



Daventry Local Area Planning Committee

A meeting of the Daventry Local Area Planning Committee will be held at the Council Chamber, Lodge Road, Daventry NN11 4FP on Wednesday 8 June 2022 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 - 8) To confirm the Minutes of the Meeting of the Committee held on 11 th May 2022.
4.	Chair's Announcements To receive communications from the Chair.
Planning Applications	
5.	Planning Application WND/2021/0676 Staverton (Pages 13 - 30)
6.	Planning Application WND/2021/0753 Clipston (Pages 31 - 44)
7.	Planning Application WND/2021/0867 Barby (Pages 45 - 54)
8.	Planning Application WND/2021/0905 East Haddon (Pages 55 - 66)

9.	Planning Application WND/2021/0391 West Haddon (Pages 67 - 98)
10.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
11.	Exclusion of Press and Public 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
27 May 2022

Daventry Local Area Planning Committee Members:

Councillor Kevin Parker (Chair)

Councillor Alan Chantler (Vice-Chair)

Councillor Daniel Cribbin

Councillor Rupert Frost

Councillor Rosie Humphreys

Councillor Cecile Irving-Swift

Councillor David James

Councillor Peter Matten

Councillor Wendy Randall

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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Queries Regarding this Agenda

If you have any queries about this agenda please contact Marina Watkins / Jeverly Findlay, Democratic Services via the following:

Tel: 01327 302236 / 01327 302324

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
Lodge Road
Daventry
NN11 4FP

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Daventry Local Area Planning Committee

Minutes of a meeting of the Daventry Local Area Planning Committee held at Council Chamber, Lodge Road, Daventry NN11 4FP on Wednesday 11 May 2022 at 6.00 pm.

Present Councillor Kevin Parker (Chair)
 Councillor Alan Chantler (Vice-Chair)
 Councillor Daniel Cribbin
 Councillor Rupert Frost
 Councillor Rosie Humphreys
 Councillor Daniel Lister
 Councillor Peter Matten
 Councillor Wendy Randall
 Councillor Cecile Irving-Swift

Officers Keith Thursfield, Development Management Manager (Daventry)
 Surinder Atkar, Planning Solicitor
 Marina Watkins, Committee Officer

41. Declarations of Interest

Councillor Cecile Irving-Swift declared an interest in application WND/2021/0746 as the applicant lived in the same village but left several years ago.

42. Minutes

RESOLVED:

That the Minutes of the Daventry Local Area Planning Committee of 9th February 2022 be approved and signed as a correct record.

43. Chair's Announcements

The Chair welcomed Surinder Aktar, the Council's Planning solicitor for the meeting.

The Chair advised that application DA/2021/0717 Boughton had been deferred with the consent of the applicant.

44. Planning Application - WND 2021/0746 Brixworth

WND/2021/0746 – Brixworth – Outline application for mixed use development comprising commercial, business and service uses within class E; mixed use restaurant and takeaway use (sui generis); pub/drinking establishment (sui generis); hot food takeaway (sui generis) (revised scheme) – Land north of Cricket Ground, Northampton Road

The Development Management Manager (Daventry) outlined the application and referred to the previous refusal on site. The submission had been revised and the amendments were outlined. The development was considered to be unsustainable and located in a sensitive landscape area. As such it was considered that the development would urbanise an important open space. The proposed access was from the existing road into the complex which had taken on a more rural appearance over the years and it would be adjacent to Merry Tom Lane which was a rural track and retained that rural character which would be lost by the proximity of urbanising development in the form of several buildings and associated works that would be visible therefrom. The application should be refused for the same reasons as the previous application.

Mr Ozier spoke against the application, which was contrary to policy and would harm the character of the area. The development would harm important views as identified in the Neighbourhood Plan. The proposal was for an urban type of development in a rural location and should be refused.

