



North Planning Committee

A meeting of the North Planning Committee will be held in the Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Wednesday 3 April 2024 at 6.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the Meeting of the Committee held on 7 February 2024.
4.	Chair's Announcements To receive communications from the Chair.
5.	Council Applications
6.	Applications for Determination
a)	WND/2021/0369 - Use of land for the stationing of caravans for residential use. Land At Stowe Hill, Watling Street, Weedon (Stowe Nine Churches Parish) Northamptonshire NN7 4RZ (Pages 11 - 20)
b)	2023/7743/FULL - Removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0132). Rosewood Cottage, Church Green, Badby NN11 3AS (Pages 21 - 30)
c)	2023/7744/LBC - Listed building consent for removal of the existing modern

	catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133). Rosewood Cottage, Church Green, Badby, NN11 3AS (Pages 31 - 40)
7.	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.
8.	Exclusion of Public and Press In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"

Catherine Whitehead
Proper Officer
22 March 2024

North Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Peter Matten (Vice-Chair)

Councillor Sally Beardsworth

Councillor Daniel Cribbin

Councillor Penelope Flavell

Councillor Rupert Frost

Councillor James Hill

Councillor Cecile Irving-Swift

Councillor Paul Joyce

Councillor Anna King

Councillor Cathrine Russell

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

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Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Arrangements for Speaking

It is necessary to register with Democratic Services no later than midday on the last working day before the Committee.

Speakers are required to indicate whether they will be speaking against or in support of an application.

Speakers may register by telephone, email, or by writing, using the contact details below.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Ed Bostock, Democratic Services via the following:

Tel: 07775036776

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
The Guildhall
St Giles Street
Northampton
NN1 1DE

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North Planning Committee

Minutes of a meeting of the North Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Wednesday 7 February 2024 at 6.00 pm.

Present:

Councillor Jamie Lane (Chair)
 Councillor Peter Matten (Vice-Chair)
 Councillor Daniel Cribbin
 Councillor Penelope Flavell
 Councillor Rupert Frost
 Councillor James Hill
 Councillor Cecile Irving-Swift
 Councillor Paul Joyce
 Councillor Anna King
 Councillor Cathrine Russell

Apologies for Absence:

Councillor Sally Beardsworth

Officers:

Shaun Robson (Development Manager)
 Eamon McDowell (Area Planning Officer)
 Oliver Billing (Planning Officer)
 Rebecca Grant (Major Projects Officer)
 Rob Burton (Planning Officer)
 Theresa Boyd (Planning Solicitor)
 Ed Bostock (Democratic Services Officer)

42. **Declarations of Interest**

Councillor Frost advised of a predetermination in respect of item 5c so he would leave the meeting at the conclusion of the previous item.

43. **Minutes**

The minutes of the meetings held on 7 June 2023, 4 October 2023, and 10 January 2024 were agreed and signed by the Chair.

44. **Chair's Announcements**

None advised.

45. **Applications for Determination**

46. **WNN/2023/0685 - Demolition of existing care home and construction of 18 dwellings comprising 2,3 and 4 bed and associated parking and landscaping. Ecton Brook House Care Home, Ecton Brook Road, Northampton**

The Committee considered application WNN/2023/0685 for the demolition of an existing care home building and the construction of 18 new affordable dwellings, comprising 2, 3 and 4 beds, and associated car parking and landscaping. Members' attention was drawn to the addendum which contained updates to conditions.

The Officer explained that there was no Council policy that could require an applicant to provide solar panels on developments, although the applicant had provided them in this case.

Members discussed the report and commented that the development would be a welcome improvement of a derelict building. They welcomed the application.

Councillor Hill proposed and Councillor Irving-Swift seconded that the officer recommendation be agreed. The recommendation contained in the report was put to a vote and declared carried with 10 votes for.

RESOLVED:

PERMISSION GRANTED SUBJECT TO CONDITIONS as set out in the report with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

47. **2023/7351/FULL - Application Proposal: Erection of 2 No. Industrial Units. The Beaver Centre, Great Central Way, Woodford Halse**

The Committee considered application 2023/7351/FULL for the erection of 2 industrial Units. The proposed parking met minimum requirements, it was not considered that the loss of existing parking would harm the wider estate, and it was noted that there were no objections from Highways. Conditions were included to ensure the use class of the units and of their hours of operation.

The Planning Officer advised that a previous application commented on by Woodford Parish Council related to a different site so was not relevant to this application.

Jack Chamberlain, the agent on behalf of the applicant, addressed the Committee in favour of the application and advised that there were no statutory objections. He advised that the development was small-scale but would create a number of jobs and was designed to match nearby existing units.

In response to questions, the Committee were informed that larger vehicles such as lorries would not be frequenting the industrial units; a Highways officer had visited the site in October 2023 and had no concerns regarding the impact on the road serving the units, which would fill the final corner of a designated employment site.

Councillor Irving-Swift proposed and Councillor Matten seconded that the officer recommendation be agreed. The recommendation contained in the report was put to a vote and declared carried with 9 votes for and 1 against.

RESOLVED:

PERMISSION GRANTED SUBJECT TO CONDITIONS as set out in the report with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

Councillor Frost left the meeting at this juncture.

48. **WND/2022/0989 - Construction of Holiday let building and associated infrastructure. Land at Dodford Grange, Main Road, Dodford**

The Committee considered application WND/2022/0989 for the construction of a holiday let building and associated infrastructure. This was a revised scheme following a previous refusal and subsequent Inspector dismissal. Parking provision would be extended, and 8 additional spaces provided. There were flooding issues in Dodford, but not near the site.

Simon Steel, on behalf of a neighbouring property, addressed the Committee in objection to the application. He stated that the application did not reflect the market use of the site and suggested that based on its use, an all-encompassing change of use was reasonable and consultative. He further suggested that a commercial level of sewage removal was needed; there was no stream or watercourse nearby and effluence sometimes flowed downhill to the village.

Colin Newton, Dodford Parish Clerk, addressed the Committee in objection to the application, and voiced concerns around parking, noise, and waste. He advised that a previously added condition relating to parking was not being met, and a recent incident breached noise-related conditions. He stated that the parish council was supportive of enterprise, but the proposal was unacceptable; the harm caused would outweigh any benefits.

In response to questions, Mr Newton advised that the stretch of road where parking overflows happened was very narrow. The Planning Officer explained that that effluence had a degree of treatment in that it either went into a ground system or into a ditch that ran along the highway/footpath.

Councillor D Smith addressed the Committee in objection to the application and commented that since Dodford was a small village, any developments were expected to be small-scale. He stated that the application conflicted with several policies in the Local Plan.

Councillor Jo Gilford addressed the Committee in support of the application. She acknowledged that the application did contravene some policies, but the benefits outweighed the negatives. She advised that the applicant had worked to make significant changes to address concerns raised by the Inspector and the Council. The

single objection raised by the parish council had been addressed and the proposal was no longer considered inappropriate.

Roy Hammond, the agent on behalf of the applicant, addressed the Committee in favour of the application. He stated that work had been done to address the concerns of the Inspector and the local community as far as possible. The Inspector's main concerns regarding scale and harm to the gap between 2 parts of settlement had now been addressed. He advised that the principle of development was acceptable and had economic advantages.

