

**North Northamptonshire Area Planning Committee
(Wellingborough)
Wednesday 15 September 2021 at 7.00 pm
Council Chamber, Swanspool House**

INDEX

Application	Location	Page No.
NW/21/00378/FUL	48 Ecton Lane Sywell	1
NW/21/00486/FUL	9 High Street Earls Barton	30
NW/21/00592/FUL	Dungee Corner, Harrold Road, Bozeat	53

North Northamptonshire Area Planning Committee (Wellingborough)

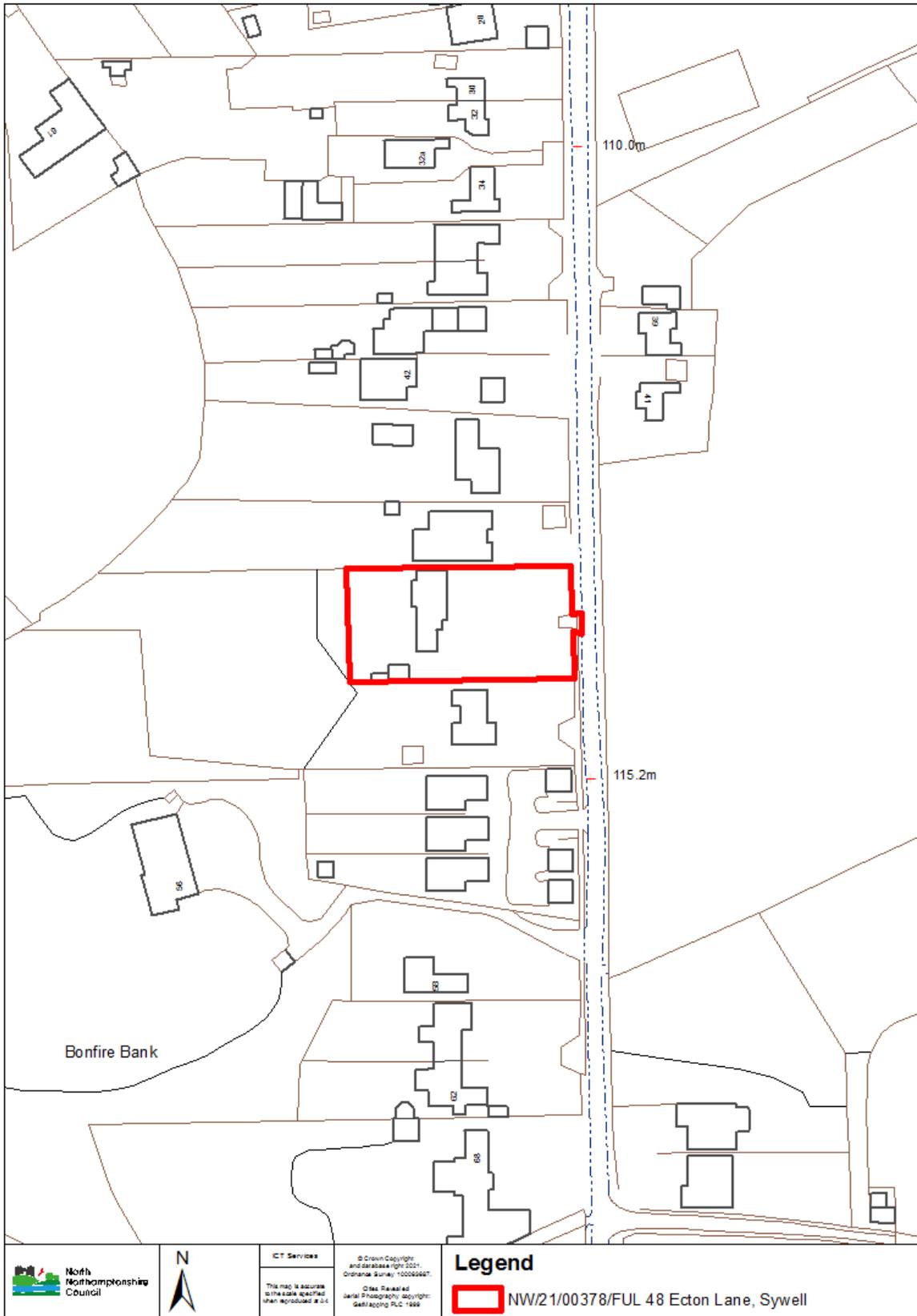
Application Reference	NW/21/00378/FUL	
Case Officer	Mr Chris Law	
Location	48 Ecton Lane Sywell Northampton Northamptonshire NN6 0BA	
Development	Demolition of the existing dwelling with the erection of a detached two storey dwelling with parking provisions, landscaping and associated works.	
Applicant	Mr and Mrs Felgate	
Agent	Admin	
Ward	Harrowden and Sywell	
Overall Expiry Date	1 July 2021	
Agreed Extension of Time	21 September 2021	
Checked	SPO/Team Leader	Debbie Kirk

Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation as it has attracted 3 or more objections from households local to the application site and Sywell Parish Council also objects.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report



2. The Application Proposal and Background

2.1 This application proposes to demolish the existing part 1.5, part single storey 5 bedroomed detached dwelling on the site and construct a new 2 storey 5-bedroom detached dwelling in its place with associated driveway/parking area. The existing detached double garage is proposed to remain.

2.2 The proposed new dwelling will be positioned on a similar footprint to the existing house and would measure 21.2 metres in width and 12.6 metres in depth at its deepest point. The dwelling will consist of two reception rooms, a kitchen/living/dining room, with a pantry, a study, a playroom, a utility room, a bathroom and WC on the ground floor and five ensuite bedrooms and a galleried landing with a seating area on the first floor.

2.3 The building itself is modern in design and features two gables running from the front to the back with a flat roof section linking the two gables and a flat roof section to the north side.

2.4 The reconfigured driveway will provide a looped turning area in front of the house to allow vehicles to turn around within the frontage of the property as well as provide access to the retained double garage. A new patio area to the rear is also proposed. No other changes to the garden areas/landscaping are proposed.

2.5 The applicant requested pre-application advice from the council and the following supporting documents have been submitted alongside the application:

- Design and Access Statement;
- Tree Survey;
- Tree Schedule;
- Arboriculturalist's Report;
- Tree Retention/Protection Plan;
- Arboricultural Impact Assessment;
- Arboricultural Method Statement;
- Preliminary Ecological Appraisal;
- Sunpath Study.

2.6 In light of the responses received from the initial consultations on the application, additional supporting documents have been provided, as follows:

- Bat Survey;
- Street Scene View of the proposed development.

3. Site Description and Surroundings

3.1 The application site is accessed from the western side of Ecton Lane in the village of Sywell, to the west of Wellingborough. The property is positioned between numbers 46 and 50 Ecton Lane and backs onto woods at the rear, part of which is within the property boundary/ownership of the applicant.

3.2 The application site itself consists of a highway access from Ecton Lane with metal gates set back from the front wall to allow a car to be parked off road while the gates are opened. The front boundary consists of a high stone wall along the remainder of the eastern boundary which is a feature of Ecton Lane. The curved driveway leads to a detached double garage, parking areas and the existing property. The front and rear gardens feature many mature trees and shrubs which are well established.

4. Relevant Planning History

WR/1967/0104	Approved Extension to bungalow	07.07.1967
WR/1955/0031	Approved Bungalow	18.03.1955
BW/1989/0877	Approved with conditions Demolition of existing garage and erection of new double garage.	20.09.1989
BW/1989/0463	Approved 2 storey rear extension and roof conversion into 2 bedrooms and 2 bathrooms.	31.05.1989
BW/1984/0399	Approved New pitched roof to replace existing flat roof over re-arranged living accommodation	25.05.1984
BW/1978/0218	Approved with conditions Extension to bungalow to form utility room	18.04.1978

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

5.1 Sywell Parish Council

Objects to the application for the following reasons:

- further information is required on the proposed facing materials;
- the visual impact of the property would be detrimental to the residential amenity of the neighbours;

- the flat roof is not in keeping with the street scene;
- the position/size of the property will be overbearing on number 46 Ecton Lane who will suffer overshadowing and loss of light from downstairs rooms and overlooking from the upstairs rooms;
- development is of a cramped form rather than centrally situated on the plot and is sited immediately adjacent to the well-established hedge along the boundary with 46 Ecton Lane which could cause damage to the root system;
- two storey element unnecessarily close to the boundary of 46 Ecton Lane not addressed from pre-application advice;
- property is set too far back from the road with a good deal of hard landscaping;
- The property would be better positioned 4 metres forward towards the road making it in line with other properties in the locality which the neighbours would see as a very positive amendment to the plans.

Officer response:

The parish council has also commented that no details are provided of the proposed garage however the existing garage is proposed to be retained.

The parish council has also requested a site visit be made by members of the Wellingborough area planning committee. However due to the COVID-19 pandemic site visits by the planning committee are not currently taking place.

5.2 Neighbours/Responses to publicity

Objections have been received from four households, two of which are in the vicinity of the application site and two are from other households in the village. An updated objection letter has also been received from a neighbour in the vicinity of the application site.

The issues raised are summarised below:

- lack of detail in the application- no dimensions on the plans and no street scene is provided to show how the house will fit in;
- flat roof and general design would be out of keeping with Ecton Lane;
- contemporary cladding, large glazed areas and blocky design are out of keeping;
- side elevation facing number 46 is dominating with contemporary brutal block cladding that is not appropriate and is unneighbourly in bulk, mass, layout and design;
- design is unsympathetic and generally jars with number 46;
- raised ridge would be out of keeping with number 50 Ecton Lane;
- design is at odds with the existing garage proposed to be retained;
- use of gas boiler rather than heat exchanger and solar panels;
- concerns regarding damage to or loss of hedge along boundary with 46 Ecton Lane;
- property should be repositioned forward to allow more light into the rear of 46 Ecton Lane;
- the front gate should be retained as it is currently and not replaced with a 6-foot solid gate;

- the sunpath studies are inadequate as they show only the extremes and do not show the impact upon the neighbours at number 46;
- concerns regarding a loss of privacy to number 46 due to large second floor windows overlooking their rear garden;
- the second-floor side window should be obscure glass and not be able to be opened;
- the two-storey element of the building adjacent to number 46 is unnecessarily close, resulting in a cramped development;
- concerns regarding the lack of information and inaccurate information submitted regarding the trees, loss of trees and impact upon roots;
- a condition to ensure a detailed construction impact and mitigation strategy to be approved by the LPA should be imposed;
- development considered to be contrary to JCS policies 8 (d) (i), 8 (e) (i), 11 (2) (b); PBW policy SS1 and NPPF paragraph 127 (c) and (d) (now paragraph 130 in the revised NPPF July 2021).

Comments have also been received relating to the lack of information regarding a proposed garage however the existing garage is proposed to be retained.

Since the initial consultation the applicant has submitted a proposed street scene view and the following additional comments have been received in relation to this:

- the street scene view is inadequate in its perspective and doesn't show the building without any vegetation, noting that most of the relevant trees are deciduous;
- the current elevations on the plan appear to be inaccurately and misleadingly drawn

5.3 Local highway Authority (LHA)

No objections raised on highway safety or capacity grounds subject to compliance with the following:

- Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards and satisfy policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.
- The existing vehicular crossing must be refurbished, widened and modified as appropriate and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.
- Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the local highway authority or statutory undertaker and carried out at the cost of the applicant.
- To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5 metres in from the rear of the highway boundary.

- A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.
- Pedestrian to vehicle visibility of 2.0 metres x 2.0 metres above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access.
- Any gates at the point of access into the site must be hung to open inwards, away from the highway, and set back sufficiently to permit a vehicle to stand clear of the public highway whilst the gate is operated.

5.4 Environmental Protection Officer (land contamination)

No objections are raised in relation to land contamination. A condition is recommended if any unexpected contamination is discovered during the works.

5.5 Natural England

Natural England advises that it is a matter for your authority to decide whether an appropriate assessment of this proposal is necessary considering this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your authority may decide to make. Natural England and your authority are in agreement that appropriate assessments for planning applications of less than 10 dwellings within the 3-kilometre buffer do not require Natural England consultation. For these applications Natural England's standard framework advice as detailed within this letter applies.

The standard wording is provided.

Officer response: this consultation response relates to a new additional dwelling being provided; however, this application is for a replacement dwelling only and would not result in a net increase in dwellings. A net increase in dwellings would have resulted in a payment being required for mitigation measures in relation to disturbance to birds in the Upper Nene Valley Gravel Pits Special Protection Area, however this would not be required should this application be approved and this consultation response is therefore not relevant in this instance.

5.6 Landscape Officer

The tree protection plan does not show the as yet unconstructed part of the driveway which appears to be just outside the root protection area of the existing trees in the front garden. If this is constructed after all the other construction work has been completed the protective fence would not be required on that side of the central tree, but this should be made clear on the plan and the arboricultural method statement.

The existing driveway is within the root protection area and it is not clear, although it seems to be implied, that the existing hard surface is to be replaced.

Fairly confident that the proposed development can be achieved without damaging the trees which are category B and of high visual amenity value. The tree canopies are reasonably high and hopefully crown raising to allow construction traffic will not be needed, but the AMS requires any crown raising to be carried out by a suitably qualified arboriculturalist.

On the east boundary is a close clipped Rhododendron hedge which the neighbour is concerned should not be damaged. It would be preferable for the footprint to be slightly further away to allow more working area, but there is the existing footprint. The tree protection condition which is required in accordance with BS5837:2012 should also refer to the need to protect the boundary hedge.

5.7 NNC principal project officer (ecology)

First response (based on the submitted preliminary ecological appraisal):

Activity surveys are needed to characterise the bat roost, and to inform the conditions of the licence. The activity surveys need to be done pre-determination. Three surveys will be needed as it is a confirmed roost, and they will need to be done by September when bats start looking for places to hibernate.

Once the surveys are done a condition can be added for the bat licence and any mitigation measures that might be needed.

Second response (following submission of the bat survey):

The bat surveyor is satisfied that the roost has been characterised from two surveys and is happy to proceed to licensing and therefore the third survey is not required. Condition wording is provided.

5.8 NNC Archaeological Advisor

No comments to make on the proposed development.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 3 (landscape character)
- 4 (biodiversity and geodiversity)
- 6 (development on brownfield land and land affected by contamination)
- 8 (North Northamptonshire place shaping principles)
- 9 (sustainable buildings and allowable solutions)
- 11 (network of urban and rural areas)
- 28 (housing requirements and strategic opportunities)
- 29 (distribution of new homes)
- 30 (housing mix and tenure)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy

SS1 (villages)

6.5 Other Relevant Documents:

Sustainable Design

Biodiversity

Trees on Development Sites

Planning Out Crime in Northamptonshire

Residential Extensions: a guide to good design

Parking

Air Quality

7. Evaluation

The proposal raises the following main issues:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- landscape character and visual amenity;
- air quality;
- biodiversity;
- national space standards;
- national accessibility standards;
- living conditions of the neighbouring occupiers;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- contamination;
- conditions

Principle of Development and material considerations –

7.0 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.*”

7.1 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.2 In addition to the specific NPPF requirements set out above, paragraph 132 states that 'applicants will be expected to work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably'.

7.3 The application form at question 23 indicates that pre-application advice or assistance has been sought from the council. The NPPF from paragraph 41 extols the virtues of applicants engaging in pre application discussion with the council to resolve any issues that may arise to help applicants avoid any unnecessary delays and costs.

7.4 The application is for a replacement dwelling and therefore a residential use on this site has already been established. The site lies within the village boundary as defined under policy SS1 and shown in red on the village inset map for Sywell of the PBW.

7.5 No comments have been received from consultees or neighbours relating solely to the principle of a residential use on this site.

Design, layout and the effect on the character and appearance of the surrounding area

7.6 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.7 The government at paragraph 130 (a) – (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.8 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.9 The proposed replacement dwelling would constitute a large two storey detached house positioned on the approximate footprint of the existing dwelling and the

existing detached double garage would remain in situ. Measured from the submitted floor plans, the proposed new property would measure 21.2 metres in width and 12.6 metres in depth at its deepest point. The existing property measures approximately 22.3 metres in width and 10.4 metres in depth at its deepest point. The proposed site layout plan shows how the new dwelling would be positioned in relation to the existing property.

7.10 The maximum height of the proposed new property measured on the front elevation from ground level to the top of the ridge of the right-hand gable (the highest point of the new dwelling) would measure 8.8 metres. The maximum height of the existing property (excluding the chimney) measured on the existing front elevation from the ground level to the highest part of the ridge measures 6.3 metres.

7.11 The existing property is 1.5 storeys and is brick built with a cream render finish under a brown tiled roof and this is proposed to be replaced with a two storey property finished in render with grey cladding and large expanses of glazing to the front and rear.

7.12 The proposed new dwelling would be of a contemporary design and would be distinctive when compared to other dwellings in the immediate vicinity. The applicant states in their design and access statement that:

“The exterior of the building has been designed to complement the character of the site and neighbouring properties and the combination of the pitched and flat roof arrangement and materials would mimic the surrounding woodland context and relate to other modern properties on Ecton Lane. The proportions of the two gables combined with the strategically placed openings assist in creating a contemporary take on the traditional design of a family dwelling”.

7.13 The properties on Ecton Lane both in the immediate and wider vicinity of the application site consist of a large range of different house forms, styles and types. There is no one predominant form or style that defines the character of the area. Ecton Lane has been developed over the years with many dwellings either being demolished and replaced with large modern dwellings or existing dwellings being extended and updated using modern materials. The scale of development consists of a mixture of single, 1.5, 2 and 2.5 storey dwellings of different styles, designs and materials.

7.14 This application proposes the use of render, grey cladding, glass and stone however a condition is recommended for samples of the external materials to be used in the development to be submitted and approved in writing by the local planning authority prior to any construction above slab level, to ensure the development's impact upon the character and appearance of the area would be acceptable.

7.15 As JCS policy 8 (d) (i) is clear that development should create a distinctive local character by responding to the site's immediate and wider context and local character. In this respect the proposed new dwelling is not considered to be out of

character with the area due to the existing local character being mixed, in form, scale and designs.

7.16 A number of comments from objectors and the parish council have been received that relate to the design of the dwelling being out of character with the area and the impact of the design on the neighbours. A street scene view has been provided, so the visual impact of the proposed dwelling upon the street scene can be demonstrated.

7.17 The street scene view shows that due to the substantial planting and mature trees within the front garden of the dwelling the views of the house from the road will be limited. The angle that the street scene view has been produced at also gives a better view of the dwelling than would be visible from the road. This is because the front boundary of the dwelling is bounded by a high wall which would obscure views of the property other than a glimpse through the gateway.

7.18 It is acknowledged that the design of the proposed new dwelling does not seek to replicate the two immediate neighbouring dwellings, numbers 46 and 50 Ecton Lane. However, whilst number 50 is a bungalow, number 46 is a large two storey house with a double gable front and is of a more traditional design than the proposed dwelling. The proposed new dwelling also has a double gable front albeit in a more modern design. It is considered however, that the application dwelling and the two adjoining neighbouring dwellings are not read as a continuation of the street scene due to their positioning and set back from the road of over 30 metres and would be read as three separate and distinct dwellings in their own right.

7.19 Notwithstanding the amenity impacts upon the neighbouring dwellings which are considered later in this report, the position of the proposed new dwelling is considered by the case officer to be acceptable due to the new dwelling being constructed in substantially the same position as the existing dwelling.

7.20 Again, notwithstanding the impacts upon the neighbouring properties, the height of the proposed new property would be approximately 2.5 metres higher at its highest point than the highest point of the existing dwelling and would be higher than both the neighbouring properties to either side. However, the proposed dwelling has been designed with two gables facing front to back with flat roof sections between and to the side so the maximum height is not across the full width of the property. Due to the range of different sizes and heights of dwellings along this road, the change in levels between dwellings and the separation distance between dwellings it is not considered that the increased height would be out of character and a two storey dwelling on this site would be acceptable in relation to the impact on the character and appearance of the area. A condition should be added to any permission granted however requiring details of the proposed finished ground floor level and the ground levels to be submitted and approved in writing by the local planning authority prior to the construction of the new dwelling.

7.21 Overall, the proposed new dwelling is considered by the case officer to be of a high-quality design and a form and size appropriate for the site. The proposed

dwelling is considered to have a positive impact upon the character and appearance of the area. Subject to the imposition of conditions relating to samples of external materials and finished ground floor and finished site levels the development would comply with policy 8 (d) (i) & (ii) of the JCS.

Landscape character and visual amenity

7.22 Policy 3 (a), (b) and (e) of the JCS states that development should be located and designed in a way that is sensitive to its landscape setting retaining and where possible enhancing the distinctive qualities of the landscape character area which it would affect.

7.23 The garden areas of the application site are large and there are many examples of mature trees within the front and rear gardens of the dwellings. The application proposes changes to the front garden of the property with a reconfiguration of the driveway which has the potential to have an impact upon existing trees. The only changes to the rear garden are to provide a reconfigured patio area adjacent to the rear of the house.

7.24 The applicant has submitted documents to support the application in relation to the existing trees on the site, as follows:

- Tree Survey
- Tree Schedule
- Arboriculturalist's Report
- Tree Retention/Protection Plan
- Arboricultural Impact Assessment
- Arboricultural Method Statement

7.25 The arboriculturalist's report states that of the 13 trees which could be affected by the proposed development, all are category B which are identified to be of moderate quality with a remaining life expectancy of at least 20 years. It should be noted that 9 of the trees are within the front garden of the application site, 1 is within the rear garden of the application site and 3 are close to the boundary but within the garden of the neighbour at number 50 Ecton Lane.

7.26 The proposed plans retain all of the trees identified in the report and the subsequent arboricultural impact assessment identifies that 12 of the tree's conflicts with the construction of the proposed driveway and parking areas. The report states that the remaining trees on and adjacent to the site will be unaffected by the development provided the guidance attached to the report is followed.

7.27 The impact assessment identifies mitigation measures that are required for the 12 trees that are identified as conflicting with the driveway and parking areas which include no-dig methods within the root protection areas and adherence to the submitted method statement during construction.

7.28 NNC's landscape officer has provided the following comments on the submitted information:

7.29 The tree protection plan does not show the yet unconstructed part of the driveway which appears to be just outside the root protection area of the existing trees in the front garden. If this is constructed after all the other construction work has been completed the protective fence would not be required on that side of the central tree, but this should be made clear on the plan and the arboricultural method statement.

7.30 The existing driveway is within the root protection area and it is not clear, although it seems to be implied, that the existing hard surface is to be replaced.

7.31 Fairly confident that the proposed development can be achieved without damaging the trees which are category B and of high visual amenity value. The tree canopies are reasonably high and hopefully crown raising to allow construction traffic will not be needed, but the AMS requires any crown raising to be carried out by an arboriculturalist.

7.32 On the east boundary is a close clipped Rhododendron hedge which the neighbour is concerned should not be damaged. It would be preferable for the footprint to be slightly further away to allow more working area, but there is the existing footprint. The tree protection condition which is required in accordance with BS5837:2012 should make reference to the need to protect the boundary hedge.

7.33 It should be noted that the tree retention/protection plan does show the proposed new driveway.

7.34 Whilst confirming that the trees are to be protected during the demolition and construction phase, full details of the surfacing of the driveway have not been provided. A condition should be imposed to ensure the details are acceptable, prior to the commencement of any ground works.

7.35 A number of comments have been received from interested parties and the parish council regarding the impact of the development on the rhododendron hedge on the boundary with number 46 Ecton Lane. The proposed new dwelling will be positioned slightly further away from the boundary compared to the existing dwelling and the hedge is shown as retained on the proposed plans. The landscape officer has commented that a tree protection condition should be imposed, and this should also include the protection of the boundary hedge.

7.36 Subject to the imposition of a tree protection condition (to include the boundary hedge) and conditions ensuring compliance with the arboricultural impact statement, method statement and tree protection plan, the proposed development would comply with policy 3 (a), (b) and (e) of the JCS.

Sustainability

7.37 Policy 9 of the JCS is clear that development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 110 litres/person/day and external water use of no more than 5

litres/person/day or alternative national standard applying to areas of water stress. To ensure compliance with this policy, a planning condition is recommended.

7.38 The applicant has submitted details of the sustainability strategy for the development within their design and access statement. Whilst these predominantly relate to the building regulations the following principles are proposed: highly insulated external walls, floors and roofs, energy efficient boiler, installation of energy efficient appliances and light fittings, insulated pipework within the dwelling, argon filled, sealed double glazed window to the dwelling and sized to control solar gain, quality control monitoring to ensure the building meet the energy efficiency targets, provision of operational and maintenance manuals to the dwelling to inform the occupiers of the energy saving design features applied to the property. The applicant has also indicated that photovoltaic panels may be feasible however this does not form part of this application.

7.39 One comment from an interested party within the village has been received that the proposed use of a gas boiler would not be eco-friendly and that solar panels to heat hot water should be designed into the scheme and no heat exchanger is included. Whilst these comments are acknowledged, these features do not form part of the application and therefore cannot be assessed.

7.40 Subject to the imposition of a condition in relation to water use and the inclusion of the sustainability strategy in the design and access statement in the approved details, the development would comply with policy 9 of the JCS in this regard.

Air quality

7.41 The JCS at policy 8 amongst other things, requires development not to result in an unacceptable impact on neighbours by reason of pollution.

7.42 To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (i) requires development not to have an unacceptable impact on amenities by reason of pollution, whilst 8 (e) (ii) goes further by stating that both new and existing development should be prevented from contributing to or being adversely affected by unacceptable levels of air pollution.

7.43 Chapter 15 of the revised NPPF offers broad advice on how local planning authorities should prevent both existing and new development from being adversely affected by unacceptable levels of air pollution.

7.44 The PPG at paragraph 001 of the air quality section dated 6 March 2014 states that 'It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit'. The guidance goes on to explain the implications for local authorities if national objectives are not met which this will include measures in pursuit of the objectives which could have implications for planning. The PPG at paragraph 009 demonstrates how considerations about air quality fit into the development management process.

7.45 The East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance.

7.46 As the proposed development includes the provision for vehicle parking. A key theme of the revised NPPF is that developments should enable future occupiers to make "green" vehicle choices and paragraph 112 (e) "incorporate facilities for charging plug-in and other ultra-low emission vehicles". Policy 15 (c) of the JCS seeks for the design of development to give priority to sustainable means of transport including measures to contribute towards meeting the modal shift targets in the Northamptonshire Transportation Plan.

7.47 As mentioned in the previous section of this report relating to sustainability, the applicant has stated that an energy efficient gas boiler is to be installed within the proposed new property and an informative should be added to any permission seeking any gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh.

7.48 A condition should be added to prepare for the increased demand for electric vehicles in future years, appropriate infrastructure for electric vehicle charging points should therefore be included within the development.