The Chair advised that the local member, Councillor Jonathan Harris was not able to attend the meeting and had provided a written representation which was read out to the Committee. Councillor Harris considered that the recommendation to refuse the application should be upheld. Nothing fundamentally had changed from the previous application which had been refused. The application was speculative in nature. The site lay in the open countryside on the periphery of the village and would be unsustainable. Objections had been received from numerous consultees including Highways, the Parish Council and the Crime Prevention Officer. Councillor Harris supported officers' recommendation to refuse the application.

Councillor Cecile Irving-Swift proposed that Officers' advice to refuse the application be accepted. The proposition was seconded by Councillor Alan Chantler.

The Chair was also a ward member and noted that the proposal was against nineteen different policies in four separate documents including the National Planning Policy Framework and the Joint Core Strategy.

The proposition to refuse the application as per Officers advice was put to the meeting and declared carried unanimously.

RESOLVED:

That the application be refused for the reasons as set out in the report.

45. **Urgent Business**

None advised.

The meeting closed at 6.20 pm

Chair: _____

Date: _____

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PLANNING APPLICATIONS

PLANNING AGENDA

08-Jun-2022

BACKGROUND PAPERS

“The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972 consist of all written responses to consultations made by the Local Planning Authority in connection with planning applications referred to in the reports.”

Please note that the order of items discussed on this agenda may be subject to change and you are advised to be in attendance from the beginning of the meeting to hear and/or speak on a particular item.

List of Planning Applications on this Agenda

<u>Application Number</u>	<u>Location</u>
WND/2021/0676	Staverton
WND/2021/0753	Clipston
WND/2021/0867	Barby
WND/2021/0905	East Haddon
WND/2021/0391	West Haddon

The latest version of the National Planning Policy Framework was published and came into force on 20 July 2021 and took immediate effect for decision making on planning applications superseding the previous version.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

The presumption in favour of sustainable development remains:

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 219 states:

...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

In the case of the Daventry Area of West Northamptonshire Council, this includes the West Northants Joint Core Strategy 20 July 2021, and the various neighbourhood plans that had been made before 19 February 2019.

Significantly, following the decision of the Council to adopt the Settlements and Countryside Local Plan (part 2) for Daventry District on 20th February 2020 the saved policies of the Daventry District Local Plan 1997 now fall away as they are superseded. Adopted supplementary planning documents and guidance can continue to be given weight where they are in accordance with the new Local Plan and the NPPF and National Planning Guidance.

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<u>Application Number</u>	WND/2021/0676
Location Description	LAND AT THE CROFT, CROFT LANE, STAVERTON, NORTHAMPTONSHIRE, NN11 6JE
Site Details	CONSTRUCTION OF DETACHED DWELLING AND GARAGE.
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Applicant	TRUSTEES OF THE AUNT JOY FAMILY TRUST
Agent	J WILBRAHAM, DLP PLANNING LTD
Case Officer	MRS C PHILLIPS
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Ward	WOODFORD & WEEDON WARD
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Reason for Referral	The application is brought before planning committee on request of a Councillor Frost and seeks consent for the construction of a single dwelling and double garage.
Committee Date	8 JUNE 2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION **SUBJECT TO** CONDITIONS AND TO A S106 LEGAL AGREEMENT TO SECURE THE PROPOSED DEVELOPMENT AS AN AFFORDABLE UNIT.

Consultations

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

- **WNC Listed Buildings & Conservation Officer**

The following consultees have raised no objections to the application:

WNC Highways

Staverton Parish Council

- WNC Assistant Archaeological Advisor

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

- None

4 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 the setting of heritage assets and landscape
- Impact on highway safety
- Impacts on neighbouring properties.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and securing of a legal agreement for the provision of an affordable unit.

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

APPLICATION SITE AND LOCALITY

The application site lies within Staverton Conservation Area and forms part of the residential curtilage to The Croft, a large Grade II listed house built of ironstone under tiled roof. The host property dates from 1700 and is listed as a building of special architectural or historic interest. This building stands in extensive gardens with mature planting that extends to the edge of the conservation area to the north. A belt of mature trees (protected by TPO) marks the western boundary of the garden, alongside the access to 'Staverton Hall'. A large Yew tree sited east of the proposed dwelling would be retained as part of the proposal.