In response to questions, the Committee heard that there were 2 conditions limiting the use of the buildings. It was noted that there was no intention to change the premises licence. Maximum occupancy was 8; there were 4 double bedrooms.

The Planning Officer advised that there was no need to remove permitted development rights for a commercial property since development was limited by the use of the building. It was the opinion of the Planning Officer that the previous reasons for refusal had been adequately addressed.

Members discussed the report and commented that there were no planning reasons to refuse the application; the Committee could not determine what might happen in the future, and any noise issues would be dealt with under the licensing regime; it was not a planning matter.

Councillor Irving-Swift proposed and Councillor Joyce seconded that the officer recommendation be agreed. The recommendation contained in the report was put to a vote and declared carried with 9 votes for.

RESOLVED:

PERMISSION GRANTED SUBJECT TO CONDITIONS as set out in the report with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

49. **2023/6454/MAF - The erection of retirement living apartments with associated access, car parking, landscaping, ancillary facilities and associated works. Former site of Vineyard Community Church, Warwick, Street, Daventry**

The Committee considered application 2023/6454/MAF for the erection of retirement living apartments with associated access, car parking, landscaping, ancillary facilities, and associated works. It was explained that Highways had objected due to the lack of proposed parking, however the applicant had referred to similar applications which allowed for a relaxation of policy in exceptional circumstance. Highways then removed their objection but requested a parking beat survey, the results of which showed parking capacity in the immediate area. The Officer gave a verbal update which related to 3 additional conditions imposed, following comments received from the Lead Local Flood Authority.

In response to questions, the Planning Officer advised that any amendments to the proposal would result in a reduction of units and the development would no longer be commercially viable.

Councillor Stephen Dabbs of Daventry Town Council addressed the Committee in objection to the application and stated that the proposal was an overdevelopment with insufficient parking, noting that there were no car parks nearby.

Rachel Clare, the agent on behalf of the applicant, addressed the Committee in support of the application, advising that there was a significant and growing need for specialist housing for older people. The delivery of housing for older people would benefit the wider housing market and the development would make use of a brownfield site that had been vacant for a number of years. She stated that the design was of high quality and included solar panels, electric heating, and EV charging points on all of the car parking spaces.

In response to questions, Ms Clare advised that the site was challenging to develop; there was a 7m drop from top to bottom. It was more expensive than standard housing due to accessibility and adaptability requirements. She further advised that details in the design reflected the prominent features throughout the nearby conservation area.

Members discussed the report and commented that the application was impressive and much needed.

Councillor Hill proposed and Councillor Matten seconded that the officer recommendation be agreed. The recommendation contained in the report was put to a vote and declared carried with 9 votes for.

RESOLVED:

PERMISSION GRANTED SUBJECT TO CONDITIONS as set out in the report with delegated authority to the Assistant Director – Planning and Development to approve any amendment to conditions as deemed necessary.

50. **Urgent Business**

None advised.

The meeting closed at 7.40 pm

Chair: _____

Date: _____

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Planning Committee Report

Application Number: WND/2021/0369

Location: Land At Stowe Hill Watling Street Weedon (Stowe Nine Churches Parish) Northamptonshire NN7 4RZ

Development: Use of land for the stationing of caravans for residential use.

Applicant: Mr E Biddle

Agent: M Green

Case Officer: Eamon McDowell

Ward: Woodford & Weedon Ward

Reason for Referral: Call in by Cllr David Smith

Committee Date: 3rd April 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO FORMALLY REFER THE APPLICATION TO THE DEPARTMENT FOR TRANSPORT TO ADVISE THAT THE COUNCIL IS MINDED TO APPROVE THE APPLICATION SUBJECT TO CONDITIONS SET OUT IN THE REPORT AND ON RECEIPT OF A FAVOURABLE RESPONSE FROM THE DEPARTMENT OF TRANSPORT TO GRANT PERMISSION.

Proposal

Use of land for the stationing of caravans for residential use.

Consultations

The following consultees have raised **objections** to the application:

- Weedon Bec Parish Council
- Stowe IX Parish Council
- Dodford Parish Meeting
- National Highways

The following consultees have raised **no objections** to the application:

- Planning Policy
- Conservation Officer
- Local Lead Flood Authority
- Canals and Rivers Trust
- Environment Agency
- Crime Prevention Design Adviser

3 letters of objection have been received and 0 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on local landscape
- Impact on Canal Conservation Area
- Impact on residential amenity
- Highway Safety

The report looks into the key planning issues in detail, and Officers conclude that on balance the proposal is acceptable subject to conditions listed and formal referral to Secretary of State for Transport .

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is located to the southeast of Weedon village on the west side of the A5 and immediately south of Church Street. To the south is the Grand Union Canal a designated Conservation Area. Directly opposite the site is a long established commercial garage site. Also just further south there is a pub/restaurant (The Narrow Boat) on the east side of the A5 immediately north of Heyford Lane. A detached dwelling (Canal Cottage) lies some 100m to the south of the application site. To the south west of the site is a sewage treatment plant accessed off a track from Church Street to the north.
- 1.2 The site comprises a relatively flat area of land sitting within a larger well screened plot accessed directly off the A5. Access to the site is via a relatively steep access road that drops from the A5 down into the site.
- 1.3 The site is laid to compressed hard-core although the wider plot is primarily laid to grass and screened for the most part by field hedges along its western and northern boundaries and a fence/hedges to the A5 frontage. The land rises to the south towards the canal which itself is well screened from the site by numerous canal side trees and hedges. A water course runs along the western edge of the wider plot within which sits the application site.
- 1.4 The application site is occupied by 7 mobile homes and one caravan and a day room building. Some additional domestic paraphernalia occupies the wider plot comprising children's play equipment including goal points and a climbing frame/slide. Some containers occupy the northern corner of the wider plot but are not the subject of this application.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is seeking permission for the use of the application site for the stationing of caravans for residential use. In effect the proposal seeks to regularise the existing additional units brought on to site following the grant of permission for a single traveller unit under DA/2019/0195 and to allow for their retention on site to serve the needs of the family. This will be a total of 6 static units with associated mobile units.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:

DA/2015/0195 Use of land for stationing of caravans for residential purposes 1 No. Gypsy and traveller pitches, formation of hardstanding, resurfacing of partially overgrown access track and conversion of existing building to dayroom ancillary to that use . Part retrospective. Approved February 2016

DA/2019/1003: Variation of condition 3 of planning permission DA/2015/0195 To regularise the breach of condition 3 by constructing the access within 12 months of the date of this application. Secretary of State for Transport directs that the application be deferred indefinitely. Finally Disposed Of.