7.49 Subject to the imposition of a condition in relation to details of electric charging points the proposed development would therefore comply with policies 8 (e) (i) and (ii) and 15 (c) of the JCS in relation to air quality.

Biodiversity

7.50 Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

7.51 The JCS at policy 4 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

7.52 The revised NPPF at chapter 15 'protect and enhance biodiversity and geodiversity' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.

7.53 The applicant has submitted a biodiversity assessment to support the application and the scope of the assessment has been advised and produced by a qualified ecologist. The assessment is in the form of a preliminary ecological assessment for bats and birds and the methodology focuses on the main dwelling, which is proposed to be demolished, as the majority of the remainder of the site will remain unchanged.

7.55 The findings of the preliminary ecological assessment conclude that there is evidence that the existing house has been used in the past by bats for roosting and the building shows high suitability to support crevice-dwelling bats. The report

recommends further surveying is required using bat detection equipment over three surveys to identify if roosts are present.

7.56 NNC's principal project officer (ecology) confirmed that due to the findings of the original report, three bat activity surveys are required and that these must be completed between May and September, and prior to determination of this application.

7.57 The applicant commissioned the bat surveys and the results of the survey have since been submitted to the local planning authority for consideration.

7.58 The activity surveys confirmed that the existing house is used as a roost for bats and therefore a European Protected Species license is required from Natural England to allow the demolition of the existing house.

7.59 NNC's principal project officer (ecology) has confirmed that although three activity surveys are normally required, as bats have been found to be present within the existing dwelling and the ecologist is satisfied that the roost has been characterised and is happy to proceed to licensing, the third survey is not required.

7.60 The bat survey report concludes that the following mitigation measures are required to reduce the impact of disturbance to bats as a result of the proposed development and these will form the basis of the EPS licence application:

- Preliminary demolition work will be undertaken with care, with the roof tiles, particularly those along the ridge and verge, lifted as carefully as possible, by hand and in an upwards direction to minimise any possible impact on any bats which may be present. This work will be undertaken in March/April or September/October, which are the least sensitive times for bats, and in the presence of a licensed bat worker who will need to be present to ensure that due caution is being used and to deal with any situation that may arise if bats are found to be present. Any bats found will be removed by hand and placed in a pre-erected bat box. If during later building work any bats are discovered when the licensed bat worker is not present, all works will cease until the bat worker is available.
- One Schwegler 1FF bat box will be erected on an unaffected building or mature tree at the property, to function as a 'safe roost' to any individual bats found during demolition work, and to provide an additional new roosting opportunity for bats. This will be erected at least two months prior to starting work to allow resident bats to familiarise themselves with it.
- A toolbox talk will be given to all contractors working on the property to make them aware of the potential presence of bats, the protection afforded them, the methods of working required to avoid harm to bats, and what to do in the event that bats are found.

7.61 A replacement roosting opportunity appropriate for the low-level use of the dwelling by soprano pipistrelles will be provided by incorporating two Habitat or Ibstock bat boxes as into the external south or west elevations of the new dwelling.

7.62 Any new external lighting required, either temporary lighting during building work, or permanent lighting post development, will be low level to minimise any impact on foraging bats and not directed at the mature trees on the edge of the property or the new bat roosting cavities, to minimise impacts on foraging and roosting bats. Where external lighting proves necessary it should consist of LED light sources or be fitted with directional accessories (i.e. hoods, cowls, shields, louvres) to minimise light spillage and direct light away from sensitive areas.

7.63 NNC's principal project officer (ecology) has recommended a planning condition in line with the findings of the recommendations of the bat survey, which recommends that no works can commence until either:

- A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

7.64 In relation to birds, the preliminary ecological assessment concluded that no evidence of breeding birds was discovered during the survey although the development would result in the loss of a small amount of potential bird nesting habitat where shrubs are present in a border at the front of the house. This vegetation should be removed between September and February when birds are least likely to be breeding. An informative should therefore be added to any permission granted to make the applicant aware of this.

7.65 No comments have been received from neighbours or other consultees in relation to biodiversity considerations.

7.66 Subject to the imposition of the aforementioned condition in relation to bats and the addition of an informative relating to nesting birds, the development would comply with Policy 4 of the JCS.

National Space Standards

7.67 The JCS at Policy 30 (b) requires the internal floor area of new dwellings to meet the National Space Standards as a minimum.

7.68 The proposed replacement dwelling would exceed the minimum gross internal floor area and built in storage requirements of the Technical housing standards-nationally described space standard. The proposed width and minimum internal floor areas for double bedrooms set out in the technical standards would be met.

7.69 The development would comply with policy 30 (b) of the JCS.

National Accessibility Standards

7.70 Policy 30 (c) seeks new dwellings to meet category 2 of the National Accessibility Standards as a minimum.

7.72 All new dwellings are required to achieve Category 2 of the National Accessibility Standards as a minimum and a condition is recommended on any planning permission to ensure that the dwelling can meet this requirement.

7.72 No comments have been received from neighbours or consultees in relation to compliance with national accessibility standards.

7.73 Subject to the imposition of a condition in relation to the new dwelling meeting Category 2 of the National Accessibility Standards, the development would comply with policy 30 (c) of the JCS.

Living conditions of the neighbouring occupiers

7.74 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.75 At paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.76 The proposed new two storey dwelling will replace an existing part 1.5 storey, part single storey dwelling and will be on a similar footprint. The existing garage building will remain in situ.

7.77 The application site is positioned between numbers 46 and 50 Ecton Lane which are the two dwellings which would have the potential to be impacted by the proposed development; these impacts are considered separately below.

Impacts on number 50 Ecton Lane

7.78 The neighbouring property at number 50 Ecton Lane (to the south) is a bungalow and is set forward of the application dwelling within its own plot. The spacing and separation distance between the nearest edge of the proposed new dwelling and the nearest edge of number 50 Ecton Lane would be 11 metres, this is compared to the existing dwelling which provides a spacing and separation distance of 12 metres. Whilst the new dwelling will be larger, number 50 is located to the south of the application site and it is not considered that there would be any issues in relation to unacceptable loss of amenity/light to this neighbour.

7.79 One new side window on the southern elevation is proposed on the new dwelling that serves an ensuite bathroom to bedroom 5. However due to the spacing and separation distances it is not considered that a condition to ensure obscure glazing is used in this opening is necessary. The applicant may choose to install obscure glazing for their own privacy.

Impacts on number 46 Ecton Lane

7.80 The neighbouring dwelling at number 46 Ecton Lane has the potential to be more affected by the proposed development due to the proximity to the application property and by the orientation of the property to the north of the application site.

7.81 The proposed new dwelling is positioned on approximately the same footprint as the existing dwelling. The two-storey flat roof element closest to number 46 does not extend further to the rear than the existing dwelling and has been reduced by 2 metres in length at the front compared to the current dwelling. The applicant was advised at the pre-application stage that the two-storey section of the house adjacent to number 46 would be unnecessarily close to the boundary. The applicant has redesigned this side since the pre-application stage and moved this wall in a further 1.2 metres compared to the existing dwelling. The new side elevation is proposed to be 2 metres from the boundary on the submitted plans and 3.7 metres from the side wall of number 46. This section of the house is also of a flat roof design and would be 5.7 metres in height, less than the current height of the dwelling which measures 6.2 metres to the ridge.

7.82 The Residential Extensions a Guide to Good Design SPG at paragraph 4.1 states that “the council has guidelines on how far an extension can project in relation to neighbours’ windows to ensure adequate light to their rooms. Single storey extensions should not project beyond a line drawn at 60 degrees from the middle of the nearest ground floor window of a habitable room of an adjacent property. First floor and two storey extensions should not project beyond a line drawn at 45 degrees. Habitable rooms include kitchens, living rooms and bedrooms but excludes bathrooms, toilets, halls, landing and storerooms.

7.83 The guidance also states that the 45- and 60-degree lines are used to ensure extensions would not adversely affect neighbour’s outlook as well as loss of light.

7.84 Whilst the proposal is for a new dwelling rather than an extension to an existing dwelling, the same guidelines would apply and the proposed new dwelling would not breach these guidelines. The applicant has however submitted sun path drawings showing the potential impact for overshadowing, as requested at the pre-application stage.

7.85 These drawings show that the impact of the new dwelling on the neighbour at number 46 Ecton Lane would be minimal in both December and June with only a small amount of additional shading to the roof in the December diagram.

7.86 The SPG guidance also relates to the impact on outlook which could result in an overbearing relationship to neighbouring properties. A number of comments have been received from both the parish council and neighbours/interested parties regarding the impact the development would have on the occupiers on number 46 and these relate both to overbearing impact of the development due to the proximity and the materials of the new dwelling to number 46, as well as a loss of privacy.

7.87 The applicant has sought to address the issues relating to the relationship with number 46 following the pre-application enquiry response by reducing the length of the side elevation closest and setting the building in from the boundary.

7.88 Overall, it is considered that due to the positioning of the property and the proposal meeting the guidance set out in an SPD on extensions in terms of loss of light, the proposal is acceptable in this regard.

7.89 In relation to privacy, concerns have been raised by the neighbours and the parish council that the windows to the rear of the property would overlook the neighbours rear garden. There are large areas of glazing proposed on both the front and rear of the dwelling however, some degree of overlooking to garden areas is always present with two storey dwellings and this is not considered unacceptable due to the size of the plots, the orientation and position of the neighbours and the established landscaping of the gardens. There are no side windows proposed in the new dwelling which would have any privacy implications in terms of overlooking to number 46 Ecton Lane.

7.90 The comments of the nearby residential occupiers with regards their views on how the proposed development would affect them are noted. However, it is not considered that the scheme would have such a significant effect on the standard of amenity currently enjoyed by the adjacent residential occupiers for the reasons mentioned above.

7.91 The proposed development would comply with policy 8 (e) (i) of the JCS in relation to residential amenity.

Highway safety

7.92 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.92 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

Access and Pedestrian Access

7.93 The highway access to the proposed development would be as existing and no changes are proposed.

7.94 The local highway authority has raised no objection to the development on highway safety or capacity grounds subject to meeting their standard requirements, as follows:

- The existing vehicular crossing must be refurbished, widened and modified as appropriate and all highway surfaces affected by the proposals reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.

- Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the Local Highway Authority or Statutory Undertaker and carried out at the cost of the applicant.
- To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5 metres in rear of the highway boundary.
- A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.
- Pedestrian to vehicle visibility of 2.0 metres x 2.0 metres above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access.
- Any gates at the point of access into the site must be hung to open inwards, away from the highway, and set back sufficiently to permit a vehicle to stand clear of the public highway whilst the gate is operated.

7.95 This existing access currently serves a single dwelling and will continue to provide for a single dwelling. The existing gates are proposed to be retained and are already hung to open inwards. Conditions should be added to ensure that a hard-bound surface 5 metres in the rear of the highway and drainage to the driveway are provided.

7.96 As no changes to the access itself are proposed the other observations of the local highway authority would not be relevant in this instance.

7.97 Pedestrian access to the property would be provided through the existing gates at the front of the property and no changes are proposed to this access under this application.

Parking

7.98 Parking accommodation should be provided in accordance with the Northamptonshire parking standards (2016) and satisfy policy 8 (b) (i) of the JCS and this is echoed by the local highway authority.

7.99 The property has a large frontage and driveway which can accommodate a number of vehicles currently, as well as a double garage and turning space to allow cars to exit onto Ecton Lane in a forward gear. The proposed new driveway would improve on the current situation by the provision of a looped driveway and parking spaces are shown for a minimum of 4 vehicles as well as the retained double garage.

7.100 The parking standards require a minimum of 3 off road parking spaces for a 4+ bedroomed house and therefore the proposed parking arrangements are considered acceptable.

7.101 One comment has been received by an interested party in relation to construction traffic accessing the site during the build, particularly due to the lack of on street parking along Ecton Lane. An informative encouraging contractor to be

'considerate contractors' in relation to the neighbours and working hours should be added to any permission granted.

7.102 Subject to the imposition of the aforementioned conditions and informative the development would comply with policy 8 (b) (i) and (ii) of the JCS.

Contamination

7.103 The JCS at policy 6 says that local planning authorities will seek to maximise the delivery of development through the re-use of suitable previously developed land within the urban areas. Where development is intended on a site known or suspected of being contaminated a remediation strategy will be required to manage the contamination. The policy goes on to inform that planning permission will be granted where it can be established that the site can safely and viably be developed with no significant impact on either future users of the development or on ground surface and waters.

7.104 Policy 8 (e) of the JCS seeks to ensure quality of life and safer and healthier communities by (i) protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason noise, vibration, smell, light or other pollution...and (ii) preventing both new and existing development from contributing to or being adversely affected by unacceptable levels of soil, air, light, water or noise pollution or land instability.

7.105 The revised NPPF at paragraphs 184 and 185 sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic.

7.106 The proposed development is for a replacement dwelling on a site that has been used for a residential use previously and it is therefore not anticipated that there would be any issues in relation to contamination.

7.107 The council's Environmental Protection Officer has commented no objections are raised to the application in relation to land contamination however it is advised that a condition is imposed in the event that any unexpected contamination is discovered during the works,

7.108 No comments have been received from neighbours or other consultees in relation contamination.

7.109 Subject to the imposition of the aforementioned condition the development would comply with policy 6 of the JCS.

Conditions

7.110 The revised NPPF at paragraph 55 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG reiterates this advice.

7.111 A number of the proposed conditions require discharging prior to commencement of the development and in line with the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 a notice of the intended pre-commencement conditions has been sent to the applicant. The applicant has confirmed that they are in agreement for the conditions to be imposed.

7.112 It is considered that the proposed conditions meet the tests set out in the NPPF and the provisions of the PPG.

8. Other Matters

8.1 Equality

The proposed residential development is recommended for approval subject to a condition to meet the requirements of the National Accessibility Standards category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

8.2 Health Impact Assessment

Paragraph 91 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion (c) of this seeks to enable support healthy lifestyles for example, through the provision of safe and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds.

9. CONCLUSION/PLANNING BALANCE

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised in the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

10. RECOMMENDATION

It is recommended that planning permission is granted subject to the conditions set out below:

11. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the

Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawings/details:

Drawing No. 18031 (D) 099 Rev A - Site Location Plan (registered 28 April 2021)

Drawing No. 18031 (D) 101 – Existing Dwelling Floor Plans (registered 28 April 2021)

Drawing No. 18031 (D) 102 – Existing Dwelling Elevations (registered 28 April 2021)

Drawing No. 18031 (D) 103 – Proposed Site Layout (registered 28 April 2021)

Drawing No. 18031 (D) 104 Rev B – Proposed Ground Floor Plan (registered 28 April 2021)

Drawing No. 18031 (D) 105 Rev C – Proposed First Floor Plan (registered 28 April 2021)

Drawing No. 18031 (D) 106 Rev C – Proposed Front Elevation (registered 28 April 2021)

Drawing No. 18031 (D) 107 Rev C – Proposed Rear Elevation (registered 28 April 2021)

Drawing No. 18031 (D) 108 Rev B – Proposed Side Elevation (registered 28 April 2021)

Drawing No. 18031 (D) 109 Rev B – Proposed Side Elevation (registered 28 April 2021)

Design and Access Statement by DCa Architects Dated April 2021 (registered 28 April)

Arboricultural Impact Assessment by Wilby Tree Surgeons Ltd & BHA Trees Ltd (ref. 4173A) Dated 14 October 2020 (registered 28 April 2021)

Arboricultural Method Statement by Wilby Tree Surgeons Ltd & BHA Trees Ltd (ref. 4173B) Dated 14 October 2020 (registered 28 April 2021)

Tree Schedule by BHA Trees Ltd Dated 28 July 2020 (registered 28 April 2021)

Tree Protection Plan by BHA Trees Ltd Dated 12 October 2020 (registered 28 April 2021)

Bat Survey by Philip Irving Dated July 2020 (registered 5 August 2021)

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. No development above slab level shall take place until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details or such other materials that have been submitted and approved.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. Details of the proposed finished floor levels of the new dwelling and the finished ground levels in relation to existing surrounding ground levels shall be submitted to and approved by the local planning authority prior to any construction works commencing on site. Development shall be undertaken in accordance with the approved levels.

Reason: To ensure that development is carried out at suitable levels and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

5. The trees as identified on the approved Tree Protection Plan in condition 2 and the rhododendron hedge on the northern boundary shall be fully protected in accordance with the approved Arboricultural Method Statement and the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') as appropriate by the time construction begins. All protective measures must be in place prior to the commencement of any building operations (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete, and all equipment, machinery and surplus materials have been removed from the site.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policy 3 (b) and (e) of the North Northamptonshire Joint Core Strategy.

6. Notwithstanding the approved details, prior to the commencement of development, full details of the method of construction and samples of the surfacing materials to be used for the driveway and parking areas shall be submitted to and approved in writing by the local planning authority. These details should accord with the approved Arboricultural Method Statement in condition 2. The development shall thereafter be carried out in accordance with the approved details and maintained thereafter.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policies 3 and 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

7. To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5 metres in rear of the highway boundary prior to the first occupation of the approved dwelling.

Reason: In the interests of highway safety in accordance with policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of the approved dwelling a positive means of drainage must be installed to the driveway to ensure that surface water from the driveway does not discharge onto the highway.

Reason: In the interest of highway safety in accordance with policy 8 (b) of the North Northamptonshire Joint Core Strategy.

9. The new dwelling hereby approved shall not be occupied until the associated car/vehicle parking areas and driveway as approved has been constructed and is made available for use. It shall then be retained for use thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

10. The dwelling hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

11. The dwelling hereby approved shall be built to meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and Policy 30 (c) of the North Northamptonshire Joint Core Strategy.

12. No works relating to the demolition of the existing dwelling at 48 Ecton Lane (as identified on Drawing Numbers 18031 (D) 101 and 18031 (D) 102) may commence under any circumstances unless the local planning authority has been provided with either:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
 - c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

Reason: The existing dwelling has been identified as a confirmed roost for bats which are a protected species under the Conservation of Habitats and Species Regulations 2017 and to comply with policy 4 of the North Northamptonshire Joint Core Strategy.

13. In the event that any unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

14. No development above slab level shall take place until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the local planning authority. The scheme shall include full details of the location and manufacturers details of the type of charging points to be installed. The approved scheme shall be implemented prior to the first occupation of the dwelling.

Reason: To ensure that the proposals meet the requirements of policy 15(c) of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

12. INFORMATIVES:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.
2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken.
To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site

boundary during construction should be carried out only between the following hours:

0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

3. All gas fired boilers should meet a minimum standard of 40 mgNO_x/Kwh.
4. Where potential bird nesting habitat is to be removed as part of the development this should be removed between September and February when birds are least likely to be breeding.

North Northamptonshire Area Planning Committee (Wellingborough)

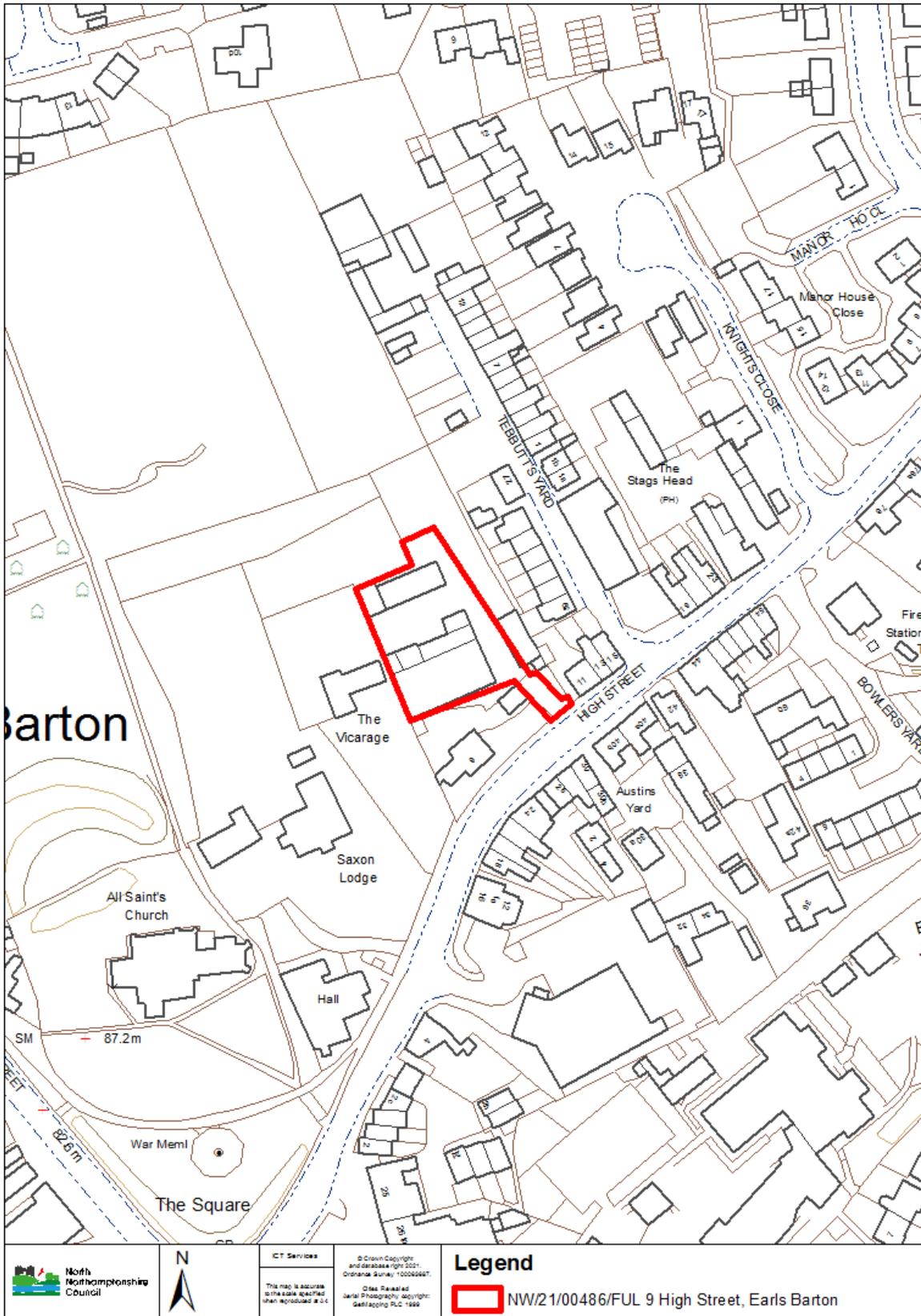
Application Reference	NW/21/00486/FUL	
Case Officer	Mr Christopher Mohtram	
Location	9 High Street Earls Barton Northampton Northamptonshire NN6 0JG	
Development	Conversion of brick barn to dwelling including extension and detached garage - re-submission	
Applicant	Mr Ian Blakeley	
Agent	Mr Jon Sidey	
Ward	Earls Barton Ward	
Overall Expiry Date	23 July 2021	
Agreed Extension of Time	20 September 2021	
Checked	SPO/Team Leader	Debbie Kirk

Scheme of Delegation

This application is brought to committee as it falls outside of the council's scheme of delegation because NNC built heritage consultant, a statutory consultee has unresolved objections to the scheme and Officer recommendation is for Approval.

1. Recommendation

1.2 It is recommended that planning permission be **GRANTED** subject to the conditions listed at the end of the report.



2. The Application Proposal and Background

2.1 Application Proposal and Background

This application seeks planning permission for the conversion of an existing barn which sits to the western side of the application site adjacent to the 'The Vicarage'. A previous planning permission was granted under reference WP/18/00319/FUL on 3 August 2018 for its conversion into a 1 x 3-bedroom dwelling including provision of parking and access. This permission also included consent for the erection of 2 x 4-bedroom semi-detached dwellings separate from the barn conversion within the wider site. This previous permission has not been fully implemented on site. This current scheme forms a separate application for proposed development to the barn. It now proposes 4 bedrooms, en-suites and a lobby area altogether. To clarify these proposed changes have been incorporated to include an additional one and a half storey extension at the rear of the barn. This will contain a bedroom with an en-suite at first floor which links to the loft area of the barn converted into a shower room and W.C. There will also be a bedroom with en-suite in the ground floor element of the extension. The ground floor extension feeds into the original barn where a lobby area with W.C are created which in turn links to a new bedroom on the eastern side of the barn. The application also includes a new garage to serve this barn conversion located just north of the barn adjacent the new extension, along the northern boundary of the re-built stone wall.

3. Site Description and Surroundings

3.1. The application site is on the northern side of the High Street and covers an area of 0.3244 hectares. The land currently accommodates a range of agricultural buildings both traditional and modern. The application site lies within the Earls Barton village boundary and within the Earls Barton conservation area. Number 9 High Street and its associated barns are not listed. The closest listed building is number 40 High Street, a listed grade II building which lies opposite to the application site. The Church of All Saints lies to the south west of the application site and is Grade I listed.

3.2 The former farmhouse abuts the southern boundary of the application site and fronts onto Earls Barton High Street. A single storey side and two storey rear extension to the former farmhouse was granted planning permission under reference WP/16/00587/FUL on 14 December 2016. A small pan tiled barn lies to the east of the farmhouse and the site access to the east of this barn.

3.3 The traditional Victorian red brick barns are obscured from public view by a modern steel framed barn. Opposite to the Victorian barns on the eastern boundary of the site is a stone barn which received planning permission under reference WP/16/00675/FUL on 29 December 2016 for the conversion to a two-bedroom dwelling.

3.4 There are two further steel frame barns to the rear of the application site. Beyond the barns lies a grassed paddock which borders onto open space to the west. A

sewer easement runs through the site. There are a number of mature trees on the western side of the site which are not within the site but on adjoining land.

3.5 A further extant planning permission has been granted under reference WP/18/00319/FUL on 6 December 2018 for the erection of 2 x 4-bedroom semi-detached dwellings and conversion of barn (Unit 3) to form 1 x 3-bedroom dwelling.

3.6 In terms of the topography of the site, the site is set higher than the main road due to the steeper ground level changes.

3.7 Properties in the immediate vicinity surrounding the application site are predominantly Victorian terraced properties with facing red brick, slate or clay tiles to roofs and casement windows reflecting the tighter urban grain near the village core. To the east of the application lies Tebbutts Yard, the rear gardens of numbers 27-39(odds) back onto part of the eastern boundary of the application site. The parking areas and gardens serving numbers 1a -12 (inclusive) Tebbutts Yard abuts the rear part of eastern boundary of the application site.

3.8 A scheme consisting of 4 detached dwellings to the north of the application site was allowed by the Planning Inspectorate under reference APP/H2835/A/14/2224195 in November 2014 has been constructed and is now occupied. The site is enclosed by residential development to the north.

3.9 A single detached residential dwelling was granted planning permission reference WP/2011/0282 on 12 August 2018 on land adjacent to 13 Tebbutts Yard, Earls Barton. This permission has not been implemented and is no longer extant.