The property included a small group of ancillary buildings to the south-west of the house itself, comprising of garage, green house and other outbuildings, it was acknowledged that these have limited architectural interest and thus consent was granted for part demolition of these structures.

An existing vehicular access serving the host dwelling provides direct access into the site

The application site would be located west of the host dwelling with removal of the remaining elements of the outbuildings to accommodate the access, turning arrangements and proposed double garage.

CONSTRAINTS

The application site is within the Staverton Conservation Area and within the curtilage of The Croft a Grade II Listed Building.

DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks consent for the construction of a 1 ½ storey dwelling with garage to be located to the west of The Croft.

The site forms an area of the existing lawn and the access would be through the previous garage building. The new dwelling would be of traditional pitched roof and gables and to be constructed of Northamptonshire ironstone and dark brown plain tile roof. The proposed 3 bedrooms would be accommodated within the roof space.

RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2017/0240	Demolition of part of shed and garage	Approved with conditions
DA/2015/0917	Demolition of garage and outbuildings, construction of single house and garage	Refused – dismissed on appeal

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Settlements &

Countryside Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S3 – Scale and Distribution of Housing Development
- S10 – Sustainable Development Principles
- H1 – Housing Density and Mix and Type of Dwellings
- H2 – Affordable Housing
- R1 – Spatial Strategy for Rural Areas
- BN5 – The Historic Environment & Landscape

Settlements & Countryside for Daventry District Local Plan (Part 2) (LPP2)

The relevant policies of the LPP2 are:

- SP1 – Daventry District Spatial Strategy
- RA2 – Secondary service village
- HO8 Housing Mix & Type
- ENV1 – Landscape
- ENV7 – Historic Environment
- ENV10 – Design

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Household Extensions and Alterations Supplementary Planning Guidance
- Staverton Conservation Area Appraisal and Management Plan (Oct 2019)

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
WNC Affordable Housing Officer		There was a need identified for 2 x 3 bed market houses. At Braunston Lane only 1 x 3 bed house was provided so there is an unmet need for another 3 bed normal market house in accordance with the latest housing needs survey.