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

5 RESPONSE TO CONSULTATION

- 5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Weedon Parish Council	Object	1.The existing permission was based on false information 2.The site is operating a business which is not covered by the existing or proposed development 3. The existing access does not meet the required standard of the highway authority and is a danger to users of the A5. There is already increased vehicular/pedestrian activity in the immediate locality as a result of staycations on the nearby canal. 4. There are more than 5 living units on site and these do not look suitable. There are concerns about sewage

		<p>disposal.</p> <p>5. No identified need for additional traveller accommodation the area.</p> <p>6. If this were a scheme for residential units it would be refused for being outside the confines of the village. Fail to see why policies restricting development in the open countryside are not equally applied here.</p>
Dodford Parish Meeting	Object	<p>1. The site lies in open countryside contrary to all relevant planning policies.</p> <p>2. Access to and from A5 poses a serious safety risk to users of the A5</p>
Stowe IX Churches PC	Object	<p>1. Contravenes policy RA6</p> <p>2. Provision exceeds the identified need set in the Local Plan Policy HO9</p> <p>3. Highway safety concerns</p> <p>4. Inaccuracies and lack of clarity in the document</p> <p>5. Site has consistently been used for business purposes for which permission is not given nor sought by the application.</p> <p>6. Site does not satisfy the criteria set by Policy HO9 for traveller sites.</p>
National Highways	Recommend that planning permission should not be given for period specified	Permission should not be granted until suitable access arrangements to serve the proposed development are submitted to and agreed by National Highways
Police	No objection	<p>Offer following observations:</p> <p>1. Not aware of any concerns with the existing site or permission</p> <p>2. note that application is part retrospective</p> <p>3. any approval must restrict number of units on site</p> <p>4. An highway improvements sought must be carried out</p> <p>5. land must not be used as a transient traveller/gypsy site.</p> <p>6. The total of 6 pitches must be used solely for small family groups with local connections to the area. seek condition to that effect</p> <p>7. No business shall operate from the site and no metal containers allowed on the site.</p>
WNC EHO	No objection	Subject to securing relevant licences under Caravan Sites and Control of Development Act 1960
WNC Planning Policy	No objection	<p>Having regard to Policy HO9 criteria:</p> <p>(i) Site has existing access on</p>

		<p>to A5 but consideration needed to ensure any improvements required are undertaken</p> <p>(ii) Site is considered to be in reasonable proximity to Weedon which is a primary service village offering a range of services and facilities</p> <p>(iii) Consideration should be given to flood risk issues</p> <p>(iv) On site amenities can be secured by condition</p> <p>(v) Consideration of impact on local landscape should be assessed</p> <p>(vi) Regards will need to be given to Planning Policy for Travellers para 24</p>
Canals and Rivers Trust	No objection	Seek detailed information in respect of flood risk specifically with respect to the canal embankment in the event of possible breach of the embankment to demonstrate that the site would not be at risk in the event of a breach of the canal embankment.

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There have 3 objections raising the following comments:

- Existing permission has not been complied with
- Site is not residential as is evidenced by presence of storage containers and commercial vehicles parked on site and frequently changed
- Concerns about existing drainage arrangements
- Highway Safety
- Facilities for provision of waste/rubbish removal
- The site should revert back to its original approval under DA/2015/0195
- Excessive lighting on site
- A walkway should be provided within the site to provided pedestrian in the event of flood risk
- Proposed native tree planting has not taken place as was shown on the original planning approval
- The increased use of the day room will overload sewerage system on site

7 APPRAISAL

7.1 The principle of residential occupancy on the site for a traveller family has already been accepted by the grant of permission under DA/2015/0195. As such this applications

falls to be determined on the individual merits of proposal having regard to the provisions of Policy HO9 of the Part 2 Local Plan that makes provision for the accommodation of Gypsies, Travellers and Travelling Show people and other considerations that may be material to the determination of the application..

7.2 Specifically HO9 requires the following criteria to be met :

- i: the site has safe convenient access from the public highway and provides adequate space for parking turning and servicing of the site;
- li: site is reasonably accessible to a range of services set out in national policy e.g. shops, schools, public transport;
- iii the site has an acceptable standard of amenity space avoiding high risk to noise, flood risk and air pollution
- iv; site can provide adequate on site services including water supply, power, drainage sewage disposal waste disposal composting and recycling facilities
- v; it will not have an unacceptable impact on landscape, local infrastructure and existing communities
- vi; specifically relates to sites for travelling show people and need to provide sufficient space for storage and maintenance of equipment .

Each of these is considered in turn below;

i. Safe convenient access from public highway with adequate space for parking turning and servicing within the site..

7.3 The application site offers sufficient space to provide for the parking and turning and servicing of vehicles. The access to and from the A5 is presently from an access point that has been widened in response to a breach of condition notice to serve the development as approved under DA/2019/0195.

7.4 In conducting consultations on the current application the National Highways (NH) have asked for the application not to be determined until such time as the applicants agree a form of access that is acceptable to NH.

7.5 Although discussions have taken place between the NH and the applicants in respect of the existing permission these were not completed. NH are of the view that given the scale and nature of the development that a priority junction would be required in accordance with DMRB standard CD123 Geometric design of at grade priority and signal controlled junctions.

7.6 In response the applicant's agents have sought to engage with the NH to secure an acceptable form of access but consider the standard sought by NH to be disproportionate to the proposed development.

7.7 The agents summarise their case with respect to access requirements as follows.

"The site is occupied by one gypsy family whose personal needs have grown as a result of some of the children reaching the age of maturity and others requiring additional space for severe mental and physical health issues. Some of these issues are currently critical, exacerbated by the stress of the threat of homelessness.

The existing site access was regularised by the local authority after threat of enforcement action for breach of condition 3 on the approval for one pitch. The number of people on the site has increased by just one child since that permission.

Our case is for exceptional personal circumstances and the rights of the children. We are asking that, in these exceptional circumstances, rigorous adherence to the standards for access to the A5 are moderated to recognise that the client cannot afford to pay for a compliant scheme and the existing access is adequate as it is serving the same family as the original approval. The alternative for the family is to be homeless.”

- 7.8 To date the NH have continued to issue a holding response in effect for the LPA not to determine the application. It is considered that there needs to be meaningful engagement from the NH to progress matters. In their latest holding response NH has stated. “The applicant’s agent has also approached us seeking to discuss the issues we have raised. While we would be happy to do so, we will still require any works to the access, whether for the existing or proposed use, to be designed and constructed in accordance with the DMRB”
- 7.9 In my view given the current impasse on progressing discussion on the access arrangements I consider that a formal resolution from the LPA that it is minded to approve the application could assist and perhaps give both the NH and applicants a degree of certainty in securing necessary improvements to the access to satisfy the requirements of Policy HO9 (i).
- 7.10 In light of the above I consider that criteria HO9 is capable of being complied with but this is very much a matter between the applicants and NH to progress. Clearly a time frame for agreement on the access arrangements needs to be in place and it is recommended that a condition to the effect that an improved access would be provided within 18months of a decision should the LPA be minded to approve. This would give both parties sufficient time for both parties to engage.

ii; site is reasonably accessible to a range of services set out in national policy e.g. shops , schools, public transport;

- 7.11 Weedon Bec village is a designated Primary Service village in the part 2 Local Plan which by definition means it offers the highest level of services and facilities within the settlement hierarchy in rural areas to meet the day to day needs of the resident of the village. This includes health care, primary school, and village shops as well as employment opportunities.
- 7.12 Although the site lies outside the settlement confines of the village it is within one mile of the centre which is considered to be within a reasonable distance to access these services and facilities. Accordingly, it is considered that criteria ii of the policy is satisfied.