3.10 Planning permission reference NW/21/00565/FUL was refused on 24.08.2021 for a proposed new 3 bed dwelling, landscaping, hardstanding area for parking, and access on land adjacent 13 Tebbutts Yard, Earls Barton for the following reasons:

01. The proposed design includes velux windows to the southern roofslope and UPVC windows which are considered out of character with the area and visually detrimental to the adjacent setting Earls Barton Conservation Area. As such the proposals are considered harmful to the adjacent setting of Earls Barton Conservation Area. The proposed development would be contrary to policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy and policy EB.GD1 of the Earls Barton Neighbourhood Plan North and advice contained within chapter 16 of the National Planning Policy Framework.
02. The applicant has failed to provide a phase 1 habitat survey and a tree survey and as such the proposals have failed to demonstrate that the works would not impact on a protected species or tress. The proposed development would be contrary policy 4 of the North Northamptonshire Joint Core Strategy and advice contained within chapter 15 of the National Planning Policy Framework which seeks to protect biodiversity and protected species.

4. Relevant Planning History

4.1 List of all planning history

WP/16/00587/FUL	Approved with conditions Proposed extensions	14.12.2016
WP/16/00675/FUL	Approved with conditions Conversion of barn into single dwelling	29.12.2016
WP/17/00121/FUL	Approved with conditions New open fronted agricultural building. Additional Plans.	11.05.2017
WP/17/00431/CND	Fully discharged Details submitted pursuant to conditions 2 (external facing material) and 3 (intended method of surface water drainage) of planning permission ref: WP/17/00121/FUL	21.07.2017
WP/18/00319/FUL	Approved with conditions Full Planning consent for the erection of 2 x 4- bedroom semi-detached dwellings and conversion of barns to form 1 x 3 bedroom dwelling including provisions of parking and access and demolition of barns within conservation area	06.09.2018
WP/19/00654/CND	Part discharged Details submitted pursuant to condition 3 (external material samples) of planning permission ref: WP/16/00675/FUL	21.11.2019
WP/19/00655/CND	Part discharged Details submitted pursuant to condition 3 (external material samples) of WP/16/00587/FUL	21.11.2019
WP/19/00674/CND	Part discharged Details submitted pursuant to condition 10 (written scheme of investigation archaeology) of planning permission reference WP/16/00675/FUL	02.12.2019
WP/20/00007/FUL	Approved with conditions Proposed front porch and detached single garage and hardstanding for 2 vehicles. Remove render and repoint front and side elevations. Additional steps for pedestrians onto High Street and 1.2 metre high fence along frontage with High Street	18.02.2020
WP/20/00211/FUL	Approved with conditions Conversion of barn to dwelling including alterations, a single storey extension and erection of double garage	06.07.2020
WP/20/00447/FUL	Application withdrawn/undetermined	08.09.2020

WP/20/00723/AMD	Conversion of brick barn to dwelling including extension, porch and detached garage Approved with conditions Non-material amendment to planning permission ref: WP/20/00007/FUL to allow for the repositioning of the approved detached garage and driveway	08.12.2020
-----------------	---	------------

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

- 5.1. **NNC Highways** – no objection is raised on highway safety or capacity grounds, has requested conditions in respect of hardstanding, vehicle visibility splays and permeable materials used.
- 5.2. **NNC Archaeology Advisor**– the barn has been fully recorded in connection with previous permissions and have no comments to make.
- 5.3. **Natural England** – no objection - recommends the proposed development is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified. Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document. If the applicant agrees to this payment, then no Habitats Regulations Assessment report is required for this application.
- 5.4. **NNC Environmental Protection Officer** - no objection subject to contamination condition to be applied.
- 5.5. **Northants Police** – no objections following amended plans, some comments:
1. Confirmation at building regulation state with relevant plans.
 2. Due to the location of the parking and the site dusk 'til dawn lighting should be considered for safety and security.
 3. Noted, should issues arise on the site due to the location within the High Street the applicant could consider securing this area.
- 5.6. **NNC principal projects officer (ecology)** – no objection, satisfied with bat survey provided and requested additions of nesting bricks for bats.
- 5.7 **NNC Landscape Officer** – no objection following amended plans.

5.8. NNC built heritage consultant– objection - Following receipt of amended plans it is still considered that the current iteration of the proposals would also result in cumulative harm through the proposed extension to the existing barns, and the creation of a new garage. Though this application proposes some minor enhancements to the previous scheme for converting the farm buildings, these do not mitigate the impacts.

The principle of the extension and garage are domestic in appearance and would dilute the agricultural architectural interest of the historic buildings. The domestic appearance of the extension and garage would also result in a cumulative detrimental impact upon the character and appearance of the Conservation Area as contributed by this former ‘village farm’, at the medium end of the scale. This medium level of harm is modified down marginally from that which was identified in my previous letter by the removal of the proposed use of UPVC. The proposals would in their over domestication of the historic farm buildings and the development of the remaining areas of undeveloped land further dilute the agrarian architectural character of the site through cumulative piecemeal development at the farm. The application will not be supported. However, if it is to be approved then a number of conditions related to window detailing, rainwater goods, boundary details and external finish materials shall be attached.

5.9. Neighbours – no written comments received.

5.10 Earls Barton Parish Council – no written comments received.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 NATIONAL GUIDANCE, DEVELOPMENT PLAN POLICY AND SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

National Planning Policy Framework (NPPF) (2021)

Planning Practice Guidance (PPG)

National Design Guide (PPG) (September 2019)

Planning (Listed Buildings and Conservation Areas Act) 1990 – Section 66 and 72

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (Presumption in favour of sustainable development)
- 2 (Historic Environment)
- 3 (Landscape character)
- 4 (Biodiversity and geodiversity)
- 5 (Water Environment, Resources and Flood Risk Management)
- 6 (Development on brownfield land and land affected by contamination)

- 8 (North Northamptonshire place shaping principles)
- 11 (Network of urban and rural areas)
- 26 (Renewable energy)
- 29 (Distribution of new homes)
- 30 (Housing mix and tenure)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy

SS1 Villages

6.5 Earls Barton Neighbourhood Plan

EB.GD1 (residential infill sites)

EB. D1 (design, layout, building techniques)

6.6 Supplementary planning documents/guidance:

Biodiversity

Upper Nene Valley Special Protection Area

Planning Out Crime in Northamptonshire

Sustainable Design

Parking

Air Quality

7. Evaluation

The proposal raises the following main issues:

- Conformity with the development plan and material considerations;
- Effect on heritage assets: conservation area, setting of listed buildings
- Landscaping
- Sustainability
- Contamination
- Effects on archaeology;
- Flood risk and drainage
- Effect on biodiversity
- Design, layout and the effect on the character and appearance of the surrounding area;
- Compliance with national space standards and national accessibility standards;
- Impact on the Upper Nene Valley Gravel Pits Special Protection Area (SPA)
- Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development;
- Crime and Disorder
- Effect/impact on highway safety in relation to the proposed access arrangement and parking provision
- Conditions
- Equality

Principle of Development and material considerations - Conformity with the development plan and material considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise."

7.2 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.3 The application site lies within the Earls Barton village boundary as outlined in the EBNP.

7.4 Policy 11 (2) (a), (b) and (c) of the JCS restricts development to that which is required to support a prosperous rural economy or to meet a locally arising need. Small scale infill developments will be supported on suitable sites within villages where it would not materially harm the character of the settlement. The site's position within the village boundary means it could be considered a small-scale infill development and could be supported in principle.

7.5 Policy EB.GD1 of the EBNP also supports infill development within Earls Barton, provided it is of a mass, density and design that is in keeping with local character, where it would not result in unacceptable loss of amenity for neighbouring dwellings and that it would not create unacceptable congestion in terms of traffic generation and parking.

7.6 Policy 29 of the JCS seeks new housing to be accommodated in line with the spatial strategy with a strong focus on the Growth Towns as the most sustainable locations for development followed by the market towns as set out on table 5 (page 137) of the JCS. The re-use of suitable previously developed land and buildings in the Growth Towns and the Market Towns will be encouraged. Further development will be focused on the delivery of the Sustainable Urban Extensions and other strategic housing sites. Where necessary to maintain a deliverable 5-year supply of housing sites for the borough, the relevant local planning authority will identify additional sources of housing at the Growth Town, followed by if necessary, the relevant Market Towns within the borough.

7.7 There are no objections to the principle of development of the application site for residential purposes as it would constitute small scale infill development within the village boundary of Earls Barton and would be compliant with policy 11 (a), (b) and (c) of the JCS and policy EB.GD1 of the EBNP plan which also permits appropriate small scale infill developments. The acceptability of proposed development would be dependent on compliance with the more detailed policies set out below.

Effect on heritage assets: conservation area, setting of listed buildings

7.8 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

7.9 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.10 Policy 2 (a), (b) (c) and (e) of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment.

7.11 With regards the revised NPPF, Chapter 16 sets out government advice on conserving and enhancing the historic environment. Paragraph 201 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 202 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 203 confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing up applications that directly or indirectly affect non designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 207 informs that not all elements of a conservation area will necessarily contribute to its significance.

7.12 The courts have held (*South Lakeland DC v Secretary of State for the Environment*, [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve.

7.13 Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

7.14 The site lies within the Earls Barton conservation area and in close proximity to grade II listed buildings 40a and 40b and the Church Hall and the Grade I listed All Saint's Church. The barn and its associated farmstead are identifiable in first edition OS mapping and can be considered a non-designated heritage asset.

7.15 The proposed development seeks an amended residential conversion and an additional extension to the L shaped barn complex, which sits behind the former farmhouse. Four new bedrooms with en-suites, an office, kitchen and lounge will form the new dwelling within the barn complex. Furthermore, a detached garage will be built to the north of the site utilising a suitable design and materials.

7.16 NNC built heritage consultant had initially supported the scheme provided the approval of two detached dwellings under planning permission reference WP/18/00319/FUL were not implemented under this current scheme. The agent confirmed under an email received 08.07.21 that works had begun within the 3-year

time frame set under planning permission reference WP/18/00319/FUL and would include permission for the two dwellings. Following this confirmation, a further objection was received from the heritage consultant citing that:

'the implementation of the two houses combined with the current iteration of the proposals would also result in cumulative harm through the proposed extension to the existing barns and the creation of a new garage. Though the application proposes some minor enhancements to the previous scheme for converting the farm buildings, these do not mitigate the impacts. The domestic appearance of the proposed extension and new garage would dilute the agricultural architectural interest of the historic buildings. This results in harm to the significance of the non-designated heritage asset at the medium end of the scale. However, this harm is modified down slightly by the removal of Upvc on the proposal'.

7.17 NNC built heritage consultant maintains that this part of the Conservation Area is characterised by the distinctly agricultural buildings indicative of the site's historic use as a 'village farm'. The proposals would in their over domestication of the historic farm buildings and the development of the remaining areas of undeveloped land further dilute the agrarian architectural character of the site through cumulative piecemeal development at the farm. As such paragraphs 202 and 203 of the NPPF (2021) are relevant with harm at the medium-low end of the scale.

7.18 Though objecting to the scheme, NNC built heritage consultant offered a number of conditions related to finished materials, removal of Upvc windows, window detailing, rainwater goods and boundary treatments, which the agent has addressed and agreed to through amended plans. There followed an updated third response from NNC built heritage consultant, sustaining the objection but maintaining the requested conditions to be attached if any approval is given.

7.19 It is considered unreasonable to object to the current scheme, due to the historical permission granted under planning permission reference WP/18/00319/FUL. This permission received support from the then conservation officer at that time and the Planning Committee which approved the proposals at the meeting held in 2018. This is a material planning consideration for current members of the Wellingborough Area Planning Committee to take account of. It is the planning officer's view that the additional conversion, extension and detached garage cause little in the way of demonstrable harm to the wider Home Farm scheme as a whole and would help to ensure a viable use is continued following the loss of its previous agricultural use.

7.20 The rear extension, which is the only material change to the barn, is completely hidden from street view with a subordinate scale to the wider barn conversions. Amended plans submitted by the agent displayed removal of the Upvc windows, improved rainwater goods, external material and further boundary detailing.

7.21 NNC built heritage consultant has cited an 'over domestication' of the site as a reason for refusal. This again is considered unreasonable considering the previous planning permissions granted on site of which the barn forms a part. The current

application is not considered to compound the loss of the barns as an agrarian building, considering its nature and level of development, compared with what has already been permitted. The current scheme continues the optimal viable use of the barn rather than allowing for its deterioration. as it has been unused for farming purposes for some time.

7.22 Paragraphs 202 and 203 of the NNPF is relevant here given the less than substantial harm that the proposal would cause to the conservation area and the non-designated heritage asset. Overall, it is the case officer's view that the scheme is considered acceptable with any limited harm to the significance of the Earls Barton Conservation Area and the setting of the non-designated heritage assets being outweighed by the optimal viable use of the barn and wider curtilage as improved residential dwellings to benefit current and future residential owners and the wider area.

7.23 The scheme is considered to be acceptable in heritage terms subject to conditions and is in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 and policy 2 (a), (b), (c) and (e) of the JCS.

7.24 Landscape character and visual amenity

Policy 3 (a), (b) and (e) of the JCS states that development should be located and designed in a way that is sensitive to its landscape setting retaining and where possible enhancing the distinctive qualities of the landscape character area which it would affect.

7.25 An amended scheme submitted indicates that the new garage will have little impact upon the nearby Holm Oak Tree. The landscape officer is satisfied with the amendments clarifying the position of the detached garage. A condition will also further clarify the boundary treatments proposed for the application site.

7.26 The application is therefore considered to comply with Policy 3 of the JCS and is acceptable with respect to landscape and visual amenity.

Sustainability

7.27 Policy 9 of the JCS is clear that development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day or alternative national standard applying to areas of water stress. To ensure compliance with this policy, a planning condition is recommended if Members are minded approving the application.

Contamination

7.28 Policy 6 of the JCS is clear that local planning authority will seek to maximise development upon previously developed land. However, if the land has a high risk of contamination than remediation strategies will be required.

7.29 The Environmental Health Officer notes the previous land use of the site as agricultural, therefore a condition is required in respect of a contamination assessment of the site and remediation if Members are minded to approve the application as presented.

Effect on Archaeology

7.30 JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.

7.31 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 189 advises that, where appropriate, when determining an application which could affect a heritage asset with archaeological interest the council should, where appropriate, require developers to submit a field evaluation.

7.32 NNC archeological advisor has been consulted previously on the site in 2020. The report on this work (Souterrain, March 2020) is lodged with the Historic Environmental Record and is additionally supplied with the application. Consequently, the archaeology advisor is satisfied that the buildings have been recorded to the appropriate standard and have no further comments to make on the present proposals. The application is therefore considered to accord with policy 2 (d) of the JCS with respect to archaeology considerations.

Effect on flood risk and drainage

7.33 The JCS at policy 5 sets out a raft of sub policies aimed at preventing or reducing flood risk.

7.34 The revised NPPF at chapter 14 sets out government views on how the planning system should take into account the risks caused by flooding. The planning practice guidance under the chapter titled 'flood risk and climate change' gives detailed advice on how planning can take account of the risks associated with flooding in the application process.

7.35 The application site does not lie within a flood plain. The environment agency flood map for planning shows that the application site is in an area that has a low chance of flooding from surface water. This means that each year, the area has a chance of flooding of between 1 in 1000 (0.1%) and 1 in 100 (1%).

7.36 The proposed development would therefore comply with the requirements of policy 5 of the JCS.

Effect on biodiversity

7.37 Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

7.38 The JCS at policy 4 - biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

7.39 The revised NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.

7.40 The Ecology Officer has no objection to the proposed scheme; a suitable bat survey report has been provided. Amended plans have also added integrated bat bricks securing a net gain in biodiversity in accordance with JCS policy 4.

Design, layout and the effect on the character and appearance of the surrounding area

7.41 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.42 The government at paragraph 130 (a) – (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.43 The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.44 Under the previous wider planning permission reference WP/18/00319/FUL the proposed layout drawing shows the existing access would be widened, the removal of a number of modern agricultural barns and the retention and conversion of an existing consented stone barn and the conversion of a brick part two part single storey barn into one three bedroom residential dwelling with parking serving this unit and the existing dwelling and a court yard garden to the front. To the rear would be a private garden. The proposed pair of two storey, four-bedroom semi-detached dwellings would provide a feature at the end of the driveway and not be strongly visible from the street scene due to the setback.

7.45 The scale, form and character of the proposed converted barn with a one and a half storey rear extension would be in keeping with the character of the site. Its layout is very much dictated by its current form. The scheme has been resubmitted with reconfigured internal living spaces with alterations to the fenestration. The proposed

external changes are not considered significant to the previously consented scheme with the new rear extension entirely hidden from street view and a subordinate scale to the wider barn conversion.

7.46 Overall, the proposal is in conformity with policy 8 (d) (i) and (d) (ii) of the JCS and the provisions of the NPPF with regards to design and the effect it will have on the character and appearance of surrounding area.

National space standards

7.47 The JCS at Policy 30 (b) requires the internal floor area of new dwellings to meet the National Space Standards as a minimum.

7.48 The amended plans submitted demonstrate adherence to national space standards meeting requirements for single and double bedrooms.

National accessibility standards

7.49 Policy 30 (c) seeks new dwellings to meet category 2 of the National Accessibility Standards as a minimum.

7.50 The new residential unit will achieve category 2 of the National Accessibility Standards as a minimum as confirmed by the agent. A further condition will be imposed to ensure the proposals meets category 2 of the National Accessibility Standards.

7.51 Subject to the condition to ensure compliance with Category 2 of National Accessibility Standards this proposal accords with policy 30 (c) of the Joint Core Strategy.

Impact on the Upper Nene Valley Gravel Pits Special Protection Area (SPA)

7.52 The Upper Nene Valley Gravel Pits (SPA)/Ramsar site is legally protected by the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'). Policy 4 of the JCS on biodiversity and geodiversity states that developments likely to have an adverse effect either alone or in-combination on the Upper Nene Valley Gravel Pits Special Protection Area must satisfy the requirements of the Habitat Regulations and avoid or mitigate any impacts identified.

7.53 The Upper Nene Valley Gravel Pits Supplementary Planning Document (SPD) has been produced to help local planning authorities, developers and others ensure that development has no adverse effect on the SPA, in accordance with the legal requirements of the Habitats Regulations. The SPD has been developed with Natural England and the RSPB. A Mitigation Strategy adopted as an addendum to the SPA SPD provides further guidance for development within the 3km zone of the SPA and details a specific financial contribution for each new dwelling towards Strategic Access Management and Monitoring (SAMM) to avoid and mitigate impact.

7.54 Since these policies were adopted there has been a ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C

323/17). This requires development relying on mitigation in relation to the Habitats Regulations to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained.

7.55 This requires development relying on mitigation in relation to the Habitats Regulations to no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained

7.56 A Habitat Regulations Assessment to identify the likely effects of the proposed development on the SPA has been undertaken. It is considered that a planning decision on the merits of the proposed development can be taken as the applicant has made an SPA mitigation payment of £ 299.55 under section 111 of the Local Government Act 1972 and the development meets the criteria set out in the SPA SPD for this approach to be taken.

7.57 The contribution provided will be used for measures to reduce the impacts of the proposed development and allows a conclusion of no adverse effect on the integrity on the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site.

7.58 The proposed development would comply with Policy 4 of the JCS and with the requirements of the SPA SPD.

Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development

7.59 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.60 At paragraph 127 of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users'.

7.61 No neighbouring objections have been received regarding the proposed scheme. It is considered that the scheme would not have such a significant effect on the standard of amenity currently enjoyed by the adjacent residential occupiers due to their proximity and scale to warrant a refusal on amenity grounds in this instance. The proposed single storey rear extension and additional barn conversion is not considered to affect the amenity of the closest neighbouring property as new windows overlook into the front courtyard area and rear of the barn only. It is considered that the new garage would have a minimal impact on the neighbouring dwelling due to its scale and positioning.

7.62 Overall, the proposal is in conformity with Policy 8 (e) (i) of the JCS and the provisions of the NPPF with regards to impact on neighbouring amenity.

Crime and disorder

7.63 Section 17 of the Crime and Disorder Act 1998 details the need for the council to do all that it reasonably can to prevent, crime and disorder in its area.

7.64 The JCS at policy 8 (e)(iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime.

7.65 The adopted designing out crime supplementary planning guidance gives detailed advice on this issue.

7.66 The revised NPPF at paragraph 130 (f) states that decisions should aim to ensure that developments create safe, inclusive and accessible environments which promote health and wellbeing with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

7.67 Northants Police have recommended all doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of 3rd party accredited products.

7.68 An informative will be added to any planning permission advising compliance with Document Q of the Building Regulations.

7.69 The proposed development would therefore comply with policy 8 (e) (iv) of the JCS.

Effect/Impact on highway safety in relation to (the proposed access arrangement and parking provision)

7.70 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.71 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.72 NNC highways have no objection to the application in relation to highway safety and capacity, noting the plans show alterations to the existing access which are considered acceptable subject to relevant conditions in terms of hardstanding, drainage and visibility splays.

7.73 Highways have also made observations related to means of access, stating that the building is more than 45 metres in length from the highway, but this is not the case for the brick barn. The extant planning permission reference WP/18/00319/FUL includes the land to the rear which does exceed 45 metres, but this is not applicable to this application. The distance to the rear of the brick barn is circa 35 metres.

7.74 Overall parking provision onsite would meet local parking standards. Overall, the scheme is compliant with policy 8 (b) (ii) of the Joint Core Strategy.

Conditions

7.75 The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG reiterates this advice.

8. Other Matters

8.1 Equality

The proposed residential development is recommended for approval subject to a condition to meet the requirements of the National Accessibility Standards category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

8.2 Health Impact Assessment

Paragraph 91 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion (c) of this seeks to enable support healthy lifestyles for example, through the provision of safe and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds.

9. CONCLUSION/PLANNING BALANCE

9.1 The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised in the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

10. RECOMMENDATION

It is recommended that planning permission is granted subject to the conditions set out below:

11. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. This approval is based on the following drawings;
Site Location and Proposed Site Plan 19-144-20 Revision A- Received 6 August 2021
Proposed Plans and Elevations 19-144-22 Revision A - Received 6 August 2021
Proposed Garage Plans and Elevations 19-144-23 Revision A – Received 6 August 2021

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. No development above slab level shall take place until samples of the external materials to be used in the construction of the development have been submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. The dwelling hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

5. The dwelling hereby approved shall be built to meet the requirements of the National Accessibility Standards category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and policy 30 (c) of the North Northamptonshire Joint Core Strategy.

6. Prior to the first occupation of the development hereby permitted details of the proposed bicycle parking shall be submitted to and approved in writing by the local planning authority and the approved details shall be provided and retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

7. No dwelling hereby permitted shall be occupied until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently

marked out. The car parking area so provided shall be maintained as a permanently ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

8. Prior to the occupation of the development hereby approved, a minimum pedestrian to vehicle visibility of 2.0 metre x 2.0 metres above a height of 0.6 metres must be provided and maintained in perpetuity on both sides of the vehicular access.

Reason: In the interests of highway safety in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

9. Notwithstanding the details on the approved plans the dwellings hereby approved shall not be occupied until the vehicular areas that are within 5 metres from the boundary of the site where it meets the public highway have been constructed and surfaced in accordance with details to be approved in writing by the local planning authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In the interests of highway safety in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

10. Notwithstanding the provisions of Part 3 Class L of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the development hereby permitted shall be a residential dwelling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) only.

Reason: The site is not capable of providing the necessary parking or access requirements for a small-scale house in multiple occupation, in accordance with policy 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy

11. Notwithstanding the provisions of Part 1 Classes A, B, C and D of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional extensions or external modifications of the permitted Barn conversion or above other than those expressly authorised by any future planning permission.

Reason: In order protect the amenity of the adjacent occupiers and impact upon the wider Conservation Area, in accordance with policies 2 (b) and 8 (e) (i) of the North Northamptonshire Joint Core Strategy

12. No development shall take place until an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site has been carried out in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination'. The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved by the local planning authority before construction works commence.

Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

Should any unforeseen contamination be encountered the local planning authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the local planning authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with policy 6 of the North Northamptonshire Joint Core Strategy.

13. Notwithstanding the details shown on the approved details, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to and approved in writing by the local planning authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all retained and all proposed boundary treatments and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. The approved new boundary treatments shall be erected before the first occupation of the associated dwelling. Development shall be carried out in accordance with the approved details and thereafter retained in that form.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

14. Prior to the installation of any new rainwater goods, full details of proposed rainwater goods shall be submitted to, and approved in writing by the local

planning authority. The works shall thereafter be carried out in accordance with the approved particulars.

Reason: To preserve the character and appearance of the conservation area in accordance with policy 2 (b) of the North Northamptonshire Joint Core Strategy.

15. Prior to the installation of any new windows, full details of the proposed windows shall be submitted to and approved in writing by the local planning authority. Details shall include window elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and details of specific mouldings at a scale of at least 1:2. Details shall confirm the finish of the windows, depth of reveal (to facing brickwork) and include their opening method and sill. The works shall thereafter be carried out in accordance with the approved particulars.

Reason: To preserve the character and special interest of the Earls Barton Conservation Area in accordance with policy 2 (b) of the North Northamptonshire Joint Core Strategy.

12. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.
2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken. To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours: 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
3. Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the Local Highway Authority or Statutory Undertaker and carried out at the cost of the applicant.
4. Prior to the occupation of the dwelling the existing vehicular crossing must be constructed and modified as appropriate and all highway surfaces affected by the proposals reinstated in accordance with the specification of the Local Highway

Authority and subject to a suitable licence/agreement under the Highways Act 1980.

