet. Refused 10<sup>th</sup> September 1979.

#### (ii) Planning History - Nearby Sites

3.2 It is noted that No.38 Mill Hill, on the opposite side of the road from No.7 received planning permission in August 2022 for significant works to the existing dwelling described as 'Demolition of existing garage and workshop. Proposed two storey side extension on north side, including new double garage, and ground floor rear extension with additional accommodation within roof space, including rooflights on all sides of roof. First floor and roof extension to south side. Swimming pool in rear garden' (reference AWDM/1006/22).

3.3 No.3 Mill Hill received planning permission in April 2015 for 'Alterations to existing chalet bungalow including raising ridge height to accommodate first floor extension' (reference: AWDM/0397/15).

3.4 Land to the south of No.1 Mill Hill received planning permission on 2<sup>nd</sup> October 2007 for the 'construction of new 2 bedroom detached dwelling' (reference ADC/0477/07).

- 3.5 With respect to No.1A Mill Hill, permission was granted in March 2009 for a 'Two-storey south side extension including integral garage to replace existing garage (converted to room) and associated alterations' (reference ADC/0049/09).
- 3.6 Neighbouring No.9 Mill Hill (to the north of the Application Site), received planning permission in April 2013 for 'Construction of single storey extensions to north elevation and roof alterations including construction of dormer extension to west roofslope' (reference AWDM/0151/13).

(iii) Pre-application Enquiry

- 3.7 A pre application enquiry to consider '*proposed erection of a replacement dwelling, following demolition of existing property and 2 no. associated garage buildings*' was submitted to the Council for consideration, with a formal response being received via letter dated 3<sup>rd</sup> October 2023 (**PREAPP/0072/23**).
- 3.8 The Council raised some concerns at the pre-application stage regarding the bulk, height and scale of the replacement house; concluding that "*a less ambitious proposal which is more in keeping with the style, scale and site coverage of other properties in the area should be considered instead*".
- 3.9 In direct response to these concerns, two sets of amended plans were submitted to the Council for consideration in January 2024. The Council's Planning Officer responded to the first set of amended plans, noting that "*the new form of the building has largely taken account of my previous comments by changing to a two storey building with pitched roofs. There is less bulk on the northern boundary too... I note that the plot is large and that it may not appear too cramped as a result.*" The Planning officer however recommended a further reduction to the height at the south side of the replacement dwelling.

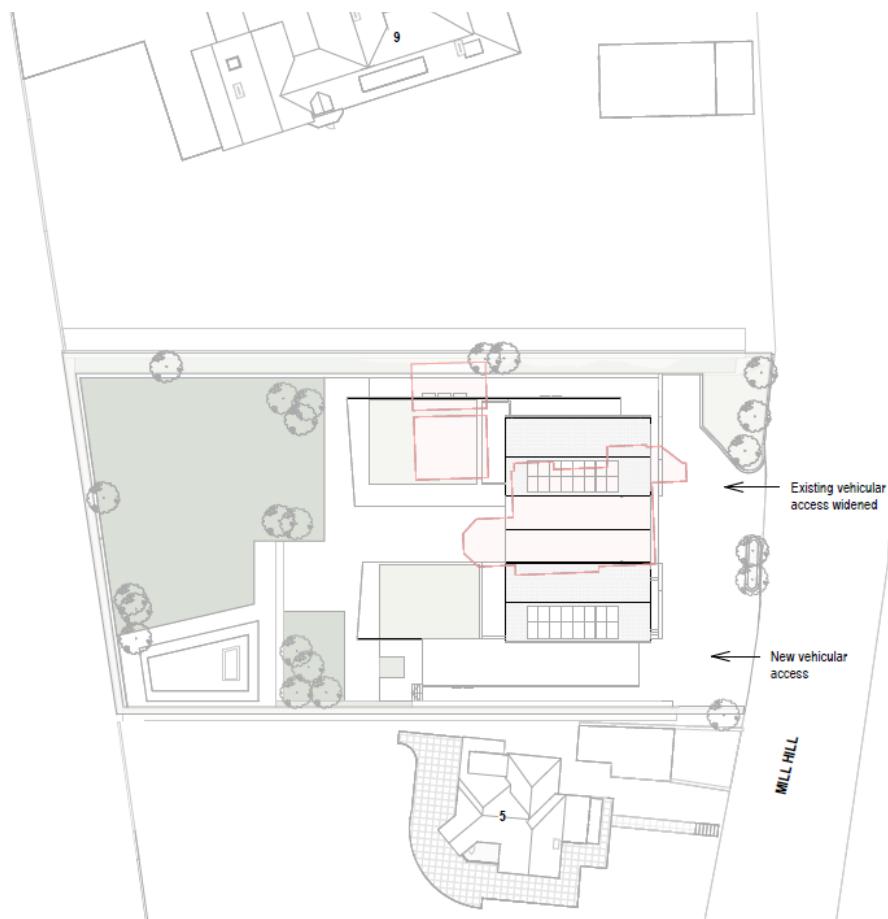
3.10 These comments were taken on board by the Scheme's Architect, and further revised plans were produced that showed the southern end of the new property reduced in height. Having considered these revised plans, the Council's Planning Officer then noted that *"the slight drop in height at the southern end is better and the brick colour and detail looks ok. I have nothing further to add at this stage..."*.