iii the site has an acceptable standard of amenity space avoiding high risk to noise, flood risk and air pollution

- 7.13 The site and adjoining plot offers ample space for amenity of the occupiers of the existing and proposed units without adversely impacting on the surrounding area. A flood risk assessment was submitted with the application which demonstrates that there is no high risk to the site as a result of flooding.
- 7.14 Although the site is in close proximity to the A5 no evidence has been submitted to raise concerns that noise impacts from the road would adversely impact on the amenity of existing occupants of the site.

iv; site can provide adequate on-site services including water supply, power, drainage sewage disposal waste disposal composting and recycling facilities

- 7.15 The site has adequate provision of services to serve the occupants and sufficient space within to deliver these with a relatively modern-day room already on site. Adequate space exists of waste disposal composting and recycling as well as sewage disposal.

v; it will not have an unacceptable impact on landscape, local infrastructure and existing communities

- 7.16 The site is very well screened from the A5 sitting below the level of this road and separated from it by a screen fence and existing trees and hedges and wide grass verge.
- 7.17 From the north along Church Street the site is also screened by a combination of vegetation and screen fencing such that the units on the site currently are not readily visible. Additional planting can be secured by condition to reinforce these boundaries which further mitigate the limited visual impact of the proposal on the surrounding landscape. In my view the site and the proposal would not have a harmful impact on the surrounding landscape.
- 7.18 From the nearby canal network which is a designated conservation area views of the site are highly filtered by intervening trees and vegetation such that officers do not consider that the development would adversely impact on the setting or appearance of the conservation area.
- 7.19 In terms of impact on the local communities the nearest residential property to the south fronts the canal and is more elevated relative to the application site. At some 60-70m separation from the site boundary I do not consider that this would lead to any adverse impact on the amenities of Canal Cottage by reason of overlooking or loss of privacy. Furthermore, conditions could be imposed to secure details of lighting and boundary treatment to the site.
- 7.20 Opposite the site there is a commercial garage which comprises a range of buildings and structures and parked vehicles on the east side of the A5. To the south is the Narrow Boat Inn which is not readily visible from within the application site and similar the site is not readily visible from this part of the A5. I do not consider that the proposal would result in any adverse impact on these sites as a direct result of additional units being introduced.

vi; specifically relates to sites for travelling show people and need to provide sufficient space for storage and maintenance of equipment

- 7.21 As the site does not relate to the needs of travelling show people this criteria is not relevant to the consideration of this application
- 7.22 Having regard to the criteria set out in Policy H09 of the part 2 Local Plan and that on balance the proposal should be supported subject to securing an acceptable resolution of the access arrangements to serve the site as highlighted by National Highways.

Other matters;

- 7.23 I am aware of ongoing concerns about commercial activities operating from the site. These do not form part of the current application but are subject to ongoing investigations by officers which has resulted in reduction in the number of vehicles parked on site. I am satisfied that officers will continue to monitor this but do not consider this should prevent determination of the application as submitted.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL is not applicable to the proposal

9 PLANNING BALANCE AND CONCLUSION

- 9.1 It is clear from the representations received from the local community that there are concerns about the existing ongoing breach of planning control but on balance I am satisfied that the proposal represents an acceptable form of development which will regularise existing residential breaches and satisfy the provision of Policy HO9 of the part 2 local plan. This must however be subject to securing a satisfactory solution to the concerns raised by National Highways and to that end a condition is proposed which would seek to secure the construction of an improved access to serve the site to mitigate concerns about highway safety and address the requirements of HO9(i).

10 Recommendation

As required by Town and Country Planning (Development Affecting Trunk Roads) Direction 2018 it is recommended that the application be referred to the Secretary of State for Transport Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order on the grounds that that the LPA is minded to approve the application subject to the conditions set out below.

Subject to a favourable response from the Department of Transport the Assistant Director be given delegated powers to approve the application subject to the conditions set out below.

1. No additional mobile residential units or caravans shall be brought onto the site until improvements to the existing vehicular access have been carried out in accordance with details to be submitted to and agreed by National Highways.

Reason: the Improvements to the access need to be formally agreed with National Highways via a 278 agreement. The LPA considers that an 18month time frame should be sufficient to allow the applicant to enter into and agree a 278 agreement with National Highways.

2. No more than 6 static units and 6 mobile units shall be allowed to be occupied on site for residential purposes.

Reason: This condition is imposed to afford the LPA the opportunity to assess the impact of additional units on the amenities of the local area and upon highway safety.



Planning Committee Report

Application Number: 2023/7743/FULL

Location: Rosewood Cottage Church Green Badby NN11 3AS

Development: Removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0132).

Applicant: Mr & Mrs G Hind

Agent: JJB Chartered Architects Ltd

Case Officer: Oliver Billing

Ward: Woodford & Weedon Ward

Reason for Referral: Called in by Cllr Rupert Frost on the grounds that the National Planning Policy Framework makes it clear that heritage assets should be conserved in a manner appropriate to their significance and the proposal is not inconsistent with the policies of the development plan.

Committee Date: 03rd April 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO REFUSE PERMISSION FOR THE DEVELOPMENT.

Proposal

Removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0132).

Consultations

The following consultees have raised **objections** to the application:

- WNC Conservation Officer

The following consultees have raised **no objections** to the application:

- WNC Landscape Officer, WNC Ecology

The following consultees are **in support** of the application:

- Badby Parish Council

No letters of objection have been received and 23 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development,
- Impact on the significance of the Listed Building,
- Design and materials,
- Impact on the character and appearance of the area (including the Badby conservation area).

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons.

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a two storey detached Grade II listed building and is an 18th Century coursed ironstone cottage with a slate roof that features a catslide roof at the rear with three dormer windows. The property has previously been extended to the side and rear. The existing cottage is positioned back from the village green but remains visible from Church Green. The cottage and front gardens are positioned on lower ground level and the rear garden of the property lies on a steep slope.
- 1.2 The property is located to the southeastern edge of the village of Badby and is surrounded by residential properties and their associated gardens and driveways to the north and south. The dwelling benefits from a long garden which slopes down to the southeastern boundary which is bordered by several large trees and open countryside. To the northwest is Brookside Lane and the village green, with St Mary's Church further to the west.