5. The applicant should be advised to discuss arrangements for refuse collection with the appropriate person at Wellingborough Norse.
6. The future proposals for the use of the land to the rear of the present proposed development should be confirmed. As access is by way of a shared private drive it is the policy of the Local Highway Authority that no more than 5 dwellings may be served in total.
7. Due to the underlying geology present throughout Northamptonshire, the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use. Your attention is drawn to the Northants Contaminated Land Group Developers Guide which is available on the Council website.
8. As it will serve more than a single dwelling and less than six dwellings the means of access into the site must be laid out as a shared private drive having a width of no less than 4.5metres for a distance of 10 metres in rear of the highway boundary.
9. All doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of 3rd party accredited products.
10. The Public Health Act 1875 Town Improvement Clauses Act 1847 at S.64. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at https://www.wellingborough.gov.uk/info/200011/building_control/1039/street_naming_and_numbering

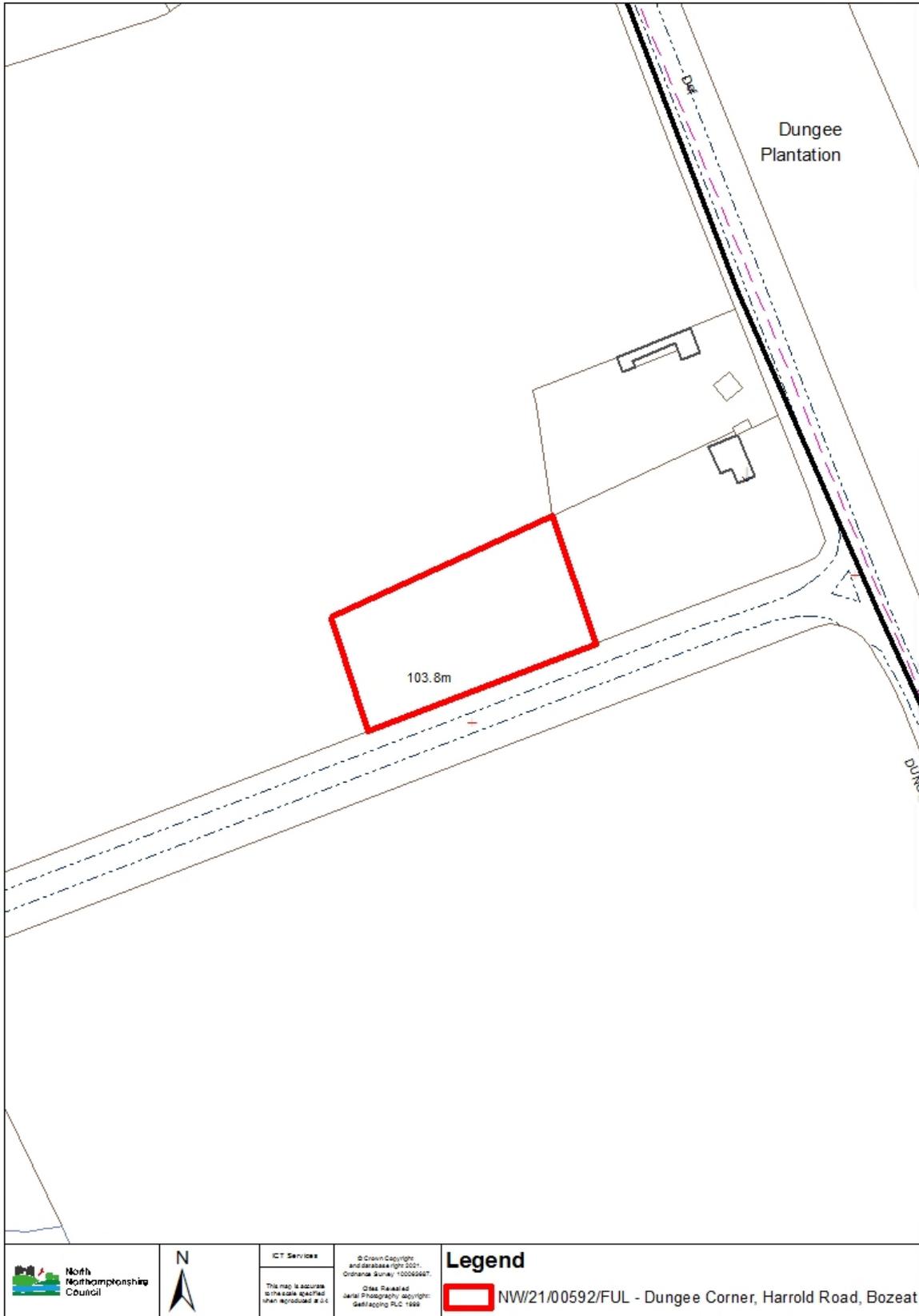
North Northamptonshire Area Planning Committee (Wellingborough)

Application Reference	NW/21/00592/FUL	
Case Officer	Mr Graham Northern	
Location	Dungee Corner Harrold Road Bozeat Wellingborough Northamptonshire NN29 7LP	
Development	Construction of a new 4 bedroomed dwelling with a detached double garage, a detached potting shed, greenhouse, new vehicular access, boundary treatments and gates and associated hard and soft external work under paragraph 80 of the NPPF	
Applicant	Ms Ruth Taylor	
Agent	Mr Ian Leighton	
Ward	Irchester Ward	
Overall Expiry Date	2 September 2021	
Agreed Extension of Time		
Checked	SPO/Team Leader	Debbie Kirk

Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation because it is a departure from planning policy.

NW/21/00592/FUL



North Northamptonshire Council



ICT Services

This map is accurate to the scale specified when produced at 1:1

© Crown Copyright and database right 2021. Ordnance Survey 100048827.

Data Released under the Freedom of Information Act 2000. Ordnance Survey copyright: Geographical Data 1999

Legend

 NW/21/00592/FUL - Dungee Corner, Harrold Road, Bozeat

1. Recommendation

1.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed development would be development in the countryside outside of a defined settlement boundary. The development does not meet the requirement for individual dwellings in the open countryside to be of exceptional quality. The development would be contrary to policies 8 (d) (i) and (ii), 11 (2) (a) and (b) and 13 (2) (a) of the North Northamptonshire Joint Core Strategy and policy SS1 of the Plan for the Borough of Wellingborough.
2. The proposal would not significantly enhance its immediate setting. The development would introduce a large building into the open setting, with a prominent incongruous feature two-storey section and a large urban style gate within a rural hedgerow. The development would be contrary to policies 3 (a) and 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy and paragraph 80 (e) of the National Planning Policy Framework.
3. The proposal is not sensitive to the defining characteristics of the local area. The dwelling is located within a sensitive location, adjacent to an SSSI, where clear rural views are possible over the Dungee Meadow SSSI. These views are currently not interrupted by buildings. The side (western) elevation visible from Harrold Road would be angular and a mix of materials and features not common to the area, including the timber shutters. The southern elevation facing the road would highlight the urban style of the gate and the angular two-storey section. The scale of the dwelling on the plot is large, contrary to the local character. The development would be contrary to paragraph 80 (e) of the National Planning Policy Framework.

2. The Application Proposal and Background

2.1 The proposal seeks planning permission for a single detached dwelling, with a separate front double garage. The proposal includes a new vehicular access from Harrold Road, boundary treatments and landscaping.

2.2 The application follows a previous planning application for a dwelling on the site by the same applicant (reference WP/20/00648/FUL) which was withdrawn prior to a decision being made by the planning committee at the meeting on held on 3 February 2021. This followed a previous planning application for a dwelling on the site by the same applicant (reference WP/16/00670/FUL) which was refused by Planning Committee at the meeting held on 4 October 2017 and the Planning Inspectorate dismissed a subsequent appeal in December 2018 (see Appendix 1 for the appeal decision).

2.3 Since the appeal decision, the applicant has sought further pre-application advice on the development of the site under paragraph 79 (e) (reference PRE/19/00099/PREF) and advice was given in writing by the local planning authority following a meeting on site and a written design review response from Design Midlands on the 13 January 2020 (see Appendix 2 for the advice letter).

2.4 Since the withdrawal of planning application reference WP/20/00648/FUL earlier this year the applicant has sought further advice from Design Midlands dated May 2021 which is included in the supporting information and at Appendix 3.

2.5 The development of a single dwelling on the site, to meet paragraph 80 (e) [formerly paragraph 79 (e)] of the NPPF, has been considered by the Design Midlands design review team three times. Design Midlands is the accredited independent architectural review panel for the East Midlands Region. The first review was part of the pre-application advice process. A design was considered at a Design Review panel meeting in November 2019 and the Design Midlands letter dated 10/12/19 is referred to in the Council's pre-application advice letter. The design changed from the pre-application stage and a second desktop review of a revised design was undertaken in 2020 and a further letter from Design Midlands advising on the design is dated 7/8/20. Following the withdrawal of planning application reference WP/20/00648/FUL the applicants have sought a further review after alterations to the proposals were made, the letter from Design Midlands is dated May 2021.

2.6 The submission is supported by the following additional reports:

Design and Access/Sustainability/Planning Statement and appendices
Landscape Statement and appendices
Preliminary Ecological Statement and eDNA Survey
Tree Survey, Impact Assessment & Method Statement, Constraints Plan, Tree Protection Plan

3. Site Description and Surroundings

3.1 The application site is a rectangular parcel of land 2.4 hectares in size. The site is garden land for the adjacent dwelling Dungee Corner, located to the east, and has previously been used as an orchard. The site currently has no vehicular access. The site abuts the road verge of Harrold Road to the south, the remaining garden of Dungee Corner to the east. The boundary between the site and remaining garden is not well

3.2 The site abuts open countryside to the north and west and the boundary is defined by a 1.0-metre-high post and wire fence. The site contains several trees and a belt of trees/hedgerow defines the southern boundary with the road. The site is relatively flat.

3.3 The site is located within open countryside, the nearest settlement being Bozeat approximately 2,100 metres to the west. The open countryside abutting the site to the

north and west is a single field approximately 4.7 hectares in area identified as a Site of Special Scientific Interest (SSSI) 'Dungee Corner Meadow'. The field is lowland meadow; a traditionally managed hay meadow and grassland and includes varied grass species and Northamptonshire Biodiversity Records Centre (NBRC) notable protected species of flowering plants including rare orchid.

4. Relevant Planning History

WP/16/00670/FUL	Refused Erection of a single dwelling and formation of vehicular access. Appeal Dismissed 31.12.2018.	04.10.2017
WP/19/00326/PNX	Prior approval not required with conditions Notification for Prior Approval for a Proposed Larger Home Extension for demolition of rear single storey projection and two single storey rear extensions	09.07.2019
WP/20/00648/FUL	Application withdrawn Construction of a new dwelling, new vehicular access, boundary treatments and landscaping under paragraph 79 NPPF - additional plans	28.01.2021
WR/1963/0213	Permitted development Proposed bay window	31.10.1963

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

1. **Bozeat Parish Council** – no response received.
2. **Neighbours/Responses to publicity** – no response received.
3. **Local highway Authority (LHA)** - no objection is raised to the application on highway safety or capacity grounds.
4. **Environmental Protection Officer** – no objections to make on this application for land contamination. Recommends a condition is included in the event that any unexpected contamination is discovered during the works.
5. **Natural England** – no objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Given the close proximity of the application site to the Dungee Corner Meadow, should the Council be minded to grant permission for this application, recommend

that a condition to secure the following is appended to any consent: No materials, machinery or plant shall be stored or disposed of within the boundary of the Dungee Corner Meadow Site of Special Scientific Interest (SSSI) and no machinery or plant shall be driven or operated within the boundary of the SSSI.

6. **Wildlife Trust** - are supportive of the creation of additional areas of meadow, the source of the seed for this proposal is very important. Ideally, should the proposal receive consent, the meadow areas should be created using seed or green hay collected from the adjacent SSSI. This is so that the meadow continues to be a good example of a species rich grassland of local provenance. Commercial seed, even of native species, often has species or varieties which are not representative of local flora. These could spread into the SSSI, changing the composition of the grassland.

Recommends that a condition is included to prevent any damage to the SSSI through the storage of materials on the site or vehicle turning etc.

7. **NNC archaeology advisor** - recommends a programme of archaeological evaluation works is undertaken on the site in advance of the construction/groundworks phase of the proposed development.

8. **NNC Landscape Officer** -the landscape impact assessment concludes that the proposed development provides an opportunity to bring significant beneficial landscape change as it is considered that the 'semi-derelict' state of the site at present is a slight detractor from the SSSI, and that the visual impact would be limited to the immediate locality. The proposed wooden gates would screen the house as seen from the road.

The wooden gates and additional planting on the Harrold Road boundary would screen the present glimpsed view of the meadow approaching the road junction. Security would obviously be an issue and the house would block the view anyway, but the wooden gates would not improve the view. If the proposed development is of outstanding visual quality, there is the question of whether it should be screened.

The tree survey condemns the row of fruit trees which would need to be removed on the boundary with the meadow. The ecology report appears to view them more favourably as having some ecological value and they do not detract visually. The ecology report concludes that the site has low to moderate ecological value in its present state makes a number of recommendations on procedures for minimising harm to any species which may be present. Net gain is a requirement which should be possible to meet with additional planting of hedgerows, but as the Wildlife Trust has observed the method of providing wildflower meadow on the limited areas allocated on the proposed layout needs to follow their advice avoiding the introduction of inappropriate species, seed being harvested from the SSSI if possible.

9. **NNC principal projects officer (ecology)** – has two key concerns with this application, the most immediate of which is that the fruit trees identified as G3 on the Tree Survey & Constraints Plan (no dwg number; Sept 2020) were identified in the

Preliminary Ecological Appraisal report as having potential bat roosting features (section 7.10, p.24). None of the trees identified for removal have been inspected for their roosting potential. The potential impacts on bats are unknown and therefore **the council currently does not have sufficient information to positively determine this application.**

The other concern is that the application has not demonstrated a net biodiversity gain in accordance with NPPF paragraph 180 or JCS Policy 4. In my view a net gain is particularly important on a site which is adjacent to a SSSI. The plans appear to include some beneficial interventions like replacement fruit trees, green roofs and meadow planting, so it may be that a net gain would in fact be delivered. However, this should be evidenced using the new Defra 'Small Sites Metric' for biodiversity. Until such evidence is supplied the officers cannot be certain that the net gain policies would be satisfied.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 3 (landscape character)
- 4 (biodiversity and geodiversity)
- 5 (water environment, resources and flood risk management)
- 8 (North Northamptonshire place shaping principles)
- 9 (sustainable buildings and allowable solutions)
- 10 (provision of infrastructure)
- 11 (network of urban and rural areas)
- 13 (rural exceptions)
- 15 (well-connected towns, villages and neighbourhoods)
- 19 (the delivery of green Infrastructure special policy areas)
- 26 (renewable energy)
- 28 (housing requirements and strategic opportunities)
- 29 (distribution of new homes)
- 30 (housing mix and tenure)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policies

SS1 (villages)
GI 1 (local green infrastructure corridors)

6.5 Neighbourhood plans: None relevant

6.6 Other Relevant Documents:

Sustainable Design
Biodiversity
Trees on Development Sites
Planning Out Crime in Northamptonshire
Northamptonshire Parking Standards
Air Quality

7. Evaluation

7.1 **Principle of Development and material considerations** - Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”*

7.2 Since the appeal decision, the Plan for the Borough of Wellingborough has been adopted (February 2019). The previous application identified that emerging policy SS1 of that plan was relevant.

7.3 PBW policy SS1 states that village boundaries are defined on the Policies Maps. The Map defines the boundary of Bozeat, the nearest village, and clearly shows that the site lies within the open countryside.

7.4 The site is located within a rural area. JCS policy 11 (2) (a) states that development in rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement. It also states that other forms of development will be resisted in the open countryside unless there are special circumstances as set out in policy 13 of the JCS or national policy.

7.5 JCS policy 13 (2) (a) confirms that new residential development in the open countryside, will not normally be permitted unless it would be either (a) be of exceptional quality or innovative design or (b) a house for an essential rural worker. The policy refers to specific paragraphs of the plan, which state that within North Northamptonshire, proposals will 'provide innovative standards of sustainable design, in excess of those set out in Policy 9 of the JCS and national regulations and make an outstanding contribution to the character of the landscape, promoting and reinforcing local distinctiveness'.

7.6 As promoted by the plan, the applicant has sought early advice on the design of the scheme through an accredited design review by Design Midlands, to provide an independent assessment of the proposal.

7.7 Therefore, the proposal for a new dwelling on the site is not acceptable in principle, unless the proposal meets the exception stated in policy 13 (2) (a) of the JCS and is considered to be an 'individual dwelling of exceptional quality or innovative design' including exceeding the requirements of policy 9 'Sustainable Buildings' and national regulations. Policy 13 (2) (a) of the JCS is considered broadly in accordance with national policy in the NPPF, however the 2021 update has removed innovative from the NPPF and the policy is now paragraph 80 (e) rather than 79 (e).

7.8 The NPPF is a material consideration in the determination of the application. NPPF paragraph 80 (e) reads as follows:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

7.9 The application has been submitted to specifically comply with paragraph 80 (e) of the NPPF.

7.10 Under paragraph 80 (e) of the NPPF the headline requirement is for the proposal's design to be of "exceptional quality", and the requirement of the first bullet point is for a truly outstanding design and needs to meet the highest standards of architecture. The requirement of the second bullet point for a proposal to significantly enhance its immediate setting would not in any way reduce the need for outstanding design. The requirement for "exceptional quality" represents a high bar, not easily met.

7.11 This requirement needs to be borne in mind when assessing this application.

7.12 The previous appeal decision (dated 31/12/18) is a material consideration to this proposal. The proposal has changed significantly since that appeal was dismissed, but the Inspectors views are relevant to the consideration of the proposal as the application again, proposes a paragraph 80 (e) dwelling on the same site.

Whether the proposal meets NPPF Paragraph 80 (e)

Summary of the Proposal

7.13 The application is supported by a Design and Access/Sustainability/Planning Statement (herein to as the 'Statement') and a Design Response to the Design Review by Design Midlands.

7.14 The design objective of the development is to provide a family home; an outstanding, environmentally sensitive scheme that makes the most of the unique location overlooking Dungee Meadow and reflects its sensitive ecology in the landscape approach. The proposed design has evolved from the wish to have views over the meadow, privacy and security from Harrold Road and include a home office. The submitted Statement considers the proposed scheme is landscape based, focusing upon the key features of the hedgerow to Harrold Road and the low-key boundary to the SSSI meadow. The pear tree to the west of the site is proposed to be retained for its sculptural quality.

7.15 The previous scheme was dismissed at appeal with the Inspectorate considering that externally, the design of the house of the appeal scheme itself would be assured but for the most part unremarkable, in a relatively conventional contemporary idiom of plain rendered walls, large metal-framed windows and standing-seam metal roofs finishing in a tapered edge.

7.16 This application proposes an irregular quadrilateral form, with straight edges to follow the shape of the site. The proposed dwelling is a courtyard shape to reflect the form of Dungee Barn (visible from the site and located to the south-west and on the opposite side of Harrold Road) and the roman villa history in the wider area. The substantial boundary to the courtyard would conceal the house from Harrold Road, and reveal the house when the timber sliding gate to Harrold Road is opened. The courtyard gate would be vertical timber.

7.17 Internally, the dwelling is split into 3 blocks, with an internal circulation route. The living and working spaces are to the west wing, the kitchen, dining area and master suite and two storey viewing gallery are in the north wing facing the meadow and the bedrooms and garage in the east wing. The central two storey element contains the main dwelling entrance and directly faces the entrance gate. From the entrance gate views would be possible to the meadow, through the doors and an equal sized glazed window on the north elevation. The east and west wing are single storey and have mono-pitched meadow turf roofs sloping into the courtyard, with photo voltaic panels located in the centre of the roofs. The single storey section of the north wing has a mono-pitch pantile roof sloping towards the meadow and a flat meadow turf roof to the corridor area facing the courtyard. The two-storey section of the north wing has a pantile roof including vertical hung tiles.

7.18 The statement notes that the local building materials are basket weave local limestone, soft red Leicestershire brick and grey slate and red pantile roofing. The dwelling is to be constructed of stone, with red brick quoin detail around the exterior windows. Windows and doors are to be full height timber windows with timber lintels. All rooms have windows facing onto either the meadow or the garden. The upper floor of the north elevation contains the lounge and has a large full height door/window behind a glass balustrade (Juliet balcony).

7.19 On the north elevation, the upper floor window overhangs the ground floor and the overhang would be wrapped in zinc cladding. On the courtyard elevations, the north wing has 6 horizontal clerestory windows set within a brick elevation. The east and west wings each have 4 glazed panels each containing a full height triple window set within a brick elevation. The windows facing the courtyard have pivoting timber screens which lift and fold horizontally, forming brise soleil. The east wing includes 2 timber garage doors.

7.20 There are two small sections of vertical oak cladding above the two side doors leading from the hall corridor to the garden.

7.21 All exterior windows are recessed and have sliding timber shutters. The shutters can be concealed behind the stone facing elevations. The shutters will operate on a PIR (passive infrared sensor) triggered by a reduction in ambient light but can also be opened manually. The statement asserts that with the shutters open the house will be revealed, with the shutters closed, the dwelling materials of stone, brick and timber will be reminiscent of agricultural buildings, without being a faux barn conversion.

7.22 The dwelling is called 'Reveal House' to reflect the concept of the dwelling being revealed upon entering the courtyard and revealed from behind the external and internal shutters. The submitted plans show the elevations with the shutters open and with the shutters closed. All shutters will be vertical timber.

7.23 The dwelling is sited to provide framed views of the pear tree to the west and a proposed horse chestnut tree to the east. These two trees will be viewed from the glazed doors on the east and west elevations, at either end of the entrance hall corridor.

7.24 Access to the dwelling and garden is suitable for wheelchairs and pushchairs via the level limestone aggregate and limestone paving. Within the house, the ground floor is fully accessible in accordance with Part M4(2) of the Building Regulations.

7.25 A private garden is proposed to the east of the house, adjacent to the garden of Dungee House. This will comprise a lawn, utility space and vegetable garden. The boundaries will be defined by a new hedgerow. To the west and north of the dwelling, adjacent to the meadow, the site will be planted with meadow grasses and include a patio on the western side. To the south of the dwelling, will be the vehicular access point, driveway and parking area and access to the double garage. The driveway will consist of a bonded limestone aggregate. The site entrance will be secured by a sliding 1.8 metres high wooden gate to the driveway. Plan (08)33 shows this gate will be 5.0 metres in width and consist of natural untreated oak vertical board. The Statement notes that the site is to be landscaped to provide different habitats. The north and western boundaries will be minimal post and wire fencing, and areas to the site to the north and west of the dwelling, will be planted as summer meadow (apart from a patio area adjacent the kitchen). The southern boundary to the road will be planted with native trees and shrubs and the hedge renovated. The area to the east

of the dwelling (the largest area of the site) will be split into a private lawned garden, vegetable garden and large utility space. Planting will include fruit trees, to reflect the previous use of the site as an orchard. Hedgerows will be planted to the northern and eastern boundaries and to separate the lawn and utility area. Within the courtyard of the house a sheltered garden is proposed.

7.26 To be considered as a paragraph 80 (e) dwelling, the development would need to be for an 'isolated home in the countryside'. This is a matter of fact and planning judgement.

7.27 This point was considered in the previous appeal and it was considered that despite the proximity to Dungee House, the site is 'isolated'. Also, of consideration is the last application reference WP/20/00648/FUL whilst this was withdrawn from consideration prior to a decision being made by the planning committee officers were recommending refusal of the application for the following reasons:

1. The proposed development would be development in the countryside outside of a defined settlement boundary. The development does not meet the requirement for individual dwellings in the open countryside to be of exceptional quality or innovative design. The development is contrary to policies 8 (d) (i) and (ii), 11 (2) (a) and (b) and 13 (2) (a) of the North Northamptonshire Joint Core Strategy and policy SS1 of the Plan for the Borough of Wellingborough.

2. The proposed development is not of exceptional quality in that it is neither truly outstanding or innovative. The 'reveal' concept has not been fully reflected on the site as a whole. The proposal fails to demonstrate the design is particularly innovative, and the main innovative measure is not available and the measures to reduce light spill would be at the discretion of the occupier. The impact on the design concept of the proposal of using solar panels on the green roofs has not been considered. The development would be contrary to paragraph 79 (e) of the National Planning Policy Framework.

3. The development would not help raise design standards more generally in rural areas. The use of solar pantiles is not possible and the impact of solar panels on the design has not been considered. The control of light spill into the rural landscape would be at the discretion of the occupier. The large urban design of the access gate is not appropriate to a rural location. The development is contrary to paragraph 79 (e) of the National Planning Policy Framework.

4. The proposal would not significantly enhance its immediate setting. The development would introduce a large building into the open setting, with a prominent incongruous feature two-storey section and a large urban style gate within a rural hedgerow. The development is contrary to policies 3 (a) and 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy and paragraph 79 (e) of the National Planning Policy Framework.

5. The proposal is not sensitive to the defining characteristics of the local area. The dwelling is located within a sensitive location, adjacent to an SSSI, where clear rural

views are possible over the Dungee Meadow SSSI. These views are currently not interrupted by buildings. The side (western) elevation visible from Harrold Road would be angular and a mix of materials and features not common to the area, including the timber shutters. The southern elevation facing the road would highlight the urban style of the gate and the angular two-storey section. The scale of the dwelling on the plot is large, contrary to the local character. The development is contrary to paragraph 79 (e) of the National Planning Policy Framework.

7.28 The applicant has provided a rebuttal to this recommendation, which outlines their points of redress in terms of the matters raised in the report this is included in the supporting information and is entitled “*Design and Access Statement Appendix 8*”.

7.29 What is apparent is that consideration has been given to a number of the points particularly the use of solar panels which is referred to in reasons 2 and 3, which forms a primary change from the previous scheme. Additional changes include:

- The design of the front door has been revised. The eaves brought down to the door head height and the timber screen brought to the exterior and are no longer pocket doors.
- Windows are amended to be within the panel size available.
- Shutters are to be automated to minimise light spill.
- Electric charging points for visitors’ cars have been shown.
- Detached Garage design altered to facilitate design integration relative to the main house with similar roof slope.

7.30 The changes made to the scheme concentrate on reasons 2 and 3, and whilst the applicant has sought to justify design rationale for other elements additional changes have not been put forward.

7.31 The officer report raised scale of the property in particular the two-storey element was considered not rural or low lying. The entrance with large gates was considered urban and uncharacteristic. The location of the garage to the front was also considered to detract from the property. The use of zinc was questioned.

7.32 Whilst the comments from Design Midlands provide guidance, they by no means provide a planning judgement and reasons 1, 4 and 5 above would be difficult to overcome without significant changes to the proposals which have not been presented in this submission.

7.33 The following paragraphs discuss whether the proposal is considered to meet each of the parts of paragraph 80 (e) in turn.

The design is of exceptional quality in that it truly outstanding

7.34 The appeal decision for the previous proposal on the site notes that 'it was agreed at the hearing by both parties that 'exceptional quality' represented a high bar, not easily met' (paragraph 14).

7.35 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.36 The government at paragraph 130 (a) - (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality to the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.37 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.38 Paragraph 80 (e), formerly paragraph 79 (e), requires that the design is of exceptional quality and truly outstanding.

7.39 The Statement refers to the design as reflecting Dungee Barn and the local roman past. The Statement refers to the proximity of the roman road that runs north towards the fort at Irchester, and the evidence of a roman villa found at Yelnow Villa 5 kilometres to the east. But there is no known roman history on the site itself. The layout does not reflect the adjacent Dungee House, which is positioned close to and facing the road, and as such is more reflective of the site characteristics.