<p>WNC Listed Building and Conservation Officer</p>		<p>Our heritage comments in respect of the 2015 application expressed the view that further development in this area will encroach upon the historic context of the listed building and compromise its quiet garden setting. Any development behind Moss Cottage and Tilia House is likely to obscure views into the rear garden of The Croft between the existing houses, which may erode the character of the conservation area by removing the sense of the village opening into the open countryside in this location.</p> <p>We went on to say that <i>'The gardens of The Croft contain a good variety of mature trees and shrubs and the existing hedgerows provide good physical definition of boundaries and spaces within the grounds. The proposed dwelling would sit within an area defined by an existing garden hedgerow on the northern side, providing some physical and visual enclosure. It would not have any direct impact upon the protected tree avenue to the west. Nevertheless, the development would have a harmful impact. The proposed dwelling has a poor relationship with The Croft, turning its back on the house. The eastern boundary is shown on the plan by a dashed line, but there is no indication of how this would be physically designed on site.'</i></p> <p>The application was refused on the grounds that the proposed development would have an unacceptable impact upon the setting of the listed building and the character and appearance of the conservation area. The appeal inspector agreed with these grounds. The inspector felt that a good degree of visual separation between the new dwellinghouse and The Croft would be provided by the existing laurel hedge and the yew tree, but acknowledged that the grounds of the historic house would be somewhat diminished by the complete separation of the new plot. At paragraph 13 the inspector concluded that the cramped character of the proposed new building on</p>
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		<p>its plot and its poor relationship to properties to the south would cause harm to the character and appearance of the conservation area. It was considered that the loss of the more spacious setting of 'The Croft' would reinforce these objections.</p> <p>I am concerned about the current proposal to relocate the new dwelling further north on the plot to seek to address the 2015 appeal inspector's concerns about the proximity to the dwellings to the south and lack of garden space for the new dwelling. Section 3.11 of the applicant's planning statement notes that the existing northern hedge would be retained. It is shown to be retained on the proposed site plan. However, section 6.15 of the planning statement claims that the appeal's inspector's previous concerns have been addressed by modifying the layout and creating a larger garden area. It states that this has been achieved through the removal of the laurel hedge which previously formed the northern boundary and pushing the dwelling further back into the plot.</p> <p>Which is it?</p> <p>Even on the proposed site plan the new dwelling has been moved to within a couple of metres of the hedgerow - assuming its position and width are shown correctly on the plan (which I question). There is no topographical survey with the current submission, but there is one on the 2015 application file. This appears to show the existing laurel hedge situated a little further south than is indicated on the current proposed site plan.</p> <p>If the laurel hedgerow was removed to allow for development this would have a considerable adverse impact on the setting of The Croft in the short term. Even if the hedge were retained, or a new one planted and allowed to establish to form an effective screen, the proximity of the proposed new</p>
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		<p>house to the boundary would create a poor relationship with the garden of The Croft. The loss of this part of the garden would still adversely affect the spacious setting of The Croft.</p> <p>I consider that the harm to the historic setting of the listed building and the character and appearance of the conservation area arising from the proposed development would be 'less than substantial' in NPPF terms. Paragraph 200 of the NPPF requires that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 requires that any harm should be weighed against the public benefits of the proposal. The objections of the LPA and the appeal inspector in respect of the 2015 application have not been overcome by the current proposal, which makes very minor changes to the proposed site layout and does not demonstrate how the laurel hedgerow at the northern boundary could be effectively retained and managed in the long term.</p> <p>I object to the proposal on heritage grounds.</p>
WNC Highways Officer		<p>It is understood that access is proposed off Croft Lane at a point where there is an existing garage belonging to The Croft. This means that an existing point of access off the highway is established. Whilst it is noted that Croft Lane is narrow, the proposed access would have adequate inter-vehicular visibility in both directions due to its position on the outside of the bend. Removal of the garage would be viewed as an improvement by the LHA as garage doors abutting, and opening over, the highway in this way do not meet current standards. Whilst the development proposal removes the single garage for The Croft, this dwelling has a separate driveway access and parking provision. The loss of the garage is therefore not considered significant in terms</p>

		<p>of parking and access for the existing dwelling.</p> <p>The proposed dwelling can only be accessed by foot from Croft Lane. As mentioned above, Croft Lane is very narrow and does not have footways. This has the potential to discourage journeys within the local area that would otherwise be taken on foot and promotes car use. Pedestrians would need to walk in the carriageway, but it is acknowledged that traffic using Croft Lane is likely to be extremely low volume and low speed and the situation with pedestrians using the carriageway would be comparable to shared surface street arrangements. The LHA wishes to raise this as a concern, but it would not be viewed as presenting an unacceptable risk to highway or pedestrian safety.</p>
WNC Assistant Archaeological Advisor		No comments to make on the application.
WNC Landscape Officer		<p>The Arb Report refers to the formation of a No Dig CCS Driveway in order to alleviate potential issues of required access into a minor area of the RPA for tree T1 the Yew. The RPA for the trees should be shown on the Proposed Layout and the No Dig CCS Driveway should also be labelled.</p> <p>Temporary protective fencing has also been referred to in the Arb Report with illustration of type and specification for its erection on site. Again the type and specifically its position should be shown on the Proposed Layout Plan. In addition both the No Dig CCS Driveway and erection of the approved temporary protective fencing are pre commencement actions. Basically specific elements identified in the Arb Report need to be specified on the Layout Plan.</p>
Staverton Parish Council		No objections to the application but have concerns regarding construction traffic and existing highway problems.