3.11 We are confident that the resultant application would represent a high quality development, which has fully taken all of the Council's input.

#### 4. THE APPLICATION PROPOSALS

4.1 This Planning Application seeks planning permission for the erection of a replacement dwelling, following the demolition of the existing property and 2 No. associated garage buildings.

4.2 The replacement dwelling would comprise a two storey detached, four-bedroom property, with a basement. It would be of a contemporary design, with dual pitched roofed elements to the north and south sides, linked by a flat roofed central element. To the rear would be flat roofed single story elements that would partially project into the property's large rear garden. One of these rear elements would accommodate a swimming pool.



**Fig 2. Proposed Site Layout Plan**



**Fig 3.** Proposed Front east elevation

4.3 The accompanying Design and Access Statement states that *“the property is designed as two wings connected with a central entrance and circulation lobby. The design of the new dwelling works with the existing topography of the site with the south facing wing being the lowest and the north wing being the tallest. All proposed roofs are contained within a notional line connecting the ridge's of no.5 and no.9 - this is to make sure that the proposed house is not dominant to either neighbour and sits within the scale of its existing setting. The inclusion of green roofs to the proposed single storey rear flat roofs soften the overall proposal to help it merge into its setting providing a good level of green areas and a more sustainable design for the proposed contemporary home”*. With regard to materials, the application proposes the use of durable materials which are common in the locality, such as render, brickwork, and tiled roofs, and can be seen on other properties along Mill Hill.

4.4 The existing vehicular access is proposed to be retained, with a new vehicular access proposed to the south side of the property, in order to allow an in and out driveway. The proposal would provide space for 2 No. covered parking spaces within a garage attached to the south side of the property. Additionally there will be ample space on the new property's driveway to accommodate a further 4 No. cars. Two EV charging points has been incorporated into the development proposals. Space has also been allocated for cycle storage, and storage for 3 no. domestic bins.

## 5. PLANNING POLICY CONTEXT

### (i) National Planning Policy Framework (NPPF)

5.1 The National Planning Policy Framework (NPPF) was originally published in 2012, and has been subject to a number of revisions subsequently, with the most recent version being published on 12<sup>th</sup> December 2024.

5.2 The NPPF confirms that planning law, as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.3 The focus of the revised NPPF continues to be achieving sustainable development. The NPPF clarifies that *“at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”* (taken from Resolution 42/187 of the United Nations). However, at paragraph 8 the Framework sets out that in planning terms, and in order to achieve sustainable development there are *“three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)”*. These objectives are economic, social and environmental, which *“should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”* (paragraph 9).

5.4 Paragraph 11 is an important element of the NPPF. It states that: *“Plans and decisions should apply a presumption in favour of sustainable development... For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”.*

5.5 Paragraph 12 confirms that *“the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”*.

5.6 Section 4 of the Plan refers to Decision Making. At paragraph 39 of the Framework, it sets out that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every*

*level should seek to approve applications for sustainable development where possible”.*

- 5.8 Section 11 is entitled ‘Making effective use of land’. Paragraph 119 confirms that “*planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*”.
- 5.9 Paragraph 125 sets out that decision makers are required to give regard to benefits of development, including environmental gains, and should “*(c) give substantial weight to the value of using suitable brownfield land within settlements for homes ...[and] (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...*”.
- 5.10 Section 12 refers to achieving well-designed and beautiful places. Paragraph 131 states “*the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development...*”.
- 5.11 Paragraph 135 sets out that “*decisions should ensure that developments:*”  
  - (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>51</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".*

5.12 Paragraph 136 notes that "trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users".

5.13 Paragraph 139 confirms that "development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes".

5.14 Further parts of the Framework that are of particular note include Section 14, which relates to meeting the challenge of climate change, flooding and coastal change.