7.40 The reveal concept of the proposal is not considered to be fully reflected in all aspects of the scheme as the property would be visible from a number of points including the main street scene elevation, which moves emphasis away from the concept of the dwelling being "revealed". *The design appears somewhat confused and does not fully correspond with its concept (reveal) and differs from "Dungee Barn" with features not consistent with the barn for example the celestery windows and the scale of the southern elevation which are not features or characteristics of the area.*

7.41 The driveway gate shown on the street scene elevation plan number (08)33 shows a 5.0-metre-wide timber gate which would measure 1.8 metres in height in vertical untreated oak. Although the oak would be untreated, the gate would still be a large prominent feature in the hedgerow boundary. The proposed design is more akin to an urban location.

7.42 The design statement raises that the concept reflects Dungee Barn however features such as the upper floor celestery windows which face the highway are not

features seen at Dungee Barn and these combined with the massing of the central two storey element create substantial visual bulk, which detracts from the reveal concept. These windows combined with the mass and height of the building and its width give the visual feel of a commercial building rather than a building suited to a rural landscape

7.43 Whilst the detached double garage has been integrated into the scheme design wise to a greater extent it still sits forward of the main house and detracts somewhat from the main ambition and concept. Upon entering the site, visitors would immediately see the typical large garage style openings to the garage and so the 'reveal' concept is somewhat diluted, as it is clear the site contains a dwelling. In addition, a detached garden building sits adjacent the garage and further detracts from the concept and adds further built form and width.

7.44 The north facing first floor large floor to ceiling windows and doors are a very prominent exposed feature, of a very domesticated nature and this element does not fit in with any form of rural barn and draws negatively on the concept which is suggesting it is of low profile. This feature is the highest point on the north elevation, and it is covered in glazing and framed which exacerbates its visual impact in the wider landscape. This two-storey section and the glazed openings to the first floor appear out of context with the rest of the single storey courtyard design.

7.45 The design does utilise local materials in stone, brick, timber windows and slate/pan tiles. The design introduces framed untreated natural oak shutters as a major design feature (and key to the concept of 'reveal') and zinc cladding, and two small areas of exterior oak cladding. The use of local stone as the main building material is welcomed and appropriate to the site. Red brick is to be used for bold window surrounds and as the facing material within the courtyard. Brickwork is proposed to the upper floor walling between the celestery windows however elevations depict a smooth render style appearance.

7.46 In summary, the concept of 'reveal' is not carried through and fully reflected on the site, as a whole, particularly the proposed detached double garage, and the urban style vehicular access gate. The design puts forward elements such as the south facing "celestery" windows and the north facing first floor glazing and doors which are not considered in keeping with a rural design or Dungee Barn, feature such as these domesticate the elevations and increase their prominence and are considered out of character. The celestery windows particularly give the main elevation the appearance of a commercial building or a fortress. The design of the scheme as such is not considered to be of exceptional quality or truly outstanding.

7.47 The integration of innovation into a design whilst no longer a requirement of the NPPF Paragraph 80 (e) is still considered to make a contribution towards the level of a design and hence its quality and this is the focus of JCS Policies 13 (2) (a) and 9 that seek to ensure high sustainability in design.

7.48 The current application proposes a net zero carbon dwelling. The scheme proposes:

- exemplar energy use (15-35 kWh/m² per year).
- thermal efficiency in construction, materials and appliances.
- materials from sustainable/managed and local sources.
- mechanical ventilation and heat recovery.
- Shutters used for shading.
- Shutters on the external elevations to be closed by an ambient light PIR system to conserve energy and reduce light spill.
- renewable energy from ground source heat pump.
- solar photovoltaic roof tiles to part of the southern roof slope.
- foul drainage to a bio-digester.
- Rainwater harvesting from roof and courtyard to be used for flushing toilets and irrigating the garden.
- Permeable surfacing of the driveway.
- Low water demand to meet JCS policy 9.
- Storage batteries in the garage.
- Electric vehicle charging points in the garage and visitor parking area.
- The guest bedroom wing can be closed down when not in use, to save energy.

7.49 It is considered that the above measures could provide for a high level of sustainability, however the proposals do not provide details of the above measures in the details or plans. Details of mechanical ventilation and heat recovery, ground source heat pumps, bio-digester, rainwater harvesting tanks are not provided and potentially have an impact on the design and appearance of the proposal. The lack of information relating to these elements means an accurate assessment of the technology, innovation and design implications of the methods cannot be fully considered by officers. Manufacturers product details, access and maintenance details need to be provided. The statement about the guest wing being closed down when not in use to save energy is a worthless statement. Details of measures which could be introduced to minimise usage energy usage etc would be expected to be provided.

7.50 The use of solar photovoltaic panels on the green roofs, with hanging tile and zinc flashing, is not considered ground-breaking. The range of now commercially available technologies listed above, cannot be regarded as truly innovative design features within their own right.

7.51 In conclusion, as highlighted above, JCS policy 13 (a) requires a dwelling to meet and exceed requirements of JCS policy 9. Given the lack of detailed information provided the proposals fail to exceed the requirements of policy 9, and the proposal is not considered to be of exceptional quality or innovative design as required by policy 13 (2) (a) of the JCS.

And would help raise standards of design more generally in rural areas.

7.52 All new development is expected to be appropriate for its location. The design has responded to previous concerns about the materials; and the stone and brick and wooden windows now reflect local materials. The integration of solar panels is

now apparent in this scheme, shutters are proposed to be automated and various other subtle design changes have sought to further the concept and design.

7.53 The design is clearly heavily influenced by the form of Dungee Barn to the south-west, but the dwelling design has no relationship with the nearest dwelling Dungee Corner, which has not influenced the design. The landscaping to the meadow boundaries helps to blend the site with the meadow.

7.54 The gate size and design does not reflect the rural location and is an inappropriate urban feature and does not raise standards in the rural area. The garage whilst better integrated remains forward and prominently featured and increases the width of built form to the road.

7.55 Features such as the celesterial windows to the first-floor south elevation and the two-storey block section and the windows and doors to the north at the highest elevation are considered out of context with a rural setting.

7.56 In addition, light spill in a rural location is a concern. The northern and western elevations will have windows facing the meadow and will be visible to users of the nearby roads. The shutters proposed will reduce light spill, to some degree but they will still detract from a natural landscape. When closed the shutters would present an oppressive fortress like building.

7.57 The proposed sustainability features of the dwelling are very high and integrate electric charging facilities however this is common for most new residential schemes in both urban and rural areas. The features however fall short of going to an exceptionally innovative form.

7.58 It is noted that the Planning Inspector in the previous appeal considered that the previous proposal would raise standards. The use of the urban style vehicular entrance gate is not appropriate to the rural setting. Overall, despite the use of some local materials, the scheme will not raise design standards.

And would significantly enhance its immediate setting.

7.59 The NPPF also requires designs to 'significantly' enhance their immediate setting. In this case the immediate setting consists of the application site, which is currently garden land containing a number of trees around the boundaries to the application site, the existing dwelling house and associated garden to the east and a site of SSSI to the north and west. The SSSI contains a whole field of traditionally managed neutral hay meadow with purple orchids which flower in May/June each year. In order to retain its conservation interest, the SSSI requires active management each year to remove each year's growth of vegetation. To achieve this objective the fields are closed to stock in the autumn and the resultant growth of hay is usually cut early July each year following the flowering each year of the purple orchids.

7.60 The site is currently overgrown garden land that would benefit from some maintenance. It contains a hedgerow and trees that are typical of the area and fruit

trees that reflect its use at one time as an orchard. The site is not considered to have a negative impact upon its immediate setting and is a settled part of the landscape.

7.61 The rebuttal refers to the site needing management and without it the site would become scrub. The Council does not consider that this would form any justification in favour of development as this argument could be used to allow sites in general to become unmanaged in favour of development proposals.

Landscape character and visual amenity

7.62 Policy 3 (a), (b) and (e) of the JCS states that development should be located and designed in a way that is sensitive to its landscape setting retaining and where possible enhancing the distinctive qualities of the landscape character area which it would affect.

7.63 JCS policy 8 (d) (i) and (ii) states development should respond to the site's immediate and wider context and local character to create buildings which draw on the best of that local character, respond to local topography and the overall form, character and landscape setting, without stifling innovation.

7.64 The appeal decision for the previous proposal noted that 'there is no reason why an outstanding design could not successfully employ such devices as angular overhanging roofs and standing seam metal while also achieving the objective of significant enhancement of the immediate setting. JCS policy 8 expressly envisages the scope for innovation' (paragraph 20).

7.65 The application is supported by a Landscape Impact Assessment (LIA) (June 2020). The Assessment identifies the site as within the National Landscape Character Area 91 'Yardeley Wittlewood Ridge' and the local 'Bozeat Claylands' character area. These areas are characterised by arable land, extremely low woodland cover and mature oak and ash trees within hedgerows. Settlement is limited in the character area, with isolated dwellings along minor roads and at the end of tracks positioned at right angles to the road.

7.66 The site is visible from the two roads Harrold Road and Dungee Road, and from the Three Shires Way public footpath to the south-east. Users of the roads/footpath would have a high sensitivity to landscape change. The surrounding area is not designated nationally or locally for its landscape value.

7.67 The Assessment notes that the house will be exposed to the landscape on the north and west. The assessment considers the 'strong unapologetic form of the house is reminiscent of that of Dungee Barn, and its effect on the landscape when viewed from the north and west will be similar. It will be glimpsed in association with Dungee Barn from the Three Shires Way as an outstanding interpretation of rural architecture'. The Assessment considered the visual effect from 12 viewpoints. From Harrold Road, the effect is stated as between no change/minor to moderate and positive due to the dwellings' 'low lying form and rural character'. The same conclusions are made regarding views from Dungee Road. From the Three Shires Way, the effect on views are only considered to be minor and positive.

7.68 Superimposed images of the dwelling onto the photographs taken at the viewpoints have been submitted as a revised Appendix L5 to the LIA.

7.69 In addition, a proposed view of the development from Harrold Road street scene is provided. This view is considered key to the 'reveal' concept of the proposal. Plan number (08)33 has been submitted and shows that the proposed 5.0-metre-wide gate and the two-storey section of the dwelling will be visible from the road. The northern elevation facing Harrold Road will also be visible before the hedgerow and planting to the roadside are mature. The garage, stone wall and clerestory windows in the brick elevation will all be visible in this time.

7.70 The meadow planting up to the house is welcomed and would enhance that western approach to the site and blend the site boundary with the SSSI. From the site visit it is considered that the dwelling will be visible from Harrold Road (viewpoints 3 and 4) due to the appropriate minimal boundary proposed to the meadow. This is shown in the revised Appendix L5 to the LIA. The two-storey section will be visible due to its height and position in the plot. The proposed 1.8-metre-high timber gate to the driveway will also be highly visible due to its location on the site boundary and its design and size. From Dungee Road (viewpoint 6) the dwelling will be visible for the same reason. Views of the dwelling from the Three Shires Way will be minimised by the proposed hedgerow and the 7-metre-deep planting along Harrold Road. The proposed planting would provide screening in winter from the bulk of twigs.

7.71 Overall, it is considered that the position of the dwelling within the plot does not minimise its landscape impact. The dwelling could be positioned further east in the plot to minimise the views of the two-storey glass element from Harrold Road and Dungee Road (viewpoints 3, 4, 8, 9 and 10). It is not considered that this section is low lying or rural in character as concluded in the LIA.

7.72 The large vehicular entrance gate is out of keeping with the rural character of the area, where a simple wooden field gate would be the typical entrance.

7.73 The prominent position of the vehicular access gate, and the prominent two-storey section does not fit with the concept of 'reveal'. Moving the gate further within the plot and moving the dwelling further east would further screen both elements from view; providing 'glimpses' of the development which would be more consistent with the 'reveal' concept.

7.74 The LIA suggests the development will make a positive contribution to the landscape. The additional information in revised Appendix L5 demonstrates that the visual impact on the wider landscape would be fairly minimal.

7.75 The view of the dwelling from the access point will be of the two-storey section. The remainder of the dwelling may be largely hidden from Harrold Road once the

landscaping matures. The Landscape Officer notes that there is a tension between the argument that it is good for the building to be screened but on the other hand if it is truly exceptional should it not be visible.

7.76 In conclusion, it is considered that the submitted plans and landscape appraisal fail to demonstrate that the development will significantly enhance its immediate setting as required by NPPF paragraph 80 (e). The development would introduce a large building into the open setting, with a prominent incongruous feature two-storey section and a large urban style gate within a rural hedgerow. The development would also be contrary to policies 3 (a) and 8 (d) (ii) and (ii) of the JCS

And be sensitive to the defining characteristics of the local area

7.77 JCS policy 8 (d) (i) and (ii) seek new development to respond to the local topography and overall form, character and landscape setting of a sites immediate and wider and local context. The local area in the vicinity of the site consists of isolated residential dwellings known as Dungee Corner and Dungee Barns which are part two storey and part single storey and both buildings are surrounded by dense planting consisting of a combination of trees and hedgerows. The defining characteristics of the local area consists of isolated dwellings surrounded by open fields containing various crops and an SSSI containing a hay meadow with rare purple orchids lies to the north and west of Dungee Corner which are surrounded by hedgerows of varying heights.

7.78 The large two storey roof slope to the south elevation presents a large mass of tiles which sit directly above the large entrance gates. The opening for the access is as such filled by two uncharacteristic elements which will sit exposed and highly prominent from the roadside elevation as shown on drawing 08 (33). This seems a wasted element that does not serve any function and provides little attempt to form part of a rural natural landscape. The previous application sought to use this section to utilise solar tiles to the southern section of the slope which would have provided an innovative and functional aspect however the technology was not available in the United Kingdom and as such the single storey wings now adopt solar photovoltaic panels. The south facing tiled roof slope as such serves little purpose and draws visual attention and contradicts the reveal concept.

7.79 The celestial windows to either side or out of character and add to the bulk and massing exaggerating the buildings width which is not characteristic of the area.

7.80 The proposed meadow landscaping blends the site with the adjacent meadow and the green roof reflects the wider arable landscape.

7.81 The enclosed courtyard garden is an interesting feature and not typical of local rural dwellings but can occur in barn conversions. The Statement stresses the scheme is not a faux barn conversion. The hedgerow is to be improved and further hedgerows planted. The roadside trees are to remain, and the road boundary enhanced with native shrub planting.

7.82 The green roof, the retention of the trees and the native hedgerow and shrub planting are all welcomed.

7.83 The side (western) elevation visible from Harold Road would be angular and a mix of materials and features not common to the area, including the timber shutters. The southern elevation facing the road would highlight the urban style of the gate and the angular two-storey section. The design, scale, form and materials do not blend with the local area.

7.84 As was considered in the withdrawn application by officers,

7.85 “The two-storey section has been designed to maximise the view of the meadow, and the angular form reflects the intention to use solar tiles. However, the solar tiles are not available and so the form and design are less convincing”.

7.86 This remains the case and it seems irrational to retain a feature designed to facilitate a function that no longer does but not revise the proposals accordingly especially given this element is the highest point of the proposal and forms the most prominent visual point in the surrounding landscape.

7.87 Overall, the dwelling is located within a sensitive location, adjacent to an SSSI, where clear rural views are possible over the SSSI. These views are currently not interrupted by buildings. The character of the area consists of isolated dwellings and farms, in large plots. The scale of the proposed dwelling on the plot is large. The dwelling uses local materials, but the angular design and large number of shuttered windows defined by brick surrounds is not sensitive to the defining characteristics of the local area.

Conclusion regarding NPPF paragraph 80 (e)

7.88 The proposed development is not considered to meet the exceptional quality required by paragraph 80 (e) of the NPPF and policy 13 (2) (a) of the JCS. The design is not truly outstanding, reflecting the highest standards of architecture and would not help to raise standards of design in the rural area. The design concept of 'reveal' is not carried through into the whole development. The scale, massing and design of the two storey section which sits directly in line with the large unsympathetic entrance gate with the garage and garden building forward of the frontage all result in a lot of visual built form which does little to accord with the locality.

7.89 The design utilises local materials but the urban style vehicular entrance gate is not appropriate to the rural setting.

7.90 The proposed development does not exceptionally raise standards in rural areas. The submitted plans and landscape appraisal fails to demonstrate that the development will significantly enhance its immediate setting. The development would introduce a large building into the open setting, with a large urban style gate within a rural hedgerow. The angular design and large number of shuttered windows are not sensitive to the defining characteristics of the local area. The previous dismissed

appeal is a material planning consideration, along with the consideration given by officers in report to the planning committee to the previous withdrawn application. The previous reasons for dismissing the appeal and reasons officers considered the last application unacceptable have not been overcome through this application.

7.91 In addition to paragraph 80 (e) of the NPPF the application would need to meet all relevant Development Plan policy. The relevant policy considerations are set out below.

Effect on biodiversity

7.92 Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

7.93 The JCS at policy 4 - biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

7.94 The revised NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The application is supported by a Preliminary Ecological Appraisal, eDNA Survey for Great Crested Newts, a Tree Survey and Impact/Method Statement and Landscape Plan. The site is located within 5 kilometres of five statutory sites, including the adjacent SSSI, but the site is of low to moderate ecological value. Within the site are fruit trees, tree stumps, hedgerow and various trees. Habitats are of low to moderate value. The Ecological Appraisal recommends the retention of the southern boundary hedgerow and the mature fruit trees. There is no evidence of Great Crested Newts. The Tree Survey recommends the removal of several fruit trees.

7.95 The proposals offer opportunity for biodiversity enhancements. The Ecological Appraisal recommends that to secure a net gain in biodiversity, a native hedgerow should be planted on the site boundary, subject to Natural England consultation (it is not clear which boundary). The Tree Survey recommends the removal of the group of fruit trees to the north boundary, and 2 other trees. All remaining trees are to be retained and further trees planted to the southern boundary. The Landscape Plan also shows an additional hedgerow, native shrubs and 9 new fruit trees within the garden.

7.96 Within the courtyard dwarf fruit trees and olive trees are proposed. A Planting Schedule is provided in Appendix 5 of the Planning Statement. The ecology report concludes that the site has low to moderate ecological value in its present state makes a number of recommendations on procedures for minimising harm to any species which may be present. NNC principal project officer (ecology) considers the fruit trees identified as G3 on the Tree Survey & Constraints Plan (no dwg number; Sept 2020) were identified in the Preliminary Ecological Appraisal report as having potential bat roosting features (section 7.10, p.24). None of the trees identified for removal have been inspected for their roosting potential. The potential impacts on

bats are unknown and therefore **the council** currently does not have sufficient information to positively determine this application. Additionally, the application has not demonstrated a net biodiversity gain in accordance with NPPF paragraph 180 or JCS Policy 4. In my view a net gain is particularly important on a site which is adjacent to a SSSI. The plans appear to include some beneficial interventions like replacement fruit trees, green roofs and meadow planting, so it may be that a net gain would in fact be delivered. However, this should be evidenced using the new Defra 'Small Sites Metric' for biodiversity. Until such evidence is supplied officers cannot be certain that the net gain policies would be satisfied.

7.97 It is as such considered that the proposals have not sufficiently demonstrated whether they would give rise to any significant adverse biodiversity impact, none of the trees have been inspected for bat roosting opportunities. The proposed development would not comply with policy 4 of the JCS.

Effect on Archaeology

7.98 JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.

7.99 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 194 advises that, where appropriate, when determining an application which could affect a heritage asset with archaeological interest the council should, where appropriate, require developers to submit a field evaluation.

7.100 NNC Archaeologist notes that the site is close to the projected line of the Roman road from Water Newton through Dungee Wood. Also, there is evidence of crop marks in the field to the north, possibly an Iron Age and Romano-British settlement. There is the potential for archaeological remains to survive on the site, albeit truncated. The proposed application will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. A condition for an archaeological programme of works as per NPPF paragraph 205 is required. Subject to the condition, the proposal would meet policy 2 (d) and advice contained within paragraph 205 of the NPPF.

Effect on flood risk and drainage

7.101 The JCS at policy 5 sets out a raft of sub-policies aimed at preventing or reducing flood risk.

7.102 The revised NPPF at chapter 14 sets out government policy on how the planning system should take into account the risks caused by flooding. The planning practice guidance under the chapter titled 'flood risk and climate change' gives detailed advice on how planning can take account of the risks associated with flooding in the application process.

7.103 The application site is located within an area that has a very low chance of flooding from surface water and from rivers. This means that each year, this area has a change of flooding of less than 1 in 1000 (0.1%).

7.104 No neighbour objections have been received in relation to the effects of flood risk and drainage.

7.105 The proposed development would comply with policy 5 of the JCS.

Effect on foul sewage

7.106 JCS Policy 10 (b) requires new development to minimise increases in the demand for additional/expanded water infrastructure. Whilst policy 10 (c) states that planning permission will only be granted if it can be demonstrated that there will be sufficient infrastructure capacity provided within an agreed timescale to support and meet all the requirements which arise from the proposed development. Policy 10 (d) states that the council and developers should work with infrastructure providers to identify viable solutions to deliver infrastructure where appropriate by phasing conditions, the use of interim measures and the provision of co-located facilities.

7.107 The site layout shows an on-site sewage treatment plant is proposed. Final details can be secured by condition to meet JCS policy 10 (b), (c) and (d).

Effect on noise

7.108 To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (ii) states that new development should be prevented from contributing to or being adversely affected by unacceptable levels of noise.

7.109 Chapter 15 of the revised NPPF gives advice on how local planning authorities should prevent new development from being adversely affected by unacceptable levels of noise pollution. The NPPF further advises that decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

7.110 The PPG offers detailed advice on Noise which was updated on 24 December 2014. The Environmental Health team advise that there are no nearby properties that are likely to be significantly adversely affected by noise or dust from construction activities, however, it would be prudent to consider noise and dust impacts in a construction environmental management plan.

7.111 Subject to the imposition of a condition relating to a construction management plan the proposed development would comply with policy 8 (e)(ii) of the JCS.

Effect on air quality

7.112 To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (i) requires development not to have an unacceptable impact on amenities by reason of pollution, whilst 8 (e) (ii) goes further by stating that both new and existing development should be prevented from contributing to or being adversely affected by unacceptable levels of air pollution.

7.113 Policy 15 (c) of the JCS seeks for the design of development to give priority to sustainable means of transport including measures to contribute towards meeting the modal shift targets in the Northamptonshire Transportation Plan.

7.114 The proposed development includes the provision for vehicle parking. A key theme of the revised NPPF is that developments should enable future occupiers to make "green" vehicle choices and paragraph 107 (e) "incorporate facilities for charging plug-in and other ultra-low emission vehicles".

7.115 The Environmental Health team advise that electric vehicle charging facilities have been incorporated into the design (within the garage and driveway) and the house is intended to meet very high energy efficiency standards. Adverse impacts on air quality are expected to be very low.

7.116 The development is considered to comply with JCS policies 8 (e) (i) and 15 (c) and advice contained within NPPF paragraph 107 (e).

National space standards

7.117 The JCS at Policy 30(b) requires the internal floor area of new dwellings to meet the National Space Standards as a minimum.

7.118 The Planning Statement at page 27 demonstrates that the dwelling layout will meet the national space standards. The development would therefore comply with policy 30 (b) of the JCS.

National accessibility standards

7.119 Policy 30 (c) seeks new dwellings to meet category 2 of the National Accessibility Standards as a minimum.

7.120 The Statement shows that the dwelling has been designed to be wheelchair accessible at ground floor level (pages 28-29). A condition should be imposed to ensure compliance with policy 30 (c) of the JCS on the ground floor of the dwelling.

Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development

7.121 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.122 At paragraph 130 of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.123 The nearest property to the dwelling is Dungee House to the east. The house is approximately 70 metres from the nearest part of the proposed dwelling. At this distance there will be no adverse amenity impact on Dungee House. The proposed garden will abut the garden of Dungee House, and a new hedgerow boundary is proposed. This is appropriate for the rural context.

7.124 No neighbour objections have been received.

7.125 Overall, the amenity impact is acceptable. The proposed development would comply with policy 8 (e) (i) of the JCS.

Effect/Impact on highway safety in relation to (the proposed access arrangement and parking provision)

7.126 JCS Policy 8 seeks to create connected places and safe and pleasant streets. Part (a) requires new development to integrate into the wider settlement, connect to existing services and facilities.

7.127 JCS policy 8(b) states development should prioritise the needs of walking, cycling and public transport over car use and resist developments that would prejudice highway safety. Development should ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards. Under the Northamptonshire parking standards 2016, new dwelling houses with 4 bedrooms are expected to provide 3 on-site parking spaces.

7.128 The proposed site plan includes an area of hardstanding for the parking of a least 4 vehicles and a double garage, which meets the size standard (5.8 metres x 6 metres). The parking area is below the size standard of 3 metres x 5.5 metres. The access can achieve the necessary 2 metres by 2 metres pedestrian to vehicle visibility above of height of 0.6 metres. The driveway width is 3.6 metres which is above the maximum of 3.3 metres for a single dwelling access. Given the need to maintain the maximum length of the existing hedgerow.

7.129 The highways authority raises no objection, subject to the conditions.

7.130 Subject to conditions to meet the highways standards, the development would meet JCS policy 8 (b) (i) and (ii).

Contamination

7.131 The JCS at policy 6 says that local planning authorities will seek to maximise the delivery of development through the re-use of suitable previously developed land within the urban areas. Where development is intended on a site known or suspected of being contaminated a remediation strategy will be required to manage the contamination. The policy goes on to inform that planning permission will be granted where it can be established that the site can safely and viably be developed with no significant impact on either future users of the development or on ground surface and waters.

7.132 The revised NPPF sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic.

7.133 The Environmental Protection Officer recommend a condition regarding unexpected contamination. Subject to the condition, the proposal would meet policy 6 of the JCS and the NPPF.

Crime and disorder

7.134 Section 17 of the Crime and Disorder Act 1998 details the need for the Council to do all that it reasonably can to prevent, crime and disorder in its area.

The JCS at policy 8 (e) (iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime. The adopted designing out crime supplementary planning guidance gives detailed advice this issue. The revised NPPF at paragraph 130(f) states that decisions should aim to ensure that developments create safe, inclusive and accessible environments which promote health and wellbeing with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

7.135 All doors and windows should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of third party accredited products.

7.136 Plan 19 1014 (68) 01 Rev A has been provided to show fire vehicle access and meets the requirements of Building Regulation B5.

7.137 The development will therefore meet JCS policy 8 (e) (iv).

Social dimension

7.138 The proposal would be a windfall that would have a very minor benefit for housing supply, however, its location would be contrary to adopted development plan strategy. The supply benefit would be marginal and the site's location, well away from the village of Bozeat, would not be easily accessible to services and facilities. Its development would do very little to support the vitality of the settlement.

8. Conclusion

8.1 The proposed development is contrary to Development Plan policy in that it is for a single dwelling within the open countryside. The proposal is not an individual dwelling of exceptional quality and therefore is not an exception permissible under JCS policy 13 (2) (a). The development would therefore be contrary to policies 13 (2) (a), 9, 3 (a) and 8 (d) (i) and (ii) of the JCS.