RESPONSE TO PUBLICITY

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

There have letters of objections from 4 properties raising the following comments:

- Harm to the Staverton Conservation Area
- Harm to the setting of the Grade II Listed Building
- Unacceptable impact on the existing trees
- Does not meet identified housing need
- Impact on light to properties
- Existing traffic problems will be exacerbated by the proposed additional dwelling

APPRAISAL

Principle of Development

Policy R1 sets out the spatial strategy for rural areas stating that development will be guided by a rural settlement hierarchy which would be set out in Part 2 Local Plans. In this case, Staverton is identified as a Secondary Service Village within The Settlements and Countryside Local Plan (Part 2). These policies recognise that this performs an important role in helping to provide some services and facilities for the local community it serves and sets out criteria where development would be acceptable

As a secondary service village with the Settlements and Countryside Local Plan Part 2 Policy RA2 advises that in such villages,

- A) Development will be located within the confines.
- B) Development outside the confines will be acceptable only in the following circumstances;
 - (i) Where the housing land supply is less than five years (3 years where a neighbourhood development plan that is less than 2 years old is in place that allocates sites for housing) or where the Housing Delivery Test is not met; or
 - (ii) Where the development provided would clearly meet an identified local need for housing, this would be need identified through an up to date Housing needs Survey or Housing Needs Assessment where it is demonstrate that this could not otherwise be met within the defined confines of the village
 - (iii) Where is demonstrated that such a scheme is required to support and essential local service that may be under threat especially a primary school or primary health service; or
 - (iv) Economic development that will enhance or maintain the vitality or sustainability of the Secondary Service Village or would contribute towards and improve the local economy.

- C) To ensure that the role of these villages is maintained, all development at Secondary Service Villages within or outside the confines shall also meet the following criteria:
- (i) Be of an appropriate scale relative to its role as a Secondary Service Village; and
 - (ii) Not result in the loss existing services and facilities important to the sustainability of the settlement and its role as a Secondary Service Village; and
 - (iii) Protect the form, character and setting of the village and areas of historic or environmental importance including those identified in conservation area appraisals and village design statements; and
 - (iv) Protect the integrity of garden or other open land that makes an important contribution to the form, character and setting of the settlement and:
 - (v) Be accessible by walking and cycling to the majority of services and facilities within the settlement; and
 - (vi) Protect the amenities of existing residents.
- D) Development that is provided for in a made Neighbourhood development plan

Development Plan Policy H3 support the provision of rural exception sites and advise that in all cases the following criteria should be met;

- The site is within or immediately adjoins the main built up area of the rural settlement
- The form and scale of the development should be clearly justified by evidence through a local housing needs survey; and
- Arrangements for the management and occupation of affordable housing must ensure that it will be in perpetuity for people in local housing need.

The application seeks the construction of a 3 bedroom dwelling within the confines of the village and which will meet an outstanding need as identified within the latest housing needs survey as confirmed by WNC Affordable Housing Officer. Correspondence has also confirmed that the applicant is to offer the property as an affordable housing unit.

Having regard to the proposed location of the development and intended occupancy, it is considered that the proposal would accord with the Development Plan cited above and is acceptable in principle. Whilst the proposal is considered acceptable in principle, it remains necessary to consider the impacts of the proposal as set out in the preceding chapters of this report.

Impact on setting of heritage assets, character appearance of the area and landscape

The site forms part of the Staverton Conservation Area and the curtilage of The Croft. (A listed building).

Development plan policies BN5 and ENV7 recognises the value of designated and undesignated heritage assets and seeks to ensure that their significance, setting and contribution to local distinctiveness are conserved or enhanced. Policy ENV7 advises that any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to substantial harm to or total loss of a designated heritage asset or less than substantial harm to a designated heritage asset will be judged against the tests in the NPPF.

The NPPF paragraphs 199-208 set out the tests for considering potential impacts of developments and advises that substantial harm to or loss of assets of the highest significance should be wholly exceptional. Where a proposed development would lead to substantial harm or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that would outweigh that harm or loss or all the following would apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant- funding or some form of not profit, charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal including where appropriate, securing its optimum viable use.