(ii) The Adur Local Plan 2017

5.15 The Adur Local Plan was adopted at a meeting of Adur Full Council on 14th December 2017. The Adur Local Plan includes the following policies, which are of relevance in this case:

5.16 **Policy 1** (Sustainable Development) states that “*when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework*”.

5.17 **Policy 15** (Quality of the Built Environment and Public Realm) states that “*Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping. Development should:*

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Include a layout and design which take account of the potential users of the site;*
- *Incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;*
- *Respect the existing natural features of the site, including land form, trees and biodiversity and contribute positively to biodiversity;*
- *Have safe access to the highway network, and not result in harm to highway safety;*

- *Have acceptable parking arrangements (in terms of amount and layout);*
- *Take into account the need for waste reduction and recycling, both during the construction phase and over the lifetime of the development;*
- *Incorporate public art in major developments\* where appropriate".*

5.18 **Policy 18** (Sustainable Design Residential) states that "*all new dwellings must achieve a water efficiency standard of no more than 110 litres/person/day (lpd)*".

5.19 The following policies are also of relevance:-

- **Policy 2** (Spatial Strategy);
- **Policy 28** (Transport and Connectivity);
- **Policy 30** (Green Infrastructure); and
- **Policy 36** (Flood Risk and Sustainable Drainage).

## 6. PLANNING ASSESSMENT

### Principle of Development

- 6.1 This proposal is seeking planning permission for the provision of a replacement dwelling, following the demolition of the existing two storey property and associated garages.
- 6.2 As identified above, the Local Plan proposals map identifies that the site lies within the defined built-up area boundary, where there is a presumption in favour of new development subject to other Development Plan policies. In addition, the site is not subject to any specific landscape or heritage designations.
- 6.3 The use of the site will remain unchanged as a result of the development. Government Planning Policy supports effective and efficient use of land for sites such as this, but also advises that new housing is well integrated with and complements neighbouring buildings and its local area in terms of scale, density, layout and access.
- 6.4 Finally, the existing property is not Listed and it is not located within a Conservation Area. Nor is the locality recognised within any development plan or other document as being designated for its particular built or landscape character or quality. As such, there is no planning justification for retaining the existing property. In addition, the Planning Officer did not raise any 'in principle' concerns regarding the demolition of the existing property or the redevelopment of the site with a replacement dwelling at the pre-application stage.

### Character & Visual Amenity

- 6.5 The surrounding area is characterised by large properties, located on sizeable plots. It is our opinion, that in comparison to neighbouring properties, this plot is currently being underutilised. It will be noted from a site visit that many surrounding

properties span the width of the site (refer to **fig 4**), as opposed to the existing built form at No. 7 Mill Hill, which only fills a relatively small proportion of the site's frontage, with a large side garden. We contend that this represents an opportunity for a more efficient use of the site, via a modern design solution that will create a high quality designed new house. Although modern in appearance, the new dwelling's symmetrical form and use of pitched roofs and a range of materials that are commonplace in this area, mean that the resultant development will be respectful of its location and will not appear incongruous or out of keeping.



**Fig 4.** Extract from existing Location Plan

6.6 The accompanying DAS notes that “*the scale of this proposal carefully considers the site restraints and its limitations in terms of area and mass and the footprint of the existing building has been maintained where possible. The siting of the proposed dwelling utilises the built footprint of the existing building to be demolished towards the north of the site and utilises the available space to the south of the existing building where there is evident space for development.*

*The proposed footprint of the new dwelling is proportionate to its plot and overall curtilage allowing over 75% of the plot to be landscaped with new hedges, trees and vegetation.*

*As indicated on the proposed block plan, a circa.4m distance is retained to the north boundary and a circa.3m distance is retained to the southern boundary. These distances are substantial and the majority of the surrounding properties have much smaller gaps to the boundaries”.*