8.2 The proposed development is not considered to meet the requirements of NPPF policy 80 (e). The development is not of exceptional quality, in that it is neither truly outstanding. The development would not help raise design standards more generally in rural areas, would not significantly enhance its immediate setting and is not sensitive to the defining characteristics of the local area.

8.3 The appeal decision APP/H2835/W/18/3194108 dated 31/12/18 is a material

consideration against the proposal, as is the published planning committee report relating to the previous application which was withdrawn before the application was determined but which was considered unacceptable by officers. The views of the Midlands design review are also a material consideration and have been considered.

8.4 The proposed development is therefore recommended for refusal.

9. RECOMMENDATION

REFUSE

Reasons for Refusal

1. The proposed development would be development in the countryside outside of a defined settlement boundary. The development does not meet the requirement for individual dwellings in the open countryside to be of exceptional quality. The development would be contrary to policies 8 (d) (i) and (ii), 11 (2) (a) and (b) and 13 (2) (a) of the North Northamptonshire Joint Core Strategy and policy SS1 of the Plan for the Borough of Wellingborough.

2. The proposal would not significantly enhance its immediate setting. The development would introduce a large building into the open setting, with a prominent incongruous feature two-storey section and a large urban style gate within a rural hedgerow. The development would be contrary to policies 3 (a) and 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy and paragraph 80 (e) of the National Planning Policy Framework.

3. The proposal is not sensitive to the defining characteristics of the local area. The dwelling is located within a sensitive location, adjacent to an SSSI, where clear rural views are possible over the Dungee Meadow SSSI. These views are currently not interrupted by buildings. The side (western) elevation visible from Harrold Road would be angular and a mix of materials and features not common to the area, including the timber shutters. The southern elevation facing the road would highlight the urban style of the gate and the angular two-storey section. The scale of the dwelling on the plot is large, contrary to the local character. The development would be contrary to paragraph 80 (e) of the National Planning Policy Framework.

4. The proposal fails to provide details relating to the technologies stated as being incorporated to facilitate heating and cooling. The lack of information means an accurate assessment of the innovation of the proposal and also design implications of these elements cannot be fully considered. The development would as such be contrary to policies 8 (d) (i) and (ii), 9, 11 (2) (a) and (b) and 13 (2) (a) of the North Northamptonshire Joint Core Strategy and policy SS1 of the Plan for the Borough of Wellingborough.

5. The applicant has failed to provide a bat survey to satisfactorily demonstrate the proposals will not adversely impact protected species. The Preliminary Ecology Appraisal identified the trees on site has having potential bat roosting potential and

none of the trees proposed to be removed have been assessed for bats. Furthermore, the application has not demonstrated a net biodiversity gain in accordance with policy 4 of the North Northamptonshire Joint Core Strategy and advice contained within paragraph 180 National Planning Policy Framework. Whilst the proposals do put forward additional planting and beneficial features this should be evidenced using the new Department for agriculture 'Small Sites Metric' for biodiversity. Until such evidence is supplied, as well as determining whether bats are present, the local planning authority cannot be certain that a net gain would be satisfied. The proposed development would be contrary policy 4 of the North Northamptonshire Joint Core Strategy and advice contained within chapter 15 of the National Planning Policy Framework which seeks to protect biodiversity and protected species.

10. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the proposed development is consistent with the relevant provisions in the framework.

2. The plans and documents relating to this decision are;

Tree Protection Plan 01 (received 08/07/2021)

Tree Survey & Constraints Plan 01 (received 08/07/2021)

19-1014(08) 11(Ground Floor Plan) (received 08/07/2021)

19-1014(08)12 (First Floor Plan) (received 8/07/2021)

19-1014(08)13 (Roof Plan) (received 08/07/2021)

19-1014(08)31 (Site Section North South Existing and Proposed) (received 08/07/2021)

19-1014(90)03 (Topographical Survey) (received 08/07/2021)

19-1014(90)04 Rev A (Site Layout) (received 08/07/2021)

19-1014(94) 11 Rev A (Landscape Plan) (received 08/07/2021)

Landscape Impact Assessment, Green Planning Studio, June 2020 including Appendices L1-L4 (received 08/07/2021)

Landscape Assessment Appendix L5 Revised (received 08/07/2021)

EDNA Survey for Great Crested Newts, Bernwood ECS Ltd dated 22 June 2020 Issue 1 (received 08/07/2021)

Preliminary Ecological Appraisal, Bernwood ECS Ltd, 25 February 2020, Issue 2 (received 08/07/2021)

Design and Access, Sustainability and Planning Statement, Green Planning Studio, July 2020 (received 08/07/2021)

Tree Survey, Impact Assessment and Method Statement, RJ Tree Services Ltd, December 2020, Rev 01 (received 08/07/2021)

9-1014(08)21 (South Elevation shutters fully open and shutters fully closed)(received 08/07/2021)

9-1014(08)22 (North Elevation shutters fully open and shutters fully closed)(received 08/07/2021)

9-1014(08)23 (West Elevation shutters fully open and shutters fully closed)(received 08/07/2021)

9-1014(08)24 (East Elevation shutters fully open and shutters fully closed)(received 08/07/2021)

9-1014(08)25 (Courtyard Elevation shutters fully open and shutters fully closed)(received 08/07/2021)

9-1014(08)33 (Street Elevation as existing and as proposed)(received 08/07/2021)

9-1014(90)02 (OS location plan SSSI)(received 08/07/2021)

9-1014(90)01 (OS location plan)(received 08/07/2021)

9-1014(68)01 Rev A (access for the fire service)(received 08/07/2021)

3. Link to Policies for Refusals -

<http://www.njpu.org.uk/docs/Joint%20Core%20Strategy%202011-2031%20High%20Res%20version%20for%20website.pdf>

Appeal Decision

Hearing held and site visit made on 23 October 2018

by **Brendan Lyons BArch MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 31st December 2018

Appeal Ref: APP/H2835/W/18/3194108

Dungee Corner, Harrold Road, Bozeat, Wellingborough NN29 7LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms R Taylor against the decision of the Borough Council of Wellingborough.
 - The application Ref WP/16/00670/FUL, dated 27 October 2016, was refused by notice dated 4 October 2017.
 - The development proposed is the erection of a single dwelling and formation of a vehicular access.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. Since the appeal was submitted, national planning policy has been updated by the publication in July 2018 of the revised National Planning Policy Framework ('NPPF'). This decision must have regard to the current policy. The Council's appeal statement refers to the revised NPPF. The appellant did not take up the opportunity to update the submitted appeal statement, but spoke on the revised national policy context at the Hearing.
3. Amended versions of the site layout, ground floor plan and rear elevation were submitted in March 2017. The architect's view was that these were first put forward informally for comment, but the Statement of Common Ground submitted at the Hearing records that they are the plans on which the Council took its decision and which should form the basis of the appeal.

Main Issue

4. The main issue in the appeal is whether the proposal would accord with national and local policy on the location of rural housing, with particular regard to the quality of its design and environmental performance.

Reasons

5. The appeal site lies in open countryside, some 2 km to the east of the village of Bozeat. The site comprises a rectangular plot, some 0.2 hectares in area, which was formerly an orchard or extended garden of the detached house that stands at the junction of Harrold Road and Dungee Road. The plot has a frontage to Harrold Road, defined by a hedgerow with several mature trees,

<https://www.gov.uk/planning-inspectorate>

and is enclosed on two sides by a large field and on the fourth side by the rather overgrown garden of the existing house. The field has been designated as a Site of Special Scientific Interest ('SSSI') because its traditional management as a hay meadow supports the presence of diverse grasses and a locally rare orchid.

6. Permission is sought to erect a two-storey house and a single-storey detached garage, with a new access to be formed from Harrold Road. The house would be essentially T-shaped in plan with a mono-pitched zinc roof over each arm of the T. The walls would be finished in painted render but much of the Harrold Road elevation would be screened by full-height CorTen steel panels, perforated with a pattern inspired by images of the grasses found in the SSSI. No plans have been provided for the garage, but an illustration in the submitted Design and Access Statement ('DAS') suggests that it would be similar in form and materials to the house. The new access would be flanked by high rendered walls, with a pair of tall CorTen steel gates, also with a perforated pattern.
7. The house is intended to deliver very high levels of environmental performance and would be designed to achieve 'Passivhaus' standards.

Policy context

8. The development plan policies relevant to this appeal are contained in the North Northamptonshire Joint Core Strategy 2011-2031, adopted in July 2016 ('CS'). It is common ground that the detailed approach to development within rural settlements stated by saved Policy G4 of Borough of Wellingborough Local Plan (as altered in 2004), and by Policy SS1 of the emerging Plan for the Borough of Wellingborough, for which the final examination report was imminent at the time of the Hearing, are not critical to the appeal decision.
9. CS Policy 11 defines a network of settlements, and seeks to limit development in the rural areas, with any new housing to be located within or at the edge of villages. This is consistent with the guidance of the NPPF¹ that sustainable development in rural areas will require housing to be located where it will enhance or maintain the vitality of rural communities.
10. CS Policy 8 sets place-shaping principles, with Part (d) of the policy requiring development to create a distinctive local character by responding to the site's immediate and wider context, drawing on the best of local character without stifling innovation. CS Policy 9 sets requirements for new buildings to be sustainable, particularly in terms of energy and water usage.
11. CS Policy 13 sets out the exceptions to the general restraint on rural development set by Policy 11. Part 2 of Policy 13 confirms that new residential development in the open countryside will not generally be permitted unless it would either (a) be of exceptional quality or innovative design or (b) house an essential rural worker.
12. Notwithstanding a fractional difference in wording, Part 2(a) is clearly drafted to reflect the general advice against isolated dwellings in the countryside stated by paragraph 55 of the NPPF 2012. The policy refers to supporting text² which quotes the final bullet point of paragraph 55, including the four criteria for a

¹ NPPF 2018 paragraph 78, formerly at NPPF 2012 paragraph 55

² CS paragraph 5.42

potential dwelling with exceptional quality or innovative nature of design. It is common ground that this is the key policy context against which the appeal proposal must be tested. Indeed, the planning application was put forward expressly as a 'paragraph 55' proposal.

13. A main thrust of the appellant's case is that innovation alone should satisfy the exception and that a proposal could be innovative in terms of exceptional environmental performance rather than necessarily in terms of aesthetic or other values. The reason for refusal of the planning application states that a zero carbon development is insufficient, in itself, without an accompanying exceptional design. Clearly the former NPPF wording on which the CS policy is founded identifies "exceptional quality or innovative nature", and again "truly outstanding or innovative", as alternatives. But they are cited as aspects of good design, which in my understanding necessitates a satisfying resolution of all aspects of the proposal rather than merely of technical performance alone. This is confirmed by the requirement that all proposals should "reflect the highest standards of architecture". This could not be achieved by a proposal that was less than fully convincing and deeply satisfying in both aesthetic and functional terms. It would not be sufficient, as was asserted at the Hearing, for a proposal to be of only "good" design even if displaying a high level of innovation.
14. The updated form of the 2018 NPPF tends to confirm this interpretation. The headline requirement is now for the proposal's design to be of "exceptional quality", and the four criteria of the 2012 text have now been amalgamated into two bullet points, with an even more closely aligned link between truly outstanding or innovative design and the need to meet the highest standards of architecture. The requirement of the second bullet point for a proposal to significantly enhance its immediate setting would not in any way reduce the need for outstanding design, as the appellant now seems to suggest. It was agreed at the Hearing by both parties that "exceptional quality" represented a high bar, not easily met.

Design quality

15. In my assessment, the appeal proposal could not be classed as a truly outstanding piece of design. Externally, the design of the house itself would be assured but for the most part unremarkable, in a relatively conventional contemporary idiom of plain rendered walls, large metal-framed windows and standing-seam metal roofs finishing in a tapered edge. However, the simple palette of materials would be affected by the solar array that would cover virtually all of one main roof slope, but is not shown on the submitted elevations.
16. The design's most distinguishing feature would be the incised CorTen panels which would screen the entrance door and a large part of the south elevation. These would add interest to those two areas, but would have little impact on the remainder of the exterior, particularly the elevation facing the SSSI. Internally, the house's sequence of rooms and modest double-height spaces would be attractively planned but would not elevate the design to an exceptional standard.
17. As shown by the examples in the DAS, perforated screens have become increasingly used in recent years as an elevational device, with the added

ability to filter light and create dynamic shadow patterns. Therefore, this most distinctive aspect of the design could not in principle be classed as innovative.

Environmental performance

18. The screens would have a benefit in counteracting solar gain. However, the DAS has little to say on their environmental role, or indeed on the way in which the design has been influenced by the demands of the Passivhaus standard. A later document submitted for the Council's sustainability audit acknowledges that the normal Passivhaus preference for main living rooms to be south-facing has in this instance been reversed to allow maximum views over the adjoining SSSI field. The architect confirmed at the Hearing that the design sought to strike a balance between the logic of energy efficiency and the desire to respond to the site. Therefore, it appears that the design would not provide a classic illustration of Passivhaus principles.
19. The audit has confirmed that, subject to implementation of the detailed measures specified by the designers, the dwelling should achieve zero carbon performance and very low water usage. The Council accepts that the proposal would readily comply with CS Policy 9 and that, although there would be scope for further measures such as electric car charging, the house's environmental performance would be exemplary. However, I agree with the Council that achievement of this standard, which relies on a combination of very high insulation values and a range of now commercially available technologies, cannot be regarded as truly innovative in its own right.

Setting

20. The reason for refusal of the application raises a specific concern about the angular features of the proposed design. I accept that angular overhanging roofs are not a feature of vernacular design in the area, and that materials such as standing seam metal are more often associated with an urban context. However, there is no reason in principle why an outstanding design could not successfully employ such devices while also achieving the objective of significant enhancement of the immediate setting. CS Policy 8 expressly envisages the scope for innovation.
21. In terms of the appeal proposal blending with the local context, much would depend, for example, on the choice of colour for the render finish. The earthy tones of the CorTen panels would also fit quite well with the natural rural context. The same would be true of the proposed entrance feature, where the rendered walls flanking the CorTen could be toned to mitigate the effect of starkness against the otherwise green road frontage.
22. However, even with such measures, the introduction of the house as currently put forward would not represent an enhancement of the setting. The design and layout of the house are intended to be expressive of the relationship with the adjoining SSSI. However, the gates and wall would provide a tall barrier that would prevent rather than allow worthwhile glimpses of the meadow beyond. I agree with the Council that the CorTen screens would be largely hidden from view from the road. And where glimpsed, their abstract pattern would not readily suggest the reference to the flora of the SSSI, which is designated for scientific rather than landscape value. As discussed at the Hearing, some prior knowledge would be needed in order to understand the pattern.

23. Apart from the screens, there is little indication of the landscape having been a key generator of the site layout and design. While the architect has confirmed a desire to avoid a suburban-style rear garden, the plans give little hint of integration with the adjoining field. The amendment to add some free-standing CorTen pieces in the garden would not succeed in making meaningful links between the design of the house and the SSSI. The site planning is not fully resolved in other respects, with the approach from the west exposing views of the back of the garage.

24. Overall, the proposal would not satisfy the requirements of CS Policy 8(d).

Raising standards

25. The construction of a house of such high environmental performance would be a worthy addition to the local housing stock. Local standards would also be raised by a bespoke design that would seek, even if not fully successfully, to produce a unique response to context. The house's benefits would be likely to be disseminated by reputation, such as by citation in other planning proposals. There would also be the opportunity for wider knowledge of the house through the annual public visits to the SSSI. The proposal would comply in this respect with CS policy 13.

Social dimension

26. The Council accepts that the proposal would be a windfall that would have a very minor benefit for housing supply, but that its location would be contrary to adopted and emerging development plan strategy. I agree with the Council that the supply benefit would be marginal and that the site's location, well away from the village, would not be easily accessible to services and facilities. Its development would do very little to support the vitality of the settlement.

Conclusion

27. The scope for raising standards would not alone be sufficient to justify approval of the appeal proposal. For the reasons set out above, I find that the proposed design would not satisfy the criteria of the development plan, as stated by CS Policies 13 and 8, or of national policy contained in the updated NPPF, and that there are no other material considerations that would support the proposal. I therefore conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Ruth Reed	Green Planning Studio
Gwyn Jones	Raab Design
Ruth Taylor	Appellant
Mark Witty	Supporting Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Debbie Kirk	Senior Development Management Officer
Julie Thomas	Director
Freddie Humphries	Barrister

DOCUMENTS

- 1 Ruth Reed biographical note
- 2 Signed Statement of Common Ground
- 3 CS Policies 2, 3, 15, 30
- 4 Extract from PBW draft Policy H2
- 5 Documents submitted for sustainability audit:
 - 5.1 E-mail summarising SAP calculations
 - 5.2 Full SAP calculations
 - 5.3 Plan showing layout of rainwater harvesting system
 - 5.4 Quotation for detailed design of rainwater harvesting system
 - 5.5 Diagrams of rainwater storage tank
 - 5.6 Passivhaus Statement
 - 5.7 Energy and Sustainability Statement
 - 5.8 Plan showing extent of solar PV array
 - 5.9 SAP report

Appendix 2

Debbie Kirk
Development Management Officer
T: 01933 23 1934
E: DKirk@wellingborough.gov.uk



Green Planning Studio Limited
Unit D Lunesdale
Upton Magna Business Park
Shrewsbury
Shropshire
SY4 4TT

Date: 13 January 2020

Your Ref:

Our Ref: PRE/19/00099/PREF

FAO Beth Lautman

Dear Madam

Application No: PRE/19/00099/PREF

Proposal: Proposed dwelling

Location: Dungee Corner, Harrold Road, Bozeat, Wellingborough, Northamptonshire, NN29 7LP,

Case Officer: Debbie Kirk

I write with reference to your recent pre-application enquiry received on 19 November 2019 in connection with the above. Your enquiry was accompanied by drawing numbers 19 1014 (90) 01 (OS location plan scale 1:1250); 19 1014 (90) 02 (site landscape general arrangement); 19 1014 (90) 03 (OS location plan scale 1:1250); 19 1014 (03) 10 (floor plans, basement, ground and first); 19 1014 (03) 11 (elevations) and a design statement by Green Planning Studio dated November 2019.

Background

Planning permission reference WP/16/00670/FUL for the erection of a two storey dwelling and the formation of a new vehicular access (as shown on page 28 of Green Planning Studio statement) was refused by the BCW planning committee on 4 October 2017 for the following reason:

"Notwithstanding the varied materials proposed, the proposed design of the new dwelling, due to its angular features, would not go beyond the high quality expected of all development to a level that could be considered exceptional. A zero carbon development, is insufficient, in itself, to meet the test of being innovative without an accompanying exceptional design. In addition, the proposed rendered wall and Cor Ton gates represent an alien feature in the verdant setting development in the open countryside. Therefore, the proposal does not reach the standard required to provide the special justification for an isolated new house in the countryside in accordance with paragraph 55 of the National Planning Policy Framework. As such the proposal is contrary to policies 8 (d) (i) and (ii) and 13 (2) (a) of the North Northamptonshire Joint Core Strategy".

Swanspool House, Doddington Road, Wellingborough, Northamptonshire NN8 1BP
Tel: 01933 229777
www.wellingborough.gov.uk

A subsequent appeal was dismissed by the Planning Inspectorate on 31 December 2018. The inspector in his assessment considered that the appeal proposal design quality could not be classed as a truly outstanding piece of design, the proposed design was not considered to be of an exceptional standard or innovative.

In terms of environmental performance the design did not provide a classic illustration of Passivhaus principles due to the main living rooms being reversed to allow maximum views over the adjoining SSSI fields. Although subject to the implementation of detailed measures the dwelling should achieve zero carbon usage and low water usage through high insulation values and a range of commercially available technologies these could not be regarded as truly innovative in their own right. There was little indication of the landscaping being the key generator for the site layout and design, the plans were considered by the planning inspector to give little hint to the integration with the adjoining field. The approach from the west, exposing views of the back garage were considered to be unresolved.

The inspector concluded that "the scope for raising standards would not alone be sufficient to justify approval of the appeal. The proposed design was not found to satisfy the criteria in the development plan as stated by policies 8 (d) and 13 (2) of the JCS or national policy contained within the NPPF.

The Proposed Development

This pre-application enquiry seeks an entirely new proposal for a single dwelling on the site. The scheme is for a house of exceptional and innovative design and is proposed under paragraph 79 of the NPPF 2019. The proposed building would be curved in plan form and features a 'glulam' timber framed structure with kitchen/dining/living accommodation, home office and three bedrooms on the ground floor. A master suite and outdoor terrace is proposed on the first floor. A meadow turf roof is proposed for the new building. In addition, a suite of landscape proposals include areas of ornamental planting, spring meadow, lawn and an orchard, plus space for growing vegetables and soft fruits, as well as provision for hens/chickens. Access to the site is proposed directly off Harrold Road.

Consultations

Design Midlands design review panel received a briefing from the senior planning officer at BCW, visited the site and received a scheme presentation and discussion session on Tuesday 26 November 2019. The views of the design review panel were sought by the local planning authority/your client to ascertain whether or not the design of the proposed dwelling is of exceptional quality in that it is truly outstanding or innovative, reflecting the highest standards of architecture, and would help to raise design standards in the rural area more generally; The Design Midlands review panel provided your clients with the panels written comments on the proposed scheme on 10 December 2019.

Consultations have been carried out and responses received from Northamptonshire highways, Northamptonshire archaeology advisor, the council's policy officer, the council's landscape officer and would comment as follows:

Conformity with the Development Plan

Section 38(6) of the Planning & Compulsory Purchase Act 2004 replaces section 54(A) of the Town & Country Planning Act 1990 and states that if regard is to be had to the development plan for the purpose of any determination under the Planning Act, the determination must be made in accordance with the plan, unless material considerations indicate otherwise:

A subsequent appeal was dismissed by the Planning Inspectorate on 31 December 2018. The inspector in his assessment considered that the appeal proposal design quality could not be classed as a truly outstanding piece of design, the proposed design was not considered to be of an exceptional standard or innovative.

In terms of environmental performance the design did not provide a classic illustration of Passivhaus principles due to the main living rooms being reversed to allow maximum views over the adjoining SSSI fields. Although subject to the implementation of detailed measures the dwelling should achieve zero carbon usage and low water usage through high insulation values and a range of commercially available technologies these could not be regarded as truly innovative in their own right. There was little indication of the landscaping being the key generator for the site layout and design, the plans were considered by the planning inspector to give little hint to the integration with the adjoining field. The approach from the west, exposing views of the back garage were considered to be unresolved.

The inspector concluded that "the scope for raising standards would not alone be sufficient to justify approval of the appeal. The proposed design was not found to satisfy the criteria in the development plan as stated by policies 8 (d) and 13 (2) of the JCS or national policy contained within the NPPF.

The Proposed Development

This pre-application enquiry seeks an entirely new proposal for a single dwelling on the site. The scheme is for a house of exceptional and innovative design and is proposed under paragraph 79 of the NPPF 2019. The proposed building would be curved in plan form and features a 'glulam' timber framed structure with kitchen/dining/living accommodation, home office and three bedrooms on the ground floor. A master suite and outdoor terrace is proposed on the first floor. A meadow turf roof is proposed for the new building. In addition, a suite of landscape proposals include areas of ornamental planting, spring meadow, lawn and an orchard, plus space for growing vegetables and soft fruits, as well as provision for hens/chickens. Access to the site is proposed directly off Harrold Road.

Consultations

Design Midlands design review panel received a briefing from the senior planning officer at BCW, visited the site and received a scheme presentation and discussion session on Tuesday 26 November 2019. The views of the design review panel were sought by the local planning authority/your client to ascertain whether or not the design of the proposed dwelling is of exceptional quality in that it is truly outstanding or innovative, reflecting the highest standards of architecture, and would help to raise design standards in the rural area more generally; The Design Midlands review panel provided your clients with the panels written comments on the proposed scheme on 10 December 2019.

Consultations have been carried out and responses received from Northamptonshire highways, Northamptonshire archaeology advisor, the council's policy officer, the council's landscape officer and would comment as follows:

Conformity with the Development Plan

Section 38(6) of the Planning & Compulsory Purchase Act 2004 replaces section 54(A) of the Town & Country Planning Act 1990 and states that if regard is to be had to the development plan for the purpose of any determination under the Planning Act, the determination must be made in accordance with the plan, unless material considerations indicate otherwise:

- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

It is clear from the submitted documents that this proposal is intending to create an exceptional or innovative dwelling in accordance with policy 13 2 (a) of the JCS and paragraph 79 of the NPPF. The previous scheme refused on the site also tried to deliver such a dwelling.

On that occasion both the BCW and the planning inspector felt that the dwelling fell short of the standards required to meet this policy requirement of being exceptional/innovative in its design.

The Inspector felt that whilst the scheme could be seen to have a high level of innovation, the design of the dwelling was not good enough to be considered exceptional.

In determining this proposed scheme, the officer's would have to be satisfied that it was both innovative and of an exceptional design quality; that it would help to raise standards of design more generally in rural areas; and that it would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

The proposed design of the dwelling would have to be assessed as to whether it is of sufficient design quality and innovativeness to meet the very high requirements for a paragraph 79 dwelling.

Paragraph 5.43 of the JCS states that within North Northamptonshire truly outstanding and innovative will 'only be the case where proposals provide innovative standards of sustainable design, in excess of those set out in policy 9 and national regulations, and make an outstanding contribution to the character of the landscape, promoting and reinforcing local distinctiveness. These matters require rigorous assessment given the protection afforded to open countryside. Promoters of such schemes should therefore seek early advice through an accredited design review to provide an independent assessment of the proposal.'

To summarise this proposal would need to be judged in accordance with policy 13(2) (a) of the JCS and paragraph 79 of the NPPF in order to be acceptable in principle as a development in the open countryside. The design of the scheme must therefore be both exceptional and innovative in order to comply with these policies. In order to assess whether the scheme meets these criteria an independent accredited design review should be undertaken.

It is noted that planning permission for a dwelling was refused and dismissed on appeal on the site in 2018. A material consideration would be to consider whether this proposed pre-application enquiry dwelling has addressed the reasons for the dismissing of the appeal.

These and other material considerations are discussed in detail below:

Effect on archaeology

JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.

Northamptonshire archaeological advisor advises that the site is located on the north side of Harrold Road, east of the village of Bozeat. Immediately to the east of the site is the projected line of the Roman road from Water Newton, which continues to the south of the site through Dungee Wood and has been projected as far as Kempston in Bedford. In the field to the north of the site the county Historic Environment Record indicates the presence of a number of cropmarks interpreted as Iron Age and Romano-British settlement, based on finds from field walking and a poorly documented minor excavation. The cropmarks include enclosures and possible building platforms. The Dungee Barn Second World War searchlight battery was also located in this field and some of the cropmarks are therefore likely to relate to this. There is the potential for archaeological remains to survive on the site, albeit truncated.