Development Plan policy ENV10 seeks to ensure that developments are of high quality that reflect and integrate with the surroundings and create a sense of place. This is supported by NPPF paragraph 130 which advises that planning policies and decisions should ensure that developments

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting , while not preventing or discouraging appropriate innovation or change (such as increased densities)
- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- Optimise the potential of a site to accommodation and sustain an appropriate amount and mix of development (including green and

- other public space) and support the local facilities and transport networks; and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy ENV1 requires developments to maintain the distinctive character of the landscape. Of particular relevance is the requirement to avoid creating hard developed edges to the open countryside.

The proposal would be of modest design with rooms accommodated within the roof space thus reducing the overall height of the property. Together with the proposed use of traditional materials that are reflective of those within the immediate area, the proposal would result in an attractive building. The appearance of the dwelling in itself is therefore considered to be acceptable.

The comments from the Listed Buildings and Conservation Office advises that the proposal would have a less than substantial harmful impact on the Staverton Conservation Area and The setting of The Croft. The concerns were echoed within the last application which was subject of appeal and dismissed. In dismissing the appeal the Planning Inspector stated "the fact that a useful new residential unit would be created weigh in favour of the appeal but nevertheless, I am convinced that the harm outweighs the benefits of the project."

Since the determination of this appeal, changes to the Development Plan and material consideration requires there where less than substantial harm is identified (as in this case) it be weighed against the public benefits of the proposal. The application proposes the construction of 3 bedroom dwelling which is confirmed by the WNC Affordable Housing Officer as meeting an unmet need as required by the latest housing needs survey and it is confirmed by the applicants that the proposal would be offered as an affordable unit. The public benefit of the provision of an identified need within the confines of the village is therefore to be weighed against the less than substantial harm to the heritage assets.

Whilst acknowledging that the spaciousness of the site would be diminished by the development, in my view, the presence of the large Yew tree and retention of the TPO trees along the west boundary provides a significant level of screening of views out of the Staverton Conservation Area and reduces harm to the setting of The Croft. The provision of further planting to reinforce the proposed boundary hedge would also provide further screening of the proposal.

The previous appeal was unable to demonstrate that the proposal was able to meet an identified housing need and nor was it proposed as an affordable unit and it these matters which are considered to be significant public benefit.

Overall, the proposal is finely balanced but in this case it is considered that the public benefits of the proposal would outweigh the less than substantial harm to the Staverton Conservation Area and the setting of The Croft.

With regards to the impact on the landscape and loss of trees, comments presented by the WNC Landscape Officer suggest that matters may be addressed by appropriately worded conditions.

Impact on highway safety

NPPF paragraph 110 advises that in assessing development it should be ensured that

- a) Appropriate opportunity to promote sustainable transport modes given the type of development and location
- a) Safe and suitable access to the site can be achieved for all users
- b) The design of streets, parking areas, other transport elements and the content of associated design reflects current national guidance.
- c) Any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.

Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

It is noted that whilst Staverton Parish Council has no objections to the proposal there remains concerns regarding the current traffic problems related to parking and access. These concerns are also raised by nearby properties.

However, it should equally be noted that new developments are not there to resolve existing traffic problems but should seek to mitigate any impacts which would result from the proposal.

In this case the application has been subject of consultation with WNC Highway Officers and the comments advise that no objections to the proposal. As such, it is considered that the matters of highway safety have been satisfactorily addressed.

Impacts on neighbouring properties

Development Plan policies H1 seeks to safeguard the residential amenities of both existing occupiers and future occupiers of new housing developments.

Representations have been received raising concerns with regards to the loss of light. The proposal would be sited north of the dwellings of concern and whilst it is noted that the single storey garage is located close to the boundary, the proposed dwelling would be sited 17m from the nearest dwelling and in excess of the requirements as set out by the Supplementary Planning Guidance.

The proposed layout of the property has also been designed to avoid introducing overlooking and loss of privacy to nearby properties.

Having regard to the above, the impact on neighbouring properties is considered to be acceptable.

FINANCIAL CONSIDERATIONS

The application is CIL liable but social housing exemptions may be applied for as the application is submitted as an exception site in accordance with the relevant Development Plan policies

PLANNING BALANCE AND CONCLUSION

In conclusion, it