6.7 It is our opinion that the site is large enough to comfortably accommodate the level of development indicated. Although it is acknowledged that the proposal would result in an increase to the overall scale and mass of the building, it is our view that the proposal would appear visually balanced and in keeping with surrounding development (much of which has been extended and altered in recent years). In addition, the development proposals have been informed by extensive pre application discussions with the Council. During this process, the Council’s Planning Officer noted that “*the new form of the building has largely taken account of my previous comments by changing to a two storey building with pitched roofs. There is less bulk on the northern boundary too*”. A slight drop in the ridge and eaves height on the southern end was suggested and the plan were amended accordingly. The Planning Officer then concluded that “*the slight drop in height at the southern end is better and the brick colour and detail looks ok. I have nothing further to add at this stage...*” It was on this basis that the drawings have been finalised and they are now presented as a fully detailed Planning Application.

6.8 In addition, the proposed dwelling height would represent a visual transition between the property to the south (No. 5) and No. 9 Mill Hill to the north (refer to **Fig 5 and 6 below**). In this context, Officers should appreciate that the proposed design is stepped away from No.5 at upper floor levels, providing a large space between properties, in addition to the proposed green roofs that will soften the outlook.

6.9 Fresh Architect's DAS, which accompanies this planning application, confirms that *"the proposed pitched roofs are in-keeping with the character of the area and the proposed ridgelines are relative to those of the neighbouring properties in terms of height when considered against the natural slope of the hill. This is exacerbated by the proposed dropped ridge, roof and eaves at the southern end"*.



**Fig 5. Existing Street Scene Elevation**



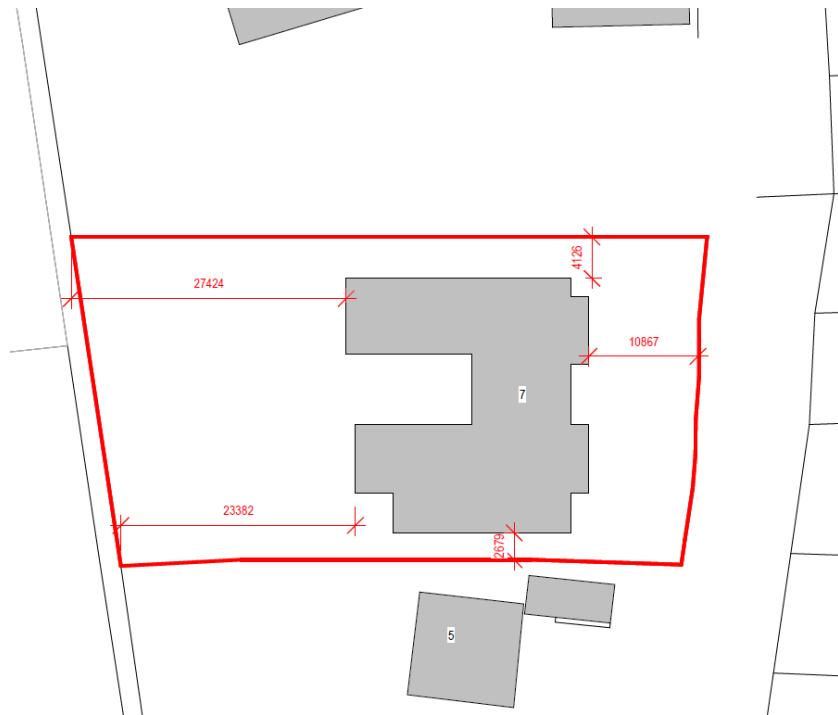
**Fig 6. Proposed Street Scene Elevation**

6.10 it is our view that the proposed replacement dwelling would be of a high quality design, which would not introduce an obtrusive or visually harmful form of development that would affect the character of the immediate area. Indeed, we contend that in visual terms the proposed architectural typology would represent a clear enhancement, which would complement the existing street scene via a modern design solution that will raise building and design standards.

#### Residential Amenity

6.11 In terms of residential amenity, the use of the site will remain unchanged. Great care and consideration has been taken to maintain ample separation distances between the proposal and both the northern and southern boundaries (refer to **fig 7**). Indeed, the DAS confirms that *“the design leaves a considerable distance to the north and south boundaries and substantial distances to the east and west... a circa.4m distance is retained to the north boundary and a circa.3m distance is retained to the southern boundary. These distances are substantial and the majority of the surrounding properties have much smaller gaps to the boundaries”*.