2 CONSTRAINTS

- 2.1 Rosewood Cottage is a Grade II listed building and the application site is located within the Badby conservation area. To the west is the Grade II listed building Woodcroft.
- 2.2 Part of the application site is located within the high, medium and low areas for surface water flooding, but this does not cover the area of the proposed development.
- 2.3 Located within the Special Landscape Area.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This application is partnered with a listed building consent application for the same proposal (2024/7744/LBC). The two applications are a resubmission of WND/2023/0132 and WND/2023/0133 which proposed the same development but were withdrawn before determination.
- 3.2 The application seeks permission for the removal of the existing rear catslide roof and dormers and the construction of a rear two-storey and first-floor extension. The extension comprises three two-storey gables across the rear elevation that are perpendicular to the main roof and with ridges at a lower level than the original dwelling. New windows are proposed on the upper floor with a set of patio door doors on the ground floor of the two-storey part.
- 3.3 The extension is proposed to be constructed with coursed ironstone elevations, a slate roof and timber painted windows and doors to match the existing dwelling.
- 3.4 The window that serves the existing kitchen on the ground floor front elevation is proposed to be removed with the opening reduced in size, with a stonework infill and a new timber window.
- 3.5 A wall mounted lean-to door canopy is proposed on the north-east side elevation which would be supported off oak gallows brackets.
- 3.6 The internal alterations to the dwelling comprise:
 - Repositioning of the kitchen within the existing sitting room area.
 - Insertion of a shower room with WC and separate utility into the existing kitchen.
 - Creation of bedroom 4 at ground floor level within the two-storey element with level access to the new shower room and WC.
 - New door openings formed in the wall between the proposed utility and kitchen, and between the dining room and proposed ground floor bedroom (involving the removal of the existing window).
 - Creation of an additional first floor bedroom in the two-storey element.
 - Conversion of the existing first floor bedroom three into a home office with new corridor to the new first floor bedroom.
 - Enlargement to existing bedroom one.
 - Airing cupboard and cylinder removed from the first floor landing.
 - Ceiling reinstated in the front first floor bedroom following the removal of the dormer.
- 3.7 Further details of the proposal are illustrated on the submitted drawings.

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

- **DA/1987/0281** – Extensions and alterations (approval).
- **DA/1987/0638/LB** - Extensions and alterations (approval).
- **DA/2001/0720** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2001/0777/LB** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2019/0540** – Two storey side and single storey rear extension (refused)
- **DA/2019/0541** – Listed Building Consent for two storey side and single storey rear extension (refused)
- **WND/2023/0132** - Removal of existing catslide roof and dormers. Construction of two storey and first floor extensions (withdrawn).
- **WND/2023/0133** - Listed building consent for removal of existing cat slide rood and dormers, construction of two storey and first floor extension (withdrawn).
- **2023/7743/LBC** – Listing building consent for the removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133) (decision pending).

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

5.4 Development Plan

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (December 2014) (WNJCS)

- SA – Presumption in Favour of Sustainable Development
- S1 – The Distribution of Development
- S10 – Sustainable Development Principles
- BN5 – The Historic Environment and Landscape
- H1 - Housing Density and Mix and Type of Dwellings

Settlements and Countryside Local Plan (Part 2) For Daventry District (February 2020) (LPP2)

- Objective 14 - Heritage
- SP1 – Daventry District Spatial Strategy
- RA2 – Secondary Service Villages
- HO8 – Housing Mix and Type
- ENV7 – Historic Environment
- ENV10 – Design

Badby Parish Neighbourhood Plan 2018-2029 (NDP) (January 2019)

- B1 – Protecting the landscape and local countryside character
- B3 – Heritage

5.5 Material Considerations

Below is a list of the relevant Material Planning Considerations:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- Daventry District Council Designing House Extensions Supplementary Planning Guidance (SPG)
- Badby Conservation Area Appraisal and Management Plan (CAAMP) (March 2021)
- Northamptonshire Parking Standards (September 2016)

6 RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Badby Parish Council	Support	Support the application by highlighting that the proposals allow the residents to adopt the property to suit their needs, whilst respecting the historic character and appearance of the cottage and its setting. No changes to the front and the cottage is not overlooked at the rear. The proposed rear elevation is an improvement over the existing one and the proposed development is in keeping with the local architectural style. The applicants have addressed the reason for refusing permission for previous proposals.
WNC Conservation Officer	Object	Objection to the proposed construction of the two-storey and first-floor extensions and the conservation officer has identified less than substantial harm to the significance of Rosewood Cottage (see officer's report for the accompanying listed building consent application for more detail)
WNC Landscape Officer	No objection	Commented that all that would likely be impacted in the rear garden are couple of Forsythia shrubs and a small Cherry or something similar. The landscape officer concluded that they have no concerns in landscape terms and they have no objections to the proposed works.
WNC Ecology	Comments	Concluded that the property is unlikely to be suitable to support bats and that nesting birds could be present therefore the proposal is unlikely to have a significant impact on protected species and habitats if a precautionary approach to preliminary building work and sensitive lighting strategy to minimise light spill on sensitive areas including the adjacent trees, hedgerows and farmland is adopted. Conditions were recommended with regard to site clearance and biodiversity enhancement.
Historic England	No advice offered	N/A

7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 23 letters of support have been received raising the following comments:

- Improvement and preservation of the existing building.
- No harm to the character of the property or its listing. Sympathetic development proposal.
- Existing footprint of the Old Cottage remains the same.
- No visual impact on the area/in keeping with the area and surrounding dwellings.
- No change to the front elevation.
- No impact to/in keeping with the conservation area.
- No impact on neighbouring amenity.
- Little/no impact on traffic.
- Improved family home/living area for current and future generations/meet the occupier's needs.

8 APPRAISAL

Principle of Development

- 8.1 The relevant policies from the WNJCS are Policies SA, S1 and H1. SA relates to the presumption of sustainable development which is supported by Chapter 2 of the NPPF and S1 details the distribution of development and is further covered by RA2 of the LPP2. H1 supports residential development that caters for different accommodation needs.
- 8.2 The relevant policies from the LPP2 are SP1, HO8 and RA2 which provide criteria for development within the secondary service villages, of which Badby is one. SP1 outlines the spatial strategy for Daventry District and directs that development should protect and enhance the built and natural environment and the District's heritage assets. HO8 promotes development that provides specialist accommodation whilst promoting independent living.
- 8.3 The relevant policies in the NDP are B1 which focus new development within the village confines and ensures that development proposals maintain the scale, form and character of the existing settlement.
- 8.4 The property lies within the village confines of Badby and is in an established residential area and therefore the principle of adding a domestic extension to the dwelling could be considered acceptable. However, this is subject to the proposal being of an acceptable scale, design and appearance and not resulting in harm to a heritage asset. It is noted that only part of the application site lies within the defined village confines, however, this does include the property and the area of the proposed development.
- 8.5 As detailed below, the proposed development is not considered to be of an appropriate scale and therefore does not accord with Policy RA2 C (i). It would also result in less than substantial harm to the significance of a Grade II listed building. Moreover, the

proposal does not accord with the spatial principles under Policy SP1, specifically part G which outlines that development should protect and enhance the built and natural environment and the District's heritage assets. Therefore, in its current form the principle of the proposed development is not supported.

- 8.6 Weight has been given to the use of the extension to provide more accessible and specialist accommodation to meet the requirements of the property's occupiers. This is in accordance with H1 of the WNJCS and HO8 of the LPP2 which supports housing for different accommodation needs and to meet people's changing circumstances over their lifetime. However, the benefit of providing more accessible accommodation for the occupier does not outweigh the harm to the listed building that would be caused by the proposed development.