On balance, given the likelihood of truncation and also my advice on the previous refused planning permission, Northamptonshire archaeological officer would not require detailed archaeological information such as an evaluation to be included with an application for the site. The potential for archaeological remains to be present can be addressed by use of a suitable condition for a programme of archaeological works should any planning permission be granted.

Subject to the imposition of a condition for a programmed of archaeological works the proposed scheme would comply with policy 2 (d) of the JCS.

Landscape Character

Policy 3 (a), the JCS seeks to conserve and where possible enhance the character and qualities of the local landscape. Policy 3 (b) of the JCS requires that development make provision for retention and, where possible enhancement of features of landscape importance. Policy 3 (e) of the JCS requires that development provide appropriate landscape mitigation.

Design Midlands design review panel considered that:

"A sensitive response to the landscape character of the site is an essential part of the project, with the same degree of rigour applied to both building and landscape.

Attention was drawn to the special landscape (wildflower meadow and SSSI) immediately north of the site, as well as the established trees / hedges on and close to the site. In addition, Dungee Plantation lies immediately to the east of Dungee Road. As proposed, the Panel questioned how the curved building form and new landscape integrates with the landscape character and features, as well as the role / function of the proposed spaces and the proposals for site boundaries, etc.

The Panel commented on the need to develop a compelling landscape strategy which seeks to ensure a robust relationship between the built and natural forms".

The panel recommended that any landscape strategy should include the following:

- A detailed analysis of the existing green infrastructure to evidence an in-depth understanding of the green character and qualities of the site;
- An explanation of how the landscape proposals reference / reinforce the 'reveal' design concept and narrative for the scheme;
- Definition of the role and function of the proposed areas of landscape as part of a 'hierarchy of spaces', including how the spaces connect with each other;
- Provision of a 'Tree Strategy' based on a considered approach to existing and new trees. This should build on the findings from the arboricultural survey and might involve exploring the

selective removal of trees to the northern boundary to enable a stronger relationship with the meadow, as well as clarifying the role / function of new trees, for example as focal points, or referencing/relating to the single tree in the meadow, etc.

- A design concept for the site boundaries, which should include an understanding of the character of the existing boundaries (which were noted to vary in character and form), as well as an understanding on how the landscape proposals connect to the site boundaries, including the boundary treatment between the site and the existing house/garden and pig sties, etc.;
- Careful consideration concerning the palette of materials for the landscape proposals (including hard landscape spaces, access etc.) drawn from an understanding of the context. The opportunity to utilise materials for the building within the landscape was encouraged, with the potential to create a more cohesive scheme; and
- Creating a strong sense of arrival through considered landscape and building proposals, heightening the notion of 'reveal'.

Whilst the scheme seeks to retain a number of trees along the southern boundary Harrold Road and along the northern boundary with the SSSI, I would agree with the comments made by the design review panel that the landscape general arrangement scheme shown on drawing number 19 1014 (90) (02) would not be sensitive or responsive to the landscape character of the site or integrate with the adjacent SSSI. A carefully thought out landscape strategy should be developed from information obtained in an up to date tree survey and an up to date extended phase 1 protected habitats survey. Any planning application would need to be accompanied by an up to date tree survey, a landscape strategy which responds to the points made by the design review panel set out above, a detailed hard and soft landscape strategy and a detailed landscape scheme, including trees to be retained, removed, replaced, hedgerows to be retained, removed and replanted, shrubs and other native wildflower meadows etc to be replanted. Any detailed landscaping scheme should include planting numbers/mixes. There should be a focus on using native species and surfacing which are found locally to this part of Northamptonshire/Bedfordshire.

As proposed the scheme would be contrary to policy 3 (a), (b) and (e) of the JCS.

Biodiversity and Geodiversity

The JCS at policy 4 - biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

Protected Species

An 'Extended Phase 1 Habitat Survey' exercise would be required to support any planning application and consider the effects on adjacent Dungee Corner Meadow Site of Special Scientific Interest (SSSI). There may be potential for bats, badgers, reptiles, nesting birds or other protected species to be found on the site. If bats, badgers, nesting birds or other protected species are found then details of mitigation measures including any licences should be provided. You should refer to the Biodiversity SPD for information on what surveys might be required and how to proceed. If you have any queries with the above content please contact the Northamptonshire principal project officer Heather Webb on 01604 361 210 or email HWebb@northamptonshire.gov.uk

Natural England considers that "the proposed pre-application enquiry, as submitted, should not adversely affect the interest features of Dungee Corner Meadow Site of Special Scientific Importance (SSSI). Given the proximity of the proposal site to the SSSI and the associated potential for damage as a result of storage or disposal of materials, and operation of machinery

or plant within the SSSI, should the council be minded to grant permission, Natural England recommend that the following informative is appended to any consent:

The applicant is advised that should storage, access or encroachment within the Dungee Corner Meadow Site of Special Scientific Importance (SSSI) found to occur as a result of the proposals during or after the works, this will be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended) whereby the applicant may be liable on summary conviction to a maximum fine of £20,000 or on conviction on indictment to an unlimited fine"

Natural England recommends that the following should be imposed as condition on any planning permission:

"All contractors working on site should be made aware of the informative and should be provided with a map that clearly shows the boundaries of the Dungee Corner Meadow Site of Special Scientific Importance (SSSI) in relation to the development site".

Biodiversity Enhancements

The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.

In the previous appeal decision on this site the Inspector was not convinced that the proposed design would enhance the setting of the SSSI, as required by policy 4 of the JCS stating in his report that, "the introduction of the house as currently put forward would not represent an enhancement of the setting. The design and layout of the house are intended to be expressive of the relationship with the adjoining SSSI. However, the gates and wall would provide a tall barrier that would prevent rather than allow worthwhile glimpses of the meadow beyond. I agree with the Council that the CorTen screens would be largely hidden from view from the road. And where glimpsed, their abstract pattern would not readily suggest the reference to the flora of the SSSI, which is designated for scientific rather than landscape value." (paragraph 22).

It is considered that the proposed scheme would not overcome the above concerns raised by the planning inspector, as the proposed dwelling would largely behind gates, a hedgerow and a tall wall and the first glimpses would be of the doors serving the guest wing rather than views through to the SSSI.

The internal layout should be redesigned to provide the heart of the dwelling being revealed once the site is entered, with views being provided from the front to the back and glimpses of the SSSI.

Further, consideration needs to be given to the Harrold Road frontage by providing a scheme which responds to the character of the street edge, with perhaps a dense and mature landscape boundary in contrast to the open character of the adjacent meadow and heighten the sense of arrival, including further work on the treatment / materials and landscape experience on arrival to communicate the 'reveal concept' of the dwelling at the entrance.

An on-site biodiversity enhancement plan should accompany any planning application which includes mitigation measures such as the planting of native species, the provision of opportunities for nesting bats and birds such as bird/bat boxes or bricks etc.

As proposed the scheme would be contrary to policy 4 of the JCS.

Design of an Exceptional Quality

Paragraph 79 (e) of the NPPF states:

"Design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area".

The planning inspector stated that there is a "requirement that all proposals should "reflect the highest standards of architecture". This could not be achieved by a proposal that was less than fully convincing and deeply satisfying in both aesthetic and functional terms. It would not be sufficient, as was asserted at the hearing, for a proposal to be of only "good" design even if displaying a high level of innovation," (paragraph 13) and that "it was agreed at the hearing by both parties that "exceptional quality" represented a high bar, not easily met," (paragraph 14), concluding that, "In my assessment, the appeal proposal could not be classed as a truly outstanding piece of design. Externally, the design of the house itself would be assured but for the most part unremarkable, in a relatively conventional contemporary idiom of plain rendered walls, large metal-framed windows and standing-seam metal roofs finishing in a tapered edge. However, the simple palette of materials would be affected by the solar array that would cover virtually all of one main roof slope, but is not shown on the submitted elevations." (paragraph 15).

The design of the proposed scheme represents an entirely new proposal for a single dwelling on the site. The currently proposed building would be curved in plan form and features a 'glulam' timber framed structure with kitchen/dining/living accommodation, home office and three bedrooms on the ground floor. A master suite and outdoor terrace is proposed on the first floor. A meadow turf roof is proposed for the new building.

Design Midlands design review panel have reviewed the proposed scheme. The panel draw your client's attention to the very demanding requirements of paragraph 79 (e) of the NPPF and the need to provide a robust case for development. In order to succeed, a clear and compelling rationale is vital, informed by a thorough understanding of the site and wider surroundings, for example its history.

Design Concept

The design panel considered that felt that the narrative for the scheme could be clearer and more compelling. Your client's design team should undertake further research and design development to crystallize the vision and capture the 'essence' of the project in a simple statement supported by diagrams. The panel recommended that the landscape proposals should contribute to, support and reinforce the design concept.

Building Form Layout

The design panel review considered that the curved plan form of the building was somewhat arbitrary and did not reflect the fact that Dungee Meadow and Harrold Road have very different characters. In addition, the rationale for the internal layout of the building was questioned, including the fact that the proposed guest bedroom block appears as the most prominent part of the building on arrival, and the cloakroom / utility room obstructs the view of the meadow from the building entrance. Officers at BCW would concur with this point.

Design review panel in their comments have encouraged your client's design team to revisit this, in order to:

- Strengthen the relationship of the house with the meadow, which is a key character defining feature of the site. Suggestions include positioning the house to the northern edge of the site immediately adjacent to the meadow which will require the selective removal of trees (dependent on the findings of any tree survey); an internal layout which maximises opportunities for views to the meadow to both the north and the west, for example an unobstructed view from the building entrance to the meadow and exploring opportunities for the character of the meadow to extend into site;
- Reconsider the approach to the Harrold Road frontage by providing a scheme which responds to the character of the street edge, with perhaps a dense and mature landscape boundary in contrast to the open character of the meadow;
- Heighten the sense of arrival, including further work on the treatment / materials and landscape experience on arrival to communicate the 'reveal concept' of the dwelling at the entrance, as well as the creation of a focal 'heart' within the building, exploring opportunities for further elements of 'reveal/surprise';
- Explore the potential of flexibility in use, in tune with the client's desire to accommodate extended family when required for example. a design which fully explores the potential for parts / sections of the house to be 'closed down' when not in use.

Design Recommendations

The design review panel identified gaps in the site analysis work that need to be addressed in order to evidence a comprehensive understanding of site conditions and local characteristics (buildings and landscape). Once completed, this should then be used in the development of a more compelling design narrative, which truly responds to its context.

The design panel suggests the following steps:

- Undertake additional analysis to ensure a comprehensive understanding of the site and local environs, including arboricultural survey, ecological assessment, map regression exercise, building character study, etc.
- Develop a more robust and compelling vision and narrative for the development;
- Create a comprehensive landscape strategy which should include proposals for tree retention/loss/replacement, space hierarchy, approach to hedgerows, boundaries, etc.;
- Further consider the building form, scale and materiality, including design options explored as part of the design process; and
- Strengthen visual relationship to the meadow.

It is considered that whilst the design concept of a curved building on the site with a first floor element incorporating a green roof to reflect the adjacent Dungee Corner Meadow picks up on points raised in the council's statement of case further consideration needs to be given to the siting, layout and design of the proposed dwelling and its associated landscape setting, addressing the points raised by the design review panel. Any siting, layout, design and landscaping should be unique and bespoke to this site.

The proposed design is not considered to be of exceptional quality. It is not truly outstanding or innovative, reflecting the highest standards in architecture, thereby helping to raise standards of design more generally in rural areas. The design and associated landscaping would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The proposed design has not addressed the points raised in relation to design. As proposed the scheme would be contrary to policies 13 (2) (a) and policy 8 (d) (i) and (ii) of the JCS and advice contained within paragraph 79 (e) of the NPPF.

Environmental Performance

The planning inspector and the BCW agreed that the previous proposal for a dwelling which was dismissed at appeal would be in accordance with policy 9 of the JCS in terms of sustainability, however as noted in paragraph 5.43 of the JCS, to be innovative the scheme would need to exceed this. Your client would need to demonstrate that any amended scheme for a dwelling would exceed the requirements of policy 9 of the JCS and that it would meet the water use standards set out in policy 9, limiting internal water use to no more than 105 litres/person/day and external water use to no more than 5 litres/person/day.

However, both the council and the planning inspector considered that complying with policy 9 of the JCS through the reliance of a combination of very high insulation values and a range of now commercially available technologies, cannot be regarded as truly innovative in its own right. (paragraph 19).

It is noted that in the Green Planning Studio statement dated November 2019 states that the proposed dwelling will be designed and delivered to Passivhaus standards but not certified as such and integrated PV panels in zinc panels on the first floor will provide sufficient on-site generation for domestic use, including heating water and to power electric cars. The scheme also includes whole house ventilation with heat recovery and the roofs will collect and store grey water for use in the house and garden. The sewerage system will be bio-digester with extra filtration to remove nitrates. However, these are all commercially available commercially available technologies and not innovative in their own right. The proposed dwelling would not be a true Passivhaus and such a dwelling is no longer considered to be innovative in its own right.

The council would expect as a minimum any proposed dwelling on the site to achieve zero carbon emissions and to be truly innovative any proposed dwelling should be returning power back to the grid. This should be explored. Details of any ground source heat pump to be installed and PV panels should be included within any sustainability statement and on any elevations.

A sustainability sustainable urban drainage scheme train assessment should detail all the avenues explored to mitigate the surface water outfall from the site and how this will be managed.

The council would expect details to be provided of any grey water storage scheme to be provided as part of any sustainability statement and the use of underground tanks for the storage of excess water if required should be incorporated into any scheme. In relation to the sewerage system details of the scheme to be installed should be provided within any sustainability statement.

The design review panel recommended that your client should consider the orientation of the dwelling and scope to maximise passive solar gain as part of any fully integrated sustainability strategy.

It is considered that your client needs to consider further the environmental performance of the building, any proposed dwelling should generate as a minimum zero carbon emissions, exceed the standards set out under policy 9 of the JCS, and consider whether any innovative measures other than commercially available technologies could be incorporated within any proposed dwelling. Any proposed dwelling should be ideally totally self-sufficient in terms of environmental performance.

Air Quality

Paragraph 110 of the NPPF encourages new development to incorporate charging of electric and other ultra-low emission vehicles in safe, accessible and convenient locations. This should be detailed as part of any full application.

National space standards

Policy 30 (b) seeks to ensure the internal floor area of new dwellings must meet the national space standards as a minimum to provide residents with adequate space for basic furnishings, storage and activities.

Any new dwelling would be expected to meet as a minimum the national space and storage standards. These can be found on the following link:

<https://www.gov.uk/guidance/housing-optional-technical-standards>

Any single and double bedrooms should conform with the technical requirements in relation the width and gross internal floor area of the room. These measurements should clearly be annotated on any submitted floor plans.

National accessibility standards

Policy 30 (c) requires new dwellings to meet category 2 of the proposed National Accessibility Standards as a minimum.

Any new dwelling would be expected to meet as a minimum category 2 of the national accessibility standards and any plans should demonstrate how the dwelling would meet this standard.

Effect/Impact on the Living Conditions of the Neighbouring Occupiers and the Future Occupiers of the Development

The JCS at policy 8(e)(i) details policy relating to the protection of amenity of neighbouring occupiers.

The proposed layout which accompanied the pre-application enquiry has been designed to minimise the effects of the development on the amenities of the existing house in terms of effects on outlook, light and privacy. Any site layout plan should show the application site in its context and accurately plot existing dwelling, outbuildings, garage and boundary treatments.

Impact on Highway and Parking

JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

Policy 8 (b) (ii) seeks to ensure that developments have a satisfactory means of access and provision for parking, serving and manoeuvring in accordance with adopted standards.

Northamptonshire highways recommend that the proposed development must have regard for the following requirements of the local highway authority. As submitted the proposals do not comply with the requirements of the local highway authority and provide reasons for refusal on highway safety or capacity grounds.

It is suggested that, because of the lack of a public transport service, its distance from local services and reliance on the use of a car, the development may not be sustainable.

Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards and satisfy policy 8 (b) (ii) of the JCS. A five bedroom unit should provide four allocated parking spaces and one cycle parking space per bedroom. Please note garages do not count as parking spaces for vehicles but should be appropriately sized for cycle storage. Any proposed parking area should contain adequate parking spaces and turning area to enable vehicles to enter and leave the parking area in a forward gear.

The vehicular crossing must be constructed and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.

Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the local highway authority or statutory undertaker and carried out at the cost of the applicant.

To prevent loose material being carried onto the public highway the driveway must be paved with a hard bound surface for a minimum of 5 metres in rear of the highway boundary. Any site layout plans should detail the hard surface material(s) to be used on the driveway.

A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway. Details of the positive means of drainage to be installed should be included on any site layout plan.

Pedestrian to vehicle visibility of 2.0 metres x 2.0 metres above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access. Details of Pedestrian to vehicle visibility must be shown on any site layout plan.

Vehicle to vehicle visibility of 2.0 metres x 215 metres, as far as applicable must be provided and maintained on both sides of the vehicular access. Details of vehicle to vehicle must be shown on any site layout plan.

The proposed development would not comply with policy 8 (b) (i) and (ii) of the JCS.

Contamination

The JCS at policy 6 says that local planning authorities will seek to maximise the delivery of development through the re-use of suitable previously developed land within the urban areas. Where development is intended on a site known or suspected of being contaminated a remediation strategy will be required to manage the contamination. The policy goes on to inform that planning permission will be granted where it can be established that the site can safely and viably be developed with no significant impact on either future users of the development or on ground surface and waters.

The revised NPPF at paragraphs 178 and 179 sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic.

The council's environmental protection officer (contamination) has no comments or objections to make on this application for land contamination.

The proposed development would comply with policy 6 of the JCS.

Conclusion

This pre-application enquiry proposal for the development of a single in the open countryside to the east of Bozeat lies outside the any defined village boundary under policy SS1 of PBW.

The site was subject to a similar planning application in 2016 (WP/16/00670/FUL). Planning permission reference WP/16/00670/FUL for a single dwelling under paragraph 79 (formerly paragraph 55) was refused by the council and a subsequent appeal hearing was dismissed by the planning inspectorate. The appeal decision is a material planning consideration in the assessment of this pre-application enquiry. Many of the policies and issues identified during both the determination of the refused planning permission and appeal process will be still relevant. However, since the appeal decision was issued, PBW has been formally adopted replacing the saved policies in the Wellingborough Local Plan 2004. The PBW can now be given full weight in decision making.

Policy 11 (2) (a) of the JCS limits rural development to that which is required to support a prosperous rural economy or to meet a locally arising need. It also says that development in the open countryside will be resisted unless it meets the special circumstances set out in Policy 13 of the JCS.

Policy 13 (2) (a) of the JCS states that open countryside development will normally not be granted permission unless it is for an individual dwelling of exceptional quality or an innovative design or if it is for a rural worker to meet the specific needs of a rural business. It is clear from the current submission that this proposal is intending to create an exceptional or innovative dwelling in accordance with policy 13 (2) of the JCS and paragraph 79 of the NPPF. The previous scheme refused planning permission and subsequently dismissed at appeal on the site also tried to deliver such a dwelling.

Both the BCW and the planning inspector felt that the dwelling fell short of the standards required to meet both the policy requirement set out under policy (2) (a) and advice contained under paragraph 79 (a) of the NPPF being neither exceptional or innovative in its design, nor significantly enhancing its immediate setting and being sensitive to the characteristics of the local area.

Having reviewed the currently proposed dwelling which would be of a curved design with a first floor element and a green roof to reflect the adjacent Dungee Corner Meadow and taken into consideration consultation responses further consideration needs to be given to the siting, layout and design of the proposed dwelling and its associated landscape setting, addressing the points raised by the design review panel. Any siting, layout, design and landscaping should be unique and bespoke to this site.

The proposed design fails to reach the high bar of exceptional quality. It is not truly outstanding or innovative, reflecting the highest standards in architecture, thereby helping to raise standards of design more generally in rural areas. The design and associated landscaping would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The proposed design has not addressed the points raised in relation to design raised by the planning inspector in the appeal which was dismissed. As proposed the scheme would be contrary to policies 13 (2) (a) and policy 8 (d) (i) and (ii) of the JCS and advice contained within paragraph 79 (a) of the NPPF.

Whilst the scheme seeks to retain a number of trees along the southern boundary Harrold Road and along the northern boundary with the SSSI, both the design review panel and officers at BCW considers that the landscape general arrangement scheme shown on drawing number 19 1014 (90) (02) would not be sensitive or responsive to the landscape character of the site or integrate with the adjacent SSSI. A carefully thought out landscape strategy should be developed from information obtained in an up to date tree survey and an up to date extended phase 1 protected habitats survey. As proposed the scheme would be contrary to policy 3 (a), (b) and (e) of the JCS.

The internal layout should be redesigned to provide the heart of the dwelling being revealed once the site is entered, with views being provided from the front to the back and glimpses of the SSSI.

Further, consideration needs to be given to the to the Harrold Road frontage by providing a scheme which responds to the character of the street edge, with perhaps a dense and mature landscape boundary in contrast to the open character of the adjacent meadow and heighten the sense of arrival, including further work on the treatment / materials and landscape experience on arrival to communicate the 'reveal concept' of the dwelling at the entrance. The scheme as proposed would be contrary to policy 4 of the JCS.

Your client needs to consider further the environmental performance of the building, any proposed dwelling should generate as a minimum zero carbon emissions, exceed the standards set out under policy 9 of the JCS, and consider whether any innovative measures other than commercially available technologies could be incorporated within any proposed dwelling. Any proposed dwelling should be ideally totally self-sufficient in terms of environmental performance.

Northamptonshire highways recommend that the proposed development must have regard for the requirements set out above of the local highway authority in relation to vehicle to vehicle visibility, pedestrian to vehicle visibility splays, details of drainage channels to prevent surface water disposing directly onto the highway and details of surfacing materials. As submitted the proposals do not comply with the requirements of the local highway authority and provide reasons for refusal on highway safety or capacity grounds.

The scheme for a proposed dwelling under policy 13 (2) (a) of the JCS and advice contained within paragraph 79 of NPPF as proposed for the reasons set out above would not be supported by officer and would be recommended for refusal as it fails to reach the high bar of being a truly outstanding or innovative, reflecting the highest standards in architecture, thereby helping to raise standards of design more generally in rural areas. The design and associated landscaping would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The proposed design has not addressed the points raised in relation to design made by the planning inspector.

Your client should carefully consider the points raised in this response and should they wish to proceed with a new dwelling under policy 13 (2) (a) of the JCS and advice contained within paragraph 79 of NPPF, submit a further pre-application enquiry and seek further design advice on the project including detailed design element from the Midlands design review panel.

However, should you client wish to proceed with a detailed planning application the following documents should accompany any submission:

A Planning Statement;
A Design and Access Statement including historic mapping, all concept designs, characteristics of the site, characteristics of buildings around the site, the mapping of key views of the site;
A Tree Survey including root protection measures showing the existing and proposed development;
A detailed landscape plan, showing trees to be retained, removed and landscape mitigation;
A phase 1 ecology survey including any relevant mitigation surveys;
Biodiversity enhancement plan to include bat and bird boxes and the planting of native species etc;
Surface water drainage strategy;
Sustainability Assessment;
Proposed site layout plan showing the proposed dwelling, outbuildings, garage, parking proposed access, pedestrian/vehicular visibility splays and trees to be retained;
Proposed elevation plans including materials and a coloured version;
An existing and proposed finished floor levels and ground levels, including cross sections;
Existing site layout plan;
Plans confirming that the dwelling would comply with the national space standards and the technical requirements set out in those standards;
Plans confirming compliance with the national accessibility standards category 2;

The advice given above is the informal opinion of an Officer only and it will not fetter or bind other Officers or Councillors if they are called upon to make a recommendation or take a decision on any formal planning application.

In addition, the Council cannot accept responsibility for any action you or your client may take as a result of receiving this advice. Furthermore, this advice has been formulated without the benefit of receiving comment from other statutory and non-statutory consultees or responses from members of the public which could result in a different recommendation to the advice given.

Yours faithfully,



Debbie Kirk
Senior Development Management Officer



Design Midlands | Pera Business Park | Melton Mowbray | Leicestershire | LE13 0PB
Email: dharmista@designmidlands.org | www.designmidlands.org.uk

10.12.2019

Ruth Taylor
Footshape House
Kingsthorpe Road
Northampton
NN2 6EZ

Dear Ruth,

Design Midlands Design Review Panel – Tuesday 26th November 2019
Design Review of Reveal House – Dungee Corner (Our Ref: DMDR011)

We write following the design review of Reveal House at Dungee Corner and would like to take this opportunity to thank you for utilising the Design Midlands Design Review Service.

The Design Midlands Design Review Panel members reviewing the scheme were Chris Twomey (Chair), Simon Carne and Fiona Heron and they followed the ten principles of Design Review.

Site Context

The site is located to the east of the village of Bozeat, and lies to the rear of an existing detached property, at the corner of Harrold Road and Dungee Road. The site is rectangular in shape. It is bounded to the north and west by Dungee Meadow, designated as a Site of Special Scientific Interest (SSSI), which supports diverse grasses and a locally rare species of orchid.

The existing property has an established garden abutting the site and also includes a small parcel of land to the north, featuring a former pig sty and stores. An established woodland belt (Dungee Plantation) can be found on the eastern side of Dungee Road. To the south of Harrold Road, and in close proximity to the site lies Dungee Barn, a cluster of barns framing a south facing courtyard.

It is understood that the site itself was once an orchard or extended garden for the existing house. The site boundaries comprise native hedgerows, including mature trees to the southern and eastern boundary. The northern boundary comprises stock fencing and trees. The site affords views of the meadow /SSSI to the north. Access at present is off Dungee Road, via the parking area to the existing house.

Scheme background

A planning application was submitted in 2016 (reference WP/16/00670/FUL) for a two storey dwelling with vehicular access. The application was refused by Wellingborough Borough Council. An appeal was lodged and this was subsequently dismissed by the Planning Inspector in December 2018, based on the following reasons:

“the scope for raising standards would not alone be sufficient to justify approval of the appeal. The proposed design was not found to satisfy the criteria in the development plan as stated by Policies 8

Design Midlands | South Annex | Pera Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
Company Registration No: 04456338 | Registered Charity: 1143920

(d) and 13 (2) of the JCS or national policy contained within the NPPF”.

The Proposed Scheme

A new scheme is proposed for the site by Green Planning Studio, who represented the client at appeal, but were not involved in the design of the former scheme.

The scheme represents an entirely new proposal for a single dwelling on the site. The proposed building is curved in plan form and features a ‘glulam’ timber framed structure with kitchen/dining/living accommodation, home office and three bedrooms to the ground floor; and a master suite plus outdoor terrace to the first floor. A meadow turf roof is proposed for the new building. In addition, a suite of landscape proposals include areas of ornamental planting, spring meadow, lawn and an orchard, plus space for growing vegetables and soft fruits, as well as provision for hens/chickens.