6.12 Consideration has also been paid to careful window placement; with only 1 No. dressing room window proposed to the northern elevation (which could be obscure glazed if the Council considers this to be a reasonable requirement). There are no other upper level windows proposed to the north or south elevation. Balconies have been designed to the rear and provided with 1.8m high obscure glazed panels to prevent overlooking.



**Fig 7. Proposed Block Plan**

6.13 As indicated above, although the replacement dwelling will fill a greater proportion of the site's width than existing, this represents a more efficient use of the site, which also reflects the spatial pattern and layout of the majority of other houses/plots on Mill Hill. Indeed the existing site is considered to be underdeveloped and a visual anomaly given its large side garden.

6.14 It is acknowledged that the neighbouring house to the south has side facing windows that overlook our Client's plot. However, the design has been carefully formulated to ensure that there is sufficient space maintained to neighbouring No.5, and further the new house at this point comprises a single storey garage and is therefore of a lower height and flat roofed, so as to not obstruct light entering the existing side facing windows. Indeed, we contend that the proposals have been designed to ensure that the relationship with neighbouring dwellings will be

acceptable in planning terms, and the amenities of occupiers will not be adversely affected.

- 6.15 The replacement house will have an appropriately sized area of private amenity space, which will reflect the size of neighbouring amenity areas and the spatial pattern of development in this area generally. It is noted that the existing side garden of No.7 is slightly compromised from the perception of overlooking from upper floor windows serving adjacent No.5, and this impact will be removed via the development of this side garden area.
- 6.16 Consequently, it is therefore our opinion that the proposal would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of light; nor through the creation of undue noise and disturbance.

#### Access & Parking

- 6.17 The existing vehicular access is proposed to be retained, with a new vehicular access proposed to the south side of the property, in order to allow an in and out driveway,
- 6.18 The proposal would provide space for 2 No. covered parking spaces within the garage, as well as ample space on the driveway to accommodate a further 4 No. cars. Two EV charging points has been incorporated into the development proposals. Space has also been allocated for cycle storage and storage for 3 domestic bins.

#### Sustainable Design / Energy Efficiency

- 6.19 The new house is intended to be energy efficient. The accompanying Design and Access Statement confirms that *“the proposed design incorporates a range of sustainable features to minimise environmental impact and promote energy efficiency. Solar panels will harness renewable energy to help power the home. A green roof will enhance biodiversity, provide natural insulation, and improve*

*rainwater management by reducing runoff. Air source heat pumps will efficiently heat and cool the property while lowering carbon emissions compared to conventional systems. Permeable hardstanding will facilitate natural drainage, reducing surface water runoff and mitigating the risk of local flooding. These measures collectively reflect a commitment to sustainability and align with modern environmental standards".*

#### Dwelling Space Standards

6.21 The new dwelling have been designed internally to comfortably meet the requirements laid out in the Governments 'Technical Housing Standards - nationally described space standard' document.

6.22 We can confirm that the proposed home exceeds the nationally described space standard requirement in terms of GIA and storage. All double bedrooms are at least 11.5sqm with minimum widths of 2.75m. Internal room heights exceed the minimum requirement of 2.3m throughout the property.

#### Ecology

6.23 The application is accompanied by a preliminary ecological appraisal, which has been prepared by Phlorum. The report provided the following conclusions:-

*"Habitats within the proposed development area were assessed as being of low value to wildlife within the local vicinity with potential to support breeding birds, foraging badgers, reptiles, hedgehogs and stag beetles and these species may pose a constraint to works.*

*It is recommended that targeted surveys in respect to bats is undertaken in order to determine presence or likely absence.*

*In addition, a precautionary approach to site clearance in respect to breeding birds, foraging badgers, reptiles, hedgehogs and stag beetles. is recommended to minimise any adverse impacts on these species groups".*

6.24 Details regarding specific mitigation, including further surveys and precautionary working practices together with habitat enhancement measures are set out in detail within the report. These include (but are not limited to) a single emergence or re-entry survey was recommended (see below); the clearance of any trees/ hedgerows and demolition of buildings should be undertaken outside the main bird nesting season; additional bird nesting and bat roosting provision; wildlife friendly pathways and the provision of compensatory planting.