Impact on the significance of the listed building

- 8.7 A full assessment of the impact on the significance of the Grade II listed building has been detailed within the accompanying officer's report for the listed building consent application (reference 2023/7743/LBC).
- 8.8 It is concluded that that the proposed development would cause considerable harm to the significance of the Grade II listed building, Rosewood Cottage and in this case the harm caused falls at the higher end of less than substantial harm in NPPF terms. This harm has been assessed against the tests within the NPPF, as directed within Policy ENV7 of the LPP2. It is considered that as the proposed extension would provide significant additional living accommodation for the current occupiers which would be a personal benefit to them and the development is not considered necessary to maintain the viable use of the listed building or secure its long-term preservation there is no clear justification or reason, including no public benefit, that would demonstrably outweigh the identified harm to the significance of the listed building.
- 8.9 The proposed development is therefore contrary to Policies BN5 of the WNJCS, Objective 14 and Policies SP1 (G), ENV7 and ENV10 (A iii) (see below for more detail) of the LPP2 and it does not meet the relevant tests within the NPPF.

Design and materials

- 8.10 The relevant policies and material considerations are Policy ENV10 of the LPP2 Policy, the Designing House Extensions SPG and paragraphs 135 and 139 of the NPPF.
- 8.11 Policy ENV10 outlines a series of design criteria in order to achieve high quality design. This includes promoting or reinforcing local distinctiveness and enhancing its surroundings (A i), taking account of local building traditions and materials (A ii), ensuring the scale, massing, height and layout combine to ensure the development blends well within the site and surroundings (A iii). ENV10 B outlines that '*Development of poor design that does not add to the character and quality of an area and the way it functions will not be supported*'. These design criteria are also supported by paragraph 135 of the NPPF.
- 8.12 The SPG directs that extensions can have a bad effect on the character of the whole house if it is too big and that extra care should be taken with design when extending listed buildings and housed within conservation areas. It also outlines that new doors and windows should have the same style, size, materials and appearance of those of the original building.

- 8.13 As assessed within the officer's report for the accompanying listed building application, the size, scale, massing and appearance of the proposed extension are not acceptable and would result in an addition that is not subservient to the host dwelling. The eaves height is higher than the existing roof and the positioning and size of the openings would not be in keeping with the architectural detailing of the property. Furthermore, the proposal would complicate the form of the existing dwelling by introducing three full-height gables resulting in development that is of an excessive scale and that would overwhelm the original listed building.
- 8.14 With regard to materials it is proposed that the extension would be finished with coursed ironstone with a slate roof and painted timber windows and doors. These materials would match the existing dwelling and in principle could be considered acceptable. Samples of the materials could be conditioned to ensure their suitability.
- 8.15 It is noted the existing catslide roof and three dormers on the rear elevations are incongruous additions to the cottage that dominate the rear elevation and any further alterations to the property should seek to remove the oversized dormers and address the awkward catslide roof. However, with regard to the current proposal, the benefit of removing these features would not outweigh the harmful impact of the proposed development.
- 8.16 The proposed development does not represent high quality design and therefore in accordance with Policy ENV10 B is not supported. This is reiterated by paragraph 139 of the NPPF which outlines that '*Development that is not well designed should be refused*'. It would also conflict with Policy ENV10 A(iii), paragraph 135 of the NPPF and the Designing House Extensions SPG.

Impact on the character and appearance of the area

- 8.17 The relevant policies are Policy BN5 of the WNJCS, Policies ENV7 and ENV10 of the LPP2, and Policies B1 and B3 of the NDP. Regard has also been had to Chapters 12 and 16 of the NPPF and the Badby CAAMP.
- 8.18 The conservation officer has concluded that the proposal would not directly impact important views that have been identified with the CAAMP. It is also not considered to have a material impact upon the setting of the adjacent listed building, Woodcroft. Footpath EB11 is located to the east of the application site and there are glimpsed views of the rear of the dwelling from here where there are breaks in the tree line. These are long and limited views and therefore the proposal is not considered to have a significant visual impact on these. The rear of the property also does not feature in any of the identified views within the NDP.
- 8.19 As the proposed extension would be located to the rear of the property it would not be visible from the street scene. The property is also set back from the highway and public realm and therefore the minor alterations to the front and side would have little to no impact. The rear garden is also well screened by vegetation and therefore any visual impact on the surrounding area is limited.
- 8.20 It is concluded that the proposed development would not result in harm to the character and appearance of the area or the character and setting of the conservation area, however, this does not outweigh the harm identified to the listed building.

Impact on neighbouring amenity

- 8.21 Given the location of the dwelling set back from the building line of the neighbouring properties and the proximity to these dwellings, it is considered that the proposed extension would not result in any overbearing, loss of light or overshadowing. Furthermore, there are no new openings that would face the neighbouring properties and the new rear windows would face into the private rear garden. It is therefore concluded that the proposed development would have no impact on neighbouring residential amenity.

Other considerations

- 8.22 The proposal would have no impact on highway safety and there is sufficient space to the front of the property and off the highway to accommodate the three spaces required for a 4 bedroom property (as required by the Northamptonshire Parking Standards).
- 8.23 The site lies within Flood Zone 1 and there are no surface water issues, therefore the development is acceptable in flood zone terms. Part of the application site is located within the high, medium and low areas for surface water flooding, but this does not cover the area of the proposed development.
- 8.24 No concerns have been raised by the landscape officer and therefore the proposed development is considered acceptable in landscape terms.
- 8.25 The Council's ecologist has reviewed the application and has concluded it is unlikely that the development proposed would have a significant impact on protected species or habitats if a precautionary approach to preliminary building work and sensitive lighting strategy to minimise light spill on sensitive areas including the adjacent trees, hedgerows and farmland is adopted in accordance with the 'Guidance Note 8 Bats and Artificial Lighting' produced by the Institution of Lighting Professionals. The ecologist has also outlined that the building is unlikely to be suitable to support bats, however, nesting birds could be present and therefore a condition for the suitable timing of site clearance has been recommended.
- 8.26 A condition for biodiversity enhancement has also been recommended by the ecologist and would include the planting of native species rich trees and shrubs and the incorporation of bat/bird boxes into the finished building. An informative regarding protected species was also recommended. No additional planting is required following no concerns raised by the landscape officer, however, the provision of bat/bird boxes and timing of site clearance could be covered by way of condition.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would result in less than substantial harm to the significance of the Grade II listed Rosewood Cottage. This less than substantial harm has been weighed against the public benefits of the proposal, for which there are none, and there is considered to be no justification or reasons that would outweigh this harm. The proposed development is therefore contrary to Policies BN5 of the JCS, Objective 14 and Policies SP1 (G), ENV7 and ENV10 (A iii) of the LPP2 and it does not meet the relevant tests within the NPPF.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 It is recommended that the application be REFUSED for the following reasons as set out below with delegated authority to the Assistant Director for Planning and Development.

REASON FOR REFUSAL

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).



Planning Committee Report

Application Number: 2023/7744/LBC

Location: Rosewood Cottage, Church Green, Badby, NN11 3AS

Development: Listed building consent for removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133).

Applicant: Mr & Mrs G Hind

Agent: JJB Chartered Architects Ltd

Case Officer: Oliver Billing

Ward: Woodford & Weedon Ward

Reason for Referral: Called in by Cllr Rupert Frost on the grounds that the National Planning Policy Framework makes it clear that heritage assets should be conserved in a manner appropriate to their significance and the proposal is not inconsistent with the policies of the development plan.