Access to the site is proposed directly off Harrold Road (in the same position as the previous application).

The Parameters of NPPF Paragraph 79 Approval

As the scheme is within open countryside, the Design Team is seeking to build a case for development under Paragraph 79 of the National Planning Policy Framework (NPPF) issued by the Department for Communities and Local Government in 2018.

Paragraph 79 states:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

The Panel’s Comments

Building a compelling case for a new dwelling in the countryside

The Panel drew attention to the very demanding requirements of Paragraph 79 of the NPPF and the need to provide a robust case for development. In order to succeed, a clear and compelling rationale is vital, informed by a thorough understanding of the site and wider surroundings, eg. its history, character, constraints and opportunities.

Site Context and Site Analysis

The Panel emphasised the need to provide sufficient information in order to demonstrate / evidence a true understanding of the characteristics of the site and the surrounding context, including a better

understanding of how the scheme will be *'sensitive to the defining characteristics of the local area'*. This information should take the form of a comprehensive analysis of the site and wider context, in order to capture its key qualities and what makes it special. This should include a more detailed appraisal of the area including an assessment of the key characteristics of buildings in and around the site.

In addition, detailed information in respect of the landscape character should be provided, in particular recognising landscape features and how these may be protected and integrated as part of a comprehensive design solution. This should be informed by arboricultural and ecological surveys, to ensure all opportunities and constraints are fully understood.

The Panel also noted the absence of any historic mapping and suggested that a map regression exercise should be undertaken to explain the history and development of the site, including the wider site context. This may provide some clues in creating a scheme with a stronger sense of local identity and distinctiveness.

An exercise should also be undertaken to map key views into and from the site and these should be documented in order to accurately illustrate what can (and will) be seen from these viewpoints, eg. the view when approaching the site from Harrold Road and views from the north (footpath to Woolaston), etc.

The above information is vital in informing and developing a robust design philosophy for the scheme, particularly in the light of the stringent criteria of Paragraph 79 of the NPPF.

Project Brief

The Panel highlighted the importance of the client's role, in setting out the aims and aspirations for a new home and ensuring this is reflected in the design process.

Whilst the client's needs for the project were articulated to an extent during the course of the meeting, the Panel believe that further in-depth dialogue with the Design Team will be necessary to ensure that all possibilities are explored.

Options Study

In considering these possibilities, it is suggested that a number of options are explored, with a view to determining the best possible location for a new building on the site. This exercise should enable options to be fully tested in terms of access, views, visual impact, privacy, amenity, etc.

The Panel recommends that these are fully documented to explain the thought process and to ensure that every decision made is supported by a clear justification.

Landscape Strategy

A sensitive response to the landscape character of the site is an essential part of the project, with the same degree of rigour applied to both building and landscape.

Attention was drawn to the special landscape (wildflower meadow and SSSI) immediately north of the site, as well as the established trees / hedges on and close to the site. In addition, Dungee Plantation lies immediately to the east of Dungee Road. As proposed, the Panel questioned how the curved building form and new landscape integrates with the landscape character and features, as well as

the role / function of the proposed spaces and the proposals for site boundaries, etc.

The Panel commented on the need to develop a compelling landscape strategy which seeks to ensure a robust relationship between the built and natural forms.

The landscape strategy should include the following:

- A detailed analysis of the existing green infrastructure (as stated above) to evidence an in-depth understanding of the green character and qualities of the site;
- An explanation of how the landscape proposals reference / reinforce the 'reveal' design concept and narrative for the scheme;
- Definition of the role and function of the proposed areas of landscape as part of a 'hierarchy of spaces', including how the spaces connect with each other;
- Provision of a 'Tree Strategy' based on a considered approach to existing and new trees. This should build on the findings from the arboricultural survey and might involve exploring the selective removal of trees to the northern boundary to enable a stronger relationship with the meadow, as well as clarifying the role / function of new trees, eg. as focal points, or referencing/relating to the single tree in the meadow, etc.
- A design concept for the site boundaries, which should include an understanding of the character of the existing boundaries (which were noted to vary in character and form), as well as an understanding on how the landscape proposals connect to the site boundaries, including the boundary treatment between the site and the existing house/garden and pig sties, etc.;
- Careful consideration concerning the palette of materials for the landscape proposals (including hard landscape spaces, access etc.) drawn from an understanding of the context. The opportunity to utilise materials for the building within the landscape was encouraged, with the potential to create a more cohesive scheme; and
- Creating a strong sense of arrival through considered landscape and building proposals, heightening the notion of 'reveal'.

Design Concept

Whilst the proposed 'reveal' design concept for the house is acknowledged, the Panel felt that the narrative for the scheme could be clearer and more compelling. The Design Team is encouraged to undertake further research and design development work in order to crystallize the vision and capture the 'essence' of the project in a simple statement, supported by a diagram(s).

The Panel also emphasised the need for the landscape proposals to contribute to, support and reinforce the design concept.

Building Form and Layout

As currently proposed, the Panel feel that the curved plan form of the building is somewhat arbitrary and does not reflect the fact that Dungee Meadow and Harrolds Lane have very different characters. In addition, the rationale for the internal layout of the building was questioned, including the fact that the proposed guest bedroom block appears as the most prominent part of the building on arrival, and the cloakroom / utility room obstructs the view of the meadow from the building entrance.

The Panel encouraged the Design Team to revisit this, in order to:

- Strengthen the relationship of the house with the meadow, which is a key character defining feature of the site. Suggestions include positioning the house to the northern edge of the site

- immediately adjacent to the meadow which will require the selective removal of trees (dependent on the tree survey); an internal layout which maximises opportunities for views to the meadow to both the north and the west, eg. an unobstructed view from the building entrance to the meadow and exploring opportunities for the character of the meadow to extend into site;
- Reconsider the approach to the Harrolds Lane frontage by providing a scheme which responds to the character of the street edge, with perhaps a dense and mature landscape boundary in contrast to the open character of the meadow;
 - Heighten the sense of arrival, including further work on the treatment / materials and landscape experience on arrival to communicate the 'reveal concept' of the dwelling at the entrance, as well as the creation of a focal 'heart' within the building, exploring opportunities for further elements of 'reveal'/surprise.
 - Explore the potential of flexibility in use, in tune with the client's desire to accommodate extended family when required, eg. a design which fully explores the potential for parts / sections of the house to be 'closed down' when not in use.
 - Consider orientation and scope to maximise passive solar gain, as part of a fully integrated sustainability strategy.

Summary

The Panel thank you for the opportunity to comment on the proposals for the scheme at the pre-application stage. Whilst the aims and ambitions for the new dwelling are acknowledged, the Panel identified gaps in the site analysis work, which will need to be addressed in order to evidence a comprehensive understanding of site conditions and local characteristics (buildings and landscape). Once completed, this should then be used in the development of a more compelling design narrative, which truly responds to its context. In summary, the Panel suggests the following steps:

- Undertake additional analysis to ensure a comprehensive understanding of the site and local environs, including arboricultural survey, ecological assessment, map regression exercise, building character study, etc.
- Develop a more robust and compelling vision and narrative for the development;
- Create a comprehensive landscape strategy which should include proposals for tree retention/loss/replacement, space hierarchy, approach to hedgerows, boundaries, etc.;
- Further consider the building form, scale and materiality, including design options explored as part of the design process; and
- Strengthen visual relationship to the meadow.

We trust that the feedback provided within this letter will prove to be of benefit to you in seeking a successful resolution and outcome for this scheme and provide an opportunity for further discussions with the determining authorities. We would be happy to provide further design advice on the project including detailed design elements and, where possible, we will seek to ensure that the composition of the Panel remains the same throughout any ongoing review process.

Yours sincerely,

Dharmista Patel
Design Midlands Design Review Panel Manager

Design Midlands | South Annex | Pera Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
Company Registration No: 04456338 | Registered Charity : 1143920

Design Midlands Design Review adheres to Design Council CABE's ten principles for design review as follows:

1. **Independent:** It is conducted by people who are separate from the scheme promoter and decision-maker, and it protects against conflicts of interest.
2. **Accountable:** It records and explains its advice and is transparent about potential conflicts of interest.
3. **Expert:** It is conducted by suitably trained people who are experienced in design and know how to criticise constructively. Review is usually most respected where it is carried out by professional peers of the project designers, as their standing and expertise will be acknowledged.
4. **Advisory:** It does not make decisions. It acts as a source of impartial advice for decision-makers.
5. **Accessible:** Its findings are clearly expressed in terms that decision-makers can understand and use.
6. **Proportionate:** It is used on projects whose significance warrants the public investment of providing design review at national, regional and local level, as appropriate. Other methods of appraising design quality should be used for less significant projects.
7. **Timely:** It takes place as early as possible in the life of a design because this saves the most time and costs less to make changes. If a planning application has already been made, it happens within the timeframe for considering it. And it is repeated when a further opinion is required.
8. **Objective:** It appraises schemes in the round according to reasoned, objective criteria rather than the stylistic tastes of individual panel members.
9. **Focussed on outcomes for people:** It asks how this building or place can better meet the needs of the people using it, and of the public at large who are affected by it.
10. **Focussed on improving quality:** It constructively seeks to improve the quality of architecture, urban design, landscape, highway design and town planning.

Appendix 3

Appendix 4: Response of design:midlands May 2021



Design Midlands | Pera Business Park | Melton Mowbray | Leicestershire | LE13 0PB
Email: enquiries@designmidlands.co.uk | www.designmidlands.co.uk

21.05.2020

Ruth Taylor
Footshape House
Kingshorpe Road
Northampton
NN2 6EZ

Dear Ruth,

Re: Design Midlands Tabletop Design Review Panel – Friday 7th May 2021
Design Re-review of Reveal House – Dungee Corner (Our Ref: DMDR2121).

We write following the tabletop design re-review of the proposed Reveal House at Dungee Corner and would like to thank the opportunity to thank the team for utilising the Design Midlands Design Support Services. We hope that you found the process to be a constructive one, which will be of benefit to the team in taking the project forward.

The Design Midlands Panel members undertaking the design review were Chris Twomey (Chair) and Fiona Heron, and followed the ten principles of Design Review. Both Panel members are familiar with the site, wider setting and the scheme following a site visit and design review panel meeting on 26.11.2019 (Ref: DMDR031) and a follow up desktop design review 07.08.2020 (Ref: DMDR2026)

Further work has been undertaken on the scheme since the above design review. The tabletop design review was undertaken to discuss the updated scheme.

The Parameters of NPPF Paragraph 79 Approval

As the site is within open countryside, the intention is to build a case for development under Paragraph 79 of the National Planning Policy Framework (NPPF) issued by the Department for Communities and Local Government. Paragraph 79 states:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

The essential need for a rural worker to live permanently at or near their place of work in the countryside; or Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or

Design Midlands | South Annex | Pera Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
Company Registration No: 04456338 | Registered Charity: 1143920



The exceptional quality or innovative nature of the design of the dwelling. Such a design should:
-be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
-reflect the highest standards in architecture;
-significantly enhance its immediate setting; and
-be sensitive to the defining characteristics of the local area.

The Panel's Comments

The Client Brief

The prospect of building a new home on the site presents a once in a lifetime opportunity. The Client's ambition / aspiration to live in a sustainable home and to lead a self-sufficient lifestyle is laudable. The needs for the new home include keeping hens, a wormery, growing fruit and vegetables; and a desire to engage with/enjoy the existing meadow throughout the seasons, as well as creating opportunities for home working.

The client's ambition to create a zero carbon, flexible dwelling helps to strengthen the narrative for the scheme and this should be reflected more fully in the Design and Access Statement, in support of the planning application.

The Landscape Framework

The meadow is an important and unique feature of the site. It is also a key driver in informing the proposals from the siting of the house, the arrangement of the internal layout, location and character of open spaces, etc. Encouragement was given to explore further opportunities to strengthen the relationship to the meadow so it 'permeates' the site to create the sense of a house set within the meadow. This could include an open edge / boundary to the north enabling an uninterrupted view of the meadow with the new hawthorn hedge positioned in alignment with the path providing privacy and shelter. It was also suggested that the amenity space might be better located to the north boundary (swapping with the proposed vegetable garden) including meadow planting (if practical) which will be in keeping with the hierarchy of spaces within the scheme moving from utilitarian to the south to more informal adjacent the meadow; and to consider meadow planting to the space to the west of the building, if proposed as a soft landscape space.

The landscape proposals comprise a range of both hard and soft spaces, including arrival space, amenity space, outdoor dining / entertaining and vegetable & fruit growing areas. Further clarification would be helpful in order to explain the function and character of the spaces, how they relate to, and connect with each other, and how they relate to the spaces within the house. The provision of sketches to illustrate the sequence of spaces would assist in communicating their character.

The importance of the garden and growing spaces in meeting the client's desire to lead a self sufficient lifestyle is important and will need to be detailed within the proposals. This should include providing greater clarity in terms of the size and location of the proposed fruit and vegetable growing areas, as well as a better understanding of how the overall water strategy will contribute to the sustainability of the scheme – this should include details of where the water coming from, where will it be stored, and how it will be used within the house and garden. The above information will assist in demonstrating the level of consideration and detail that has been applied in designing the spaces and how the proposals are specific to the Client and the site.

Design Midlands | South Annex | Pera Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
Company Registration No: 04456338 | Registered Charity: 1143920

With regard to tree planting, the overall approach and the choice of species choice is well considered, although the Panel suggested that further information should be provided concerning the rationale for the position of the new trees (Sorbus) which form a shelter belt, including whether the regular positioning of the trees should reference the building geometry or perhaps be more organic. In addition, the rationale for the two Oak trees and their close proximity, one to another, was questioned. The proposed Olive trees will create character and interest in the courtyard, although these are likely to require protection during the Winter months.

The Design Concept

The 'reveal' design concept which starts at the dense landscape edge / Harrold Road boundary, through a series of spaces to the house, with both the house and views of meadow gradually revealed is considered strong and appealing. The position of the proposed access within an existing gap in the mature landscape boundary enabling the mature, verdant edge to be retained, and the proposed siting of the house is considered appropriate.

From the information provided encouragement was given to further develop, strengthen and communicate the 'reveal' concept. The arrival space is important, providing a sense of the scheme and a gateway to the more formal courtyard spaces. The Panel reiterated previous comments on the need to detail the proposed spaces to better understand how they will be used, the character of these and how they form part of the hierarchy of spaces within the site. The opportunity for inter-visibility between the house and arrival space was suggested enabling some degree of surveillance and connection, particularly between the arrival space and the office.

The House

The design, scale, form and massing of the house and choice of materials is considered to respond well to its context and is in keeping with the character of the site and its surroundings.

The proposal to 'flip' the internal layout was discussed, to create a better relationship between living and garden spaces, although this will need to be explored with care, to ensure the connections within the house, and those between the house and external spaces are legible and robust.

The proposed oriel window overlooking the meadow makes a strong statement and reinforces the design concept of moving through the site to ultimately reveal / engage with the meadow. The notion of providing shutters to reduce potential glare, creates opportunities to animate the façade with shadow modelling – all of which is well considered.

The Garage

The repositioning of the garage to the eastern wing was considered to work well. It was suggested that opportunities to integrate the waste/recycling bins as part of the garage for example, should be considered.

Materials Palette

The choice of materials was supported by the Panel. Encouragement was given to explore an imaginative approach to using the local materials, eg. the means of selecting, cutting and laying/coursing stone. This will assist in demonstrating an innovative approach to the detailing and use of a traditional material, and help to reinforce the contemporary nature of the house.

Views

The importance of introducing a new dwelling, and its impact on views into the site, both close to and further afield was discussed in detail. The Panel felt that the rendered images presented illustrate convincingly that the proposed dwelling will sit comfortably in its context – confident yet unassuming, when glimpsed through the trees from Harrold Road.

Presentation Information

The importance of the scheme information in communicating the design intentions and supporting the planning application was raised. The drawings provided for the house - specifically the elevations, were not considered to convey the 'sense' of the building or the special setting in which it sits. The elevations would certainly benefit from the inclusion of contextual information, including trees, vegetation, planting, people and colour. This will assist in explaining how the proposed building is designed to fully integrate with the surrounding landscape.

As stated above, the provision of a detailed and annotated landscape plan and sketches / vignettes of the key spaces would also be useful, particularly in illustrating the 'journey' from the point of arrival to the great 'reveal' of the historic meadow.

Summary

The Panel thank you for the opportunity to comment on the proposals and welcomed the work undertaken following the desktop design review.

The approach to the site; the 'reveal' design concept; the scale, mass and form of the proposed dwelling, the position of the garage, and the choice of materials palette are all supported. However, it is suggested that additional supporting information would assist in communicating the design concept and narrative for what the Panel believe is a strong scheme, and a scheme capable of meeting the stringent criteria of Paragraph 79 of the NPPF. This includes:

- Exploring opportunities for the meadow to 'bleed' into the site to create the sense of a house set within the meadow;
- Providing a detailed landscape plan and sketches to illustrate the hierarchy, function and character of the outdoor spaces, and their relationship to the key living spaces;
- Creating a set of images to illustrate the journey through the house (and garden) to heighten the narrative / sense of 'reveal';
- Preparing a set of building elevations which better describe the relationship of the house to its immediate context;
- Investigating imaginative means of detailing the building, using traditional materials in a contemporary manner; and
- Making stronger references to the client brief and their desire to live more sustainably, including details of how the proposed development will enable this.

Yours sincerely,

Dharmista Patel
Design Midlands Design Review Panel Manager

Appendix 4

REBUTTAL TO OFFICER'S REPORT TO COMMITTEE of 3 FEBRUARY 2021

REPORT ISSUE	ACTION
Name of design Review Panel	The name of the design review panel is Design:Midlands.
<i>'The previous scheme dismissed at appeal proposed a curved form of dwelling.'</i>	This was not the scheme considered by the Inspector see appendix 5 of the D and A
The principle of 'reveal' –this occurs several times	The revised D and A reiterates that the 'Reveal' is the journey to the view of the meadow. Minor alterations have been made to the scheme to strengthen this route in particular to the courtyard, front door and staircase. Sketches of the journey are included in the revised D and A
The design is of exceptional quality in that it truly outstanding or innovative	
Dungee House not referenced in design development	The revised statement now explains that the essential suburban nature of the architecture of the existing house was not considered appropriate to the setting of the proposed house.
Design of front door standard Sliding timber screen not picked up	The design of the front door has been revised. The eaves brought down to door head high and the timber screen brought to the exterior and are no longer pocket doors.
Questions use of Zinc.	The use of zinc was reviewed. The importance of creating a picture frame to the first floor element was considered to be justification for the use of zinc and that it should be in its natural colour. The Design Review Panel report states: <i>The choice of materials was supported by the Panel.</i>
<i>'In addition, the large outdoor 'utility space' feels like a left-over piece of land with no purpose, relationship to the house or the 'reveal' concept. This space could be used to create a partially sunken garage for example, which would align with the 'reveal' concept and could also include a green roof, like the dwelling. This would also be more appropriate to the layout, in that neither a roman villa nor a barn would have a residential garage. Also, this would reflect the layout of the adjacent Dungee Corner, which is a detached house, with detached outbuildings.'</i>	<p>Siting of the garage is as suggested by Design:Midlands. It reflects the incorporation of cart storage in barns.</p> <p>Utility area is to support a working garden. It occupies an area heavily shaded and screened by trees suitable for the paraphernalia associated with self-sufficiency gardening.</p> <p>A partly sunken garage would be inappropriate form that does not reflect the</p>

	<p>design ethos of the scheme and would, be detrimental to RPA's of trees.</p> <p>Concealing the garage would not heighten the reveal of the meadow. In its new position it adds further screening to the view of the meadow as the house is approached. The detailing of garage doors has been amended to reflect the shutter on the rest of the house. The roof was already a green roof.</p>
Site contains a dwelling is revealed once the site is entered	<p>There was never an intention of concealing the dwelling. The revised D and A reiterates that the 'Reveal' is the journey to the view of the meadow. The panel stated:</p> <p><i>The 'reveal' design concept which starts at the dense landscape edge / Harrold Road boundary, through a series of spaces to the house, with both the house and views of meadow gradually revealed is considered strong and appealing. The position of the proposed access within an existing gap in the mature landscape boundary enabling the mature, verdant edge to be retained, and the proposed siting of the house is considered appropriate.</i></p>
Gates to driveway too urban	<p>The gate to the driveway is an important part of the reveal route and important to the security of the property for the client. The aesthetic is consistent with the use of vertical timber boarding screens throughout the property.</p>
<p>The points raised to demonstrate the design is not exceptional are:</p> <p>The concept of 'reveal' is not carried through and fully reflected on the site as a whole, particularly the proposed attached garage, and the urban style vehicular access gate.</p> <p>There is no design justification for the non-vernacular materials proposed.</p>	<p>The design intentions have been reinforced and minor amendments made that address all of these points.</p> <p>The panel supported the Reveal design concept and said it is <i>'strong and appealing'</i></p> <p>The Design Review Panel report states: <i>The choice of materials was supported by the Panel.</i></p>
Innovation	<p>Innovation not necessary however scheme is innovative.</p>

Solar panel alternative not illustrated	Details of the solar panels as an alternative to the Tesla tiles have been submitted.
Vertical hanging terracotta pantiles is not innovative	No examples have been found of vertical hanging terracotta pantiles
<i>'The Statement refers to the use of zinc flashings on the northern elevation as an 'innovative twist'. The agent has confirmed these will not be visible.'</i> The agent said the concealed gutters would not be visible. The zinc surround the first floor window is visible	There has been a misunderstanding clarified in email to the planning officer. The concealed gutters are in zinc but these are not visible. The frame to the first floor window is in zinc and is visible. This is not disputed and is justified in the D and A and above.
Sage Glass information says panel size is too great	Windows are amended to be within panel size available.
<i>A further innovation would be to automate these features of the dwelling to ensure minimal light spill</i>	The shutters are automated
<i>'Overall, the proposal fails to demonstrate the proposed design is particularly innovative, and the main innovative measure is not available and the measures to reduce light spill would be at the discretion of the future occupiers and would clearly have a material effect on the proposed design of this roof slope'</i>	Solar panels are sunk into the green roofs of both wings. The area available is increased to compensate for the angle from due south. The slope to the 2-storey section would be unaltered and in red pantiles and appear similar to the previously proposed Tesla tiles. The shutters are automated.
And would help raise standards of design more generally in rural areas.	
No justification for the use of zinc	The use of zinc was reviewed. The importance of creating a picture frame to the first floor element was considered to be justification for the use of zinc in its natural colour. The Design Review Panel report states: <i>The choice of materials was supported by the Panel.</i>
No electric charging points for visitors' cars	Electric charging points for visitors' cars have been shown
Justification for not raising design standards rests on depends on lack of design information for solar panels, the design of the entrance gates, and the SageGlass panes being too big.	These are minor requirements that can be overcome by condition, however the design will be revised to correct them.

<p>And would significantly enhance its immediate setting.</p>	
<p>The site is not considered to have a negative impact upon its immediate setting and is a settled part of the landscape.</p>	<p>Without management the site would rapidly revert to scrub. Excellent architecture can enhance its setting and the proposal will be a positive addition to the landscape</p>
<p>The size of the two-storey element is considered not to be low lying or rural in character.</p>	<p>3D images have been made in the Landscape assessment to address this, but it has not clarified it to the planning officer. The buildings are small scale and comparable to Dungee Barn over the road. The Design Review Panel stated: <i>The importance of introducing a new dwelling, and its impact on views into the site, both close to and further afield was discussed in detail. The Panel felt that the rendered images presented illustrate convincingly that the proposed dwelling will sit comfortably in its context – confident yet unassuming, when glimpsed through the trees from Harrold Road.</i> <i>The design, scale, form and massing of the house and choice of materials is considered to respond well to its context and is in keeping with the character of the site and its surroundings.</i></p>
<p>The house should be re-sited to the east of the plot and the gate moved further in.</p>	<p>This negates the axial concept of the reveal. It would create a lot of purposeless garden space, something identified as undesirable in the first design review</p>
<p>The Landscape Officer notes that there is a tension between the argument that it is good for the building to be screened but on the other hand if it is truly exceptional should it not be visible.</p>	<p>See Design:Midlands comments above</p>
<p><i>The latest OPUN review letter noted that the movement strategy was unclear. The site layout shows that upon arrival, a person can move via a path beside the garage to the patio within the meadow area. This free movement to the outside areas does not appear to follow to the 'reveal' concept.</i></p>	<p>Optional route through the garden from the parking area was removed when the garage was relocated.</p>
<p><i>The external elevations use large brick surrounds on every opening. This is clearly taken</i></p>	<p>The detailing is sensitive to the defining characteristics including the use of timber</p>

<p><i>from the Dungee Barn, but given the number and size of openings on the dwelling the brick features appears to be excessive. The use of brick surrounds and timber headers is considered awkward.'</i></p>	<p>lintels. Brickwork is required to all openings as the local limestone is too soft and would weather on exposed corners. The alternative would be a harder dressed limestone. This approach to the use of materials has been reviewed and reinforced with the use of a decorative square basket weave coursing of the stone as an innovative use of local materials.</p>
<p><i>'The green roof would however be covered by the solar panels to some extent (the extent is not known as no details have been submitted).'</i></p>	<p>Details have been submitted</p>
<p><i>'The two-storey section has been designed to maximise the view of the meadow, and the angular form reflects the intention to use solar tiles. However, the solar tiles are not available and so the form and design are less convincing.'</i></p>	<p>The angular form is to articulate the route to the reveal. It is a fully justifiable element with or without solar tiles.</p>
<p><i>'These views are currently not interrupted by buildings. The character of the area consists of isolated dwellings and farms, in large plots. The scale of the proposed dwelling on the plot is large'</i></p>	<p>Views over the meadow are not interrupted by the building, it is set to one side. There is no precedent for stating that the local houses are on large plots.</p>
<p><i>'The dwelling uses local materials, but the angular design and large number of shuttered windows defined by brick surrounds is not sensitive to the defining characteristics of the local area.'</i></p>	<p>All rectilinear buildings are angular. Design:Midlands stated that the curved form was inappropriate. The use of shuttered windows is an innovation in how residential use can be incorporated into a countryside setting and into rural building forms. The number of windows is appropriate to the function and daylighting requirements of the rooms. <i>The notion of providing shutters to reduce potential glare, creates opportunities to animate the façade with shadow modelling – all of which is well considered.</i> The house does not set out to ape the residential architecture of the area but is sensitive to it.</p>
<p>The landscape officer's comment on viewpoint 4 <i>'The photomontage also reinforces my view that the small trees on the boundary with the SSSI have been judged rather too harshly with a recommendation to remove them, but they are shown as if they would be retained.'</i></p>	<p>The trees are shown as removed. The trees shown are those on the plot beyond.</p>

Received appeals

No appeals received.