6.25 The recommended bat activity survey report has been carried out and accompanies this application. The report concludes that *“overall there was a low level of bat activity at the site. A total of four bat species were recorded foraging and commuting at the site which included common pipistrelle (Pipistrellus pipistrellus), Nathusius' pipistrelle (Pipistrellus nathusii), Natterers bat (Myotis nattereri) and noctule (Nyctalus noctula). Common pipistrelles were most frequently observed commuting across the site.*

*No bats were seen to emerge from the onsite building during the survey.*

*There remains potential for bats to roost in the building and therefore a precautionary approach to the start of works is recommended to minimise disturbance to the potential roost. Providing a precautionary approach is followed, a European Protected Species Mitigation licence in will not be required”.*

6.26 Our client is committed to adhering to the ecology recommendations as set out in the accompanying reports.

#### Arboriculture

6.27 This Planning Application is accompanied by a Tree Report, which has been prepared by Arbortrack Systems Ltd.

6.28 The report states that low-quality trees and hedges 5-H8, 12, 15, 16 & H17-H19 will be removed to allow or facilitate development. Arbortrack confirm that *“The loss of*

*these trees and hedges is an acceptable impact in the context of this site and these proposals. There is good scope for replacement planting, particularly on the southern flank of the site. Some planting space on the frontage has also been retained to return amenity to the street scene”.*

6.29 The Arbortrack report continues, *“The existing retaining wall on the northern flank of the driveway will be extended out to Mill Hill. The footings of this retaining wall are likely to have a minimal impact on the soil volume available to the roots of tree 4, as is the new wall itself. On this basis, the proposed new retaining wall is acceptable in arboricultural terms... A proposed parking bay north west of tree 4 makes a very low & acceptable encroachment into the root protection area (RPA) of this tree. No mitigation is possible, or necessary... The great majority of site works will take place beyond the RPA of retained trees and canopies. Retained trees will be protected throughout the course of development by fencing to the specification recommended by BS5837:2012...”.*

6.30 It is clear that the planning proposals is acceptable in arboricultural terms and would represent an acceptable form of development.

## 7. CONCLUSIONS

- 7.1 This Planning Application seeks permission for the erection of a replacement dwelling, following the demolition of the existing property and 2 No. associated garage buildings.
- 7.2 The Application site is located within the defined built up area boundary, where the principle of new development is generally accepted subject to other policies in the plan.
- 7.3 The property is not listed, nor is it located within a conservation area and as such, there is no planning justification to resist its replacement.
- 7.4 Extensive pre-application discussions have taken place between the Applicants Architects and the Council's Planning Officer. All of the Officer's comments being taken on board and have led to the proposals being re-designed to reflect the advice given.
- 7.5 The proposed development of the site would result in a high quality replacement dwelling, which would respect the character and appearance of the locality.
- 7.6 The development proposed takes its cues from neighbouring development along Mill Hill, and will provide a very high quality modern design solution, which effectively strikes a balance between achieving an efficient use of the site, whilst respecting the spatial pattern and layout of development in this locality and providing an appearance that will not jar or appear incongruous. Indeed, we contend that the proposed design, whilst respectful, represents a marked visual enhancement that will lift the streetscene generally. In this context, the proposed development would not appear as an overdevelopment or out of character, and it is evident that our proposal will sit comfortably within the Mill Hill streetscene, by maintaining a respectful spatial relationship with immediate neighbouring properties.

- 7.7 In terms of residential amenity, the proposed development has been sensitively considered in order to ensure that the relationships with neighbouring dwellings will be entirely acceptable in planning terms.
- 7.8 To conclude, it is our firm opinion that the proposed replacement dwelling would represent a high-quality form of development in this location, and that no harm would be resultant in respect of the established visual character of the area, or any neighbouring resident's living conditions.
- 7.9 In respect of the NPPF, we are firmly of the opinion that this eminently developable site provides an opportunity to provide a high quality replacement dwelling that will accord with each of the social, economic and environmental objectives of the sustainable development test. In our opinion the overwhelming weight of evidence supports the Application proposals as it is shown to comply with all relevant Policies within the newly published NPPF.
- 7.10 Consequently, as the proposal accords with the aims and objectives of national, regional and local guidance, the application site is suitable for the proposed development and planning permission should therefore be granted.

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February 2025