Committee Date: 03rd April 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO REFUSE PERMISSION FOR THE DEVELOPMENT.

Proposal

Listed building consent for removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133).

Consultations

The following consultees have raised **objections** to the application:

- WNC Conservation Officer.

The following national amenity bodies have also raised heritage **concerns** about the application:

- Historic Building & Places, The Society for the Protection of Ancient Buildings and The Georgian Group.

The following consultees have raised **no objections** to the application:

- None

The following consultees are **in support** of the application:

- Badby Parish Council

No letters of objection have been received and 23 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Impact on the significance of the Listed Building.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons.

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a two storey detached Grade II listed building and is an 18th Century coursed ironstone cottage with a slate roof that features a catslide roof at the rear with three dormer windows. The property has previously been extended to the side and rear. The existing cottage is positioned back from the village green but remains visible from Church Green. The cottage and front gardens are positioned on lower ground level and the rear garden of the property lies on a steep slope
- 1.2 The property is located to the southeastern edge of the village of Badby and is surrounded by residential properties and their associated gardens and driveways to the north and south. The dwelling benefits from a long garden which slopes down to the southeastern boundary which is bordered by several large trees and open countryside. To the northwest is Brookside Lane and the village green, with St Mary's Church further to the west.

2 CONSTRAINTS

- 2.1 Rosewood Cottage is a Grade II listed building and the application site is located within the Badby conservation area. To the west is the Grade II listed building Woodcroft.
- 2.2 Part of the application site is located within the high, medium and low areas for surface water flooding, but this does not cover the area of the proposed development.
- 2.3 Located within the Special Landscape Area.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This application is partnered with a planning application for the same proposal (2024/7743/FULL). The two applications are a resubmission of WND/2023/0132 and WND/2023/0133 which proposed the same development but were withdrawn before determination.
- 3.2 The application seeks Listed Building Consent for the removal of the existing rear catslide roof and dormers and the construction of a rear two-storey and first-floor extension. The extension comprises three two-storey gables across the rear elevation that are perpendicular to the main roof and with ridges at a lower level than the original dwelling. New windows are proposed on the upper floor with a set of patio door doors on the ground floor of the two-storey part.
- 3.3 The extension is proposed to be constructed with coursed ironstone elevations, a slate roof and timber painted windows and doors to match the existing dwelling.
- 3.4 The window that serves the existing kitchen on the ground floor front elevation is proposed to be removed with the opening reduced in size, with a stonework infill and a new timber window.
- 3.5 A wall mounted lean-to door canopy is proposed on the north-east side elevation which would be supported off oak gallows brackets.
- 3.6 The internal alterations to the dwelling comprise:
 - Repositioning of the kitchen within the existing sitting room area.
 - Insertion of a shower room with WC and separate utility into the existing kitchen.
 - Creation of bedroom 4 at ground floor level within the two-storey element with level access to the new shower room and WC.
 - New door openings formed in the wall between the proposed utility and kitchen, and between the dining room and proposed ground floor bedroom (involving the removal of the existing window).
 - Creation of an additional first floor bedroom in the two-storey element.
 - Conversion of the existing first floor bedroom three into a home office with new corridor to the new first floor bedroom.
 - Enlargement to existing bedroom one.
 - Airing cupboard and cylinder removed from the first floor landing.
 - Ceiling reinstated in the front first floor bedroom following the removal of the dormer.

3.7 Further details of the proposal are illustrated on the submitted drawings.

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

- **DA/1987/0281** – Extensions and alterations (approval).
- **DA/1987/0638/LB** - Extensions and alterations (approval).
- **DA/2001/0720** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2001/0777/LB** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2019/0540** – Two storey side and single storey rear extension (refused)
- **DA/2019/0541** – Listed Building Consent for two storey side and single storey rear extension (refused)
- **WND/2023/0132** - Removal of existing catslide roof and dormers. Construction of two storey and first floor extensions (withdrawn).
- **WND/2023/0133** - Listed building consent for removal of existing cat slide rood and dormers, construction of two storey and first floor extension (withdrawn).
- **2023/7744/FULL** - Removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0132) (decision pending).

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.
- 5.5 Development Plan
West Northamptonshire Joint Core Strategy Local Plan (Part 1) (December 2014) (WNJCS)
- SA – Presumption in Favour of Sustainable Development
 - BN5 – The Historic Environment and Landscape

Settlements and Countryside Local Plan (Part 2) For Daventry District (February 2020) (LPP2)

- Objective 14 - Heritage
- SP1 – Daventry District Spatial Strategy
- ENV7 – Historic Environment
- ENV10 – Design

Badby Parish Neighbourhood Plan 2018-2029 (NDP) (January 2019)

- B3 – Heritage

5.6 Material Considerations

Below is a list of the relevant Material Planning Considerations:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- Badby Conservation Area Appraisal and Management Plan (March 2021)
- Historic England Guidance

6 **RESPONSE TO CONSULTATION**

6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Badby Parish Council	Support	Support the application by highlighting that the proposals allow the residents to adapt the property to suit their needs, whilst respecting the historic character and appearance of the cottage and its setting. No changes to the front and the cottage is not overlooked at the rear. The proposed rear elevation is an improvement over the existing one and the proposed development is in keeping with the local architectural style. The applicants have addressed the reason for refusing permission for previous proposals
WNC Conservation Officer	Object	Objection to the proposed construction of the two-storey and first-floor extensions and the conservation officer has identified less than substantial harm to the significance of Rosewood Cottage (see appraisal section below for further details).
Historic Buildings and Places	Comments	No comment on the rebuilding of the roof line to the existing extension. Concerns were raised with the additional massing and the further enclosure of the original cottage by extending across its entire rear elevation resulting in a cumulative addition that is dominating and overwhelming. The proposal would also obscure the legibility of the original modest form and size of the cottage, which would be demoted to a minor proportion of the overall floor space proposed. This harms its special architectural and historic interest. Recommended the submission of amended plans/additional information to clarify/justify these concerns.

The Gardens Trust	Comments	Do not wish to comment on the proposals and it was outlined this does not in any way signify either approval or disapproval of the proposals by The Gardens Trust.
The Society for the Protection of Ancient Buildings	Comments	No objection in principle to the partial removal of the previous extension. However, concerns were raised that the scale and mass of the proposed extensions will overpower the original cottage, generating a high level of harm to its significance and there is no justification for this harm. Recommend withdrawal with a more sympathetic proposal developed, or the application be refused.
The Georgian Group	Comments	Concerns were raised that the proposal would cause further harm to the listed building, due to its size and design, and through the loss of the remaining visible section of the original rear elevation. The legibility of the cottage as a modest early eighteenth-century vernacular structure would be lost due to the combined impact of the 1980s and proposed additions. Not demonstrated that the proposal is necessary to either maintain the viable use of the listed building or secure its long-term preservation and justification for the harm is not provided. Recommended the application be refused.

7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 23 letters of support have been received raising the following comments:

- Improvement and preservation of the existing building.
- No harm to the character of the property or its listing. Sympathetic development proposal.
- Existing footprint of the Old Cottage remains the same.
- No visual impact on the area/in keeping with the area and surrounding dwellings.
- No change to the front elevation.
- No impact to/in keeping with the conservation area.
- No impact on neighbouring amenity.
- Little/no impact on traffic.
- Improved family home/living area for current and future generations/meet the occupier's needs.

8 APPRAISAL

Impact on the significance of the listed building

8.1 The relevant policies are Policy BN5 of the WNJCS, Policies SP1, ENV7 and ENV10 of the LPP2, and Policy B3 of the NDP. Regard has also been had to Chapters 12 and 16 of the NPPF and the Badby CAAMP.

8.2 Policy BN5 requires development proposals to sustain and enhance the heritage and landscape features that contribute to the character of the area by demonstrating an

appreciation and understanding of the impact of development and seeking to minimise harm to those assets. This advice is echoed in Policy ENV7, which states that, in decision making, great weight should be given to the conservation of heritage assets irrespective of the level of harm. The more important the asset, the greater the weight will be. Any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to harm to a designated heritage asset will be judged against the tests in the NPPF. These policies are consistent with the guidance in paragraphs 203, 205, 206, 207 and 208 of Chapter 16 of the NPPF.

- 8.3 Policy SP1 G) directs that development should protect and enhance the built and natural environment and the District's heritage assets, whilst Objective 14 of the LPP2 sets out '*To conserve and where possible enhance, through carefully managed change, heritage assets and their settings, and to recognise their role in providing a sense of place and local distinctiveness*'.
- 8.4 Policy ENV7 states that the Council will seek to sustain and enhance the historic environment by supporting high quality proposals which respond positively to their context by reinforcing local distinctiveness including street pattern, siting, form, scale, mass, use, materials and architectural features. Policy ENV10 similarly requires development to be of a high quality and design that reflects and integrates with the surrounding area and creates a strong sense of place. These policies are consistent with the advice in paragraphs 135 and 139 of Chapter 12 of the NPPF.
- 8.5 In line with the comments from the conservation officer, there is no objection to the proposed width of the front ground floor window, which would be a minor positive change, nor with the lean-to canopy on the north-east elevation which would not be prominent given the position of the building set back from the street. There is also no objection to the proposed materials as these would match the existing dwelling. Material samples would need to be conditioned in any case and therefore these could be reviewed prior to development.
- 8.6 However, concerns have been raised with the size, scale, form, massing and appearance of the extension and the impact that this would have on the host listed building with an objection raised by the conservation officer to this part of the proposal.
- 8.7 Rosewood Cottage was listed as an example of a vernacular cottage with a simple, modest 2-unit plan and its significance is informed, in large part, by the fact that it can still be read and appreciated as a modest early C18 cottage. It is noted that the large previous extension detracts from its significance, and the existing catslide roof and three dormers on the rear elevations are incongruous additions to the cottage that dominate the rear elevation. Any further alterations to the property should seek to remove the oversized dormers and address the awkward catslide roof. However, with regard to the current proposal, the benefit of removing these features would not outweigh the harmful impact of the proposed development.
- 8.8 Extensions to listed buildings should be subservient in scale and respectful of the plan form of the host building, both from a physical and a visual perspective. Given the extent of change that this listed building has already experienced there is limited potential for further extension without causing cumulative harm to the inherent special interest of the listed building.
- 8.9 The proposal would extend across the whole of the rear elevation (acknowledging that the extension would be slightly set in from the western gable) resulting in only a very small section of the original rear elevation remaining visible. The extension

would not be subservient to the original building and would comprise approximately an increase of one-third in the overall volume of the building. Furthermore, the proposal would complicate the form of the existing dwelling by introducing three full-height gables resulting in development that is of an excessive scale and that would overwhelm the original listed building.

- 8.10 The height of the extension (including the eaves height which would be higher than the existing eaves) and the positioning and size of the openings within it, would all be out of scale with the architectural detailing of the existing building. The combined effect of the scale, massing and design of the proposed extension and the other extensions already undertaken to the property would mean that, at the side and rear, the legibility of the listed building as a modest 18th century cottage would be lost. This is contrary to the principles of good design in sensitive historic contexts.
- 8.11 The conservation officer has raised concerns that differences in floor to ceiling heights between the original cottage and the extensions could adversely affect the character and significance of the internal spaces. The existing and proposed section drawings that accompany the application do not show the same parts of the building, which prevents a straightforward comparison. The applicant's Design & Access Statement notes that the proposed finished ground floor to ceiling height equates to 2.245 metres, and the first floor ceiling heights would range from 1.68 to 2.3 metres. The conventionally higher ceiling heights in the extension would represent a marked contrast to the traditional lower ceilings in the historic building and would contribute to the harmful effect of the development.
- 8.12 It is acknowledged that being on the rear elevation, the proposed extensions would have less impact on the significance of the listed building and the character and appearance of the conservation area than if they were on the front or side elevation. The impact on the conservation area has been assessed within the partner planning application, however, the proposal would not directly impact important views that have been identified in the Badby CAAMP and it is not considered to have an adverse impact on the wider area. It is also considered not to have a material impact upon the setting of the adjacent listed building, Woodcroft.
- 8.13 However, the conservation officer has identified that there would be considerable harm caused to the significance of Rosewood Cottage. Historic Buildings & Places, The Society for the Protection of Ancient Buildings and The Georgian Group, who are statutory consultees on certain heritage applications, have all raised similar concerns regarding the size and mass of the proposed extension and its dominating and overwhelming impact upon the form and size of the original cottage, and do not support the application.
- 8.14 Paragraph 206 of the NPPF requires that any harm to the significance of a designated heritage asset should require clear and convincing justification. In this case the harm caused falls at the higher end of less than substantial harm in NPPF terms. In accordance with Policy ENV7 and therefore Paragraph 208 of the NPPF *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'* The Planning Practice Guidance defines that public benefits *'should be of a nature or scale to be of benefit to the public at large and not just be a private benefit'*.
- 8.15 In this case, there would be no public benefit as the proposed extension would provide significant additional living accommodation for the current occupiers which

would be a personal benefit to them and the development is not considered necessary to maintain the viable use of the listed building or secure its long-term preservation. Therefore in accordance with paragraphs 206 and 208 of the NPPF, there is no clear justification or reason that would demonstrably outweigh the identified harm to the significance of the listed building.

9 FINANCIAL CONSIDERATIONS

- 9.1 Refer to the officer report for the accompanying planning application reference 2023/7743/FULL.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would result in less than substantial harm to the significance of the Grade II listed Rosewood Cottage. This less than substantial harm has been weighed against the public benefits of the proposal, which there are none, and there is considered to be no justification or reasons that would outweigh this harm. The proposed development is therefore contrary to Policies BN5 of the WNJCS, Objective 14 and Policies SP1 (G), ENV7 and ENV10 (A iii) of the LPP2 and it does not meet the relevant tests within the NPPF.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 It is recommended that the application be REFUSED for the following reasons as set out below with delegated authority to the Assistant Director for Planning and Development.

REASON FOR REFUSAL

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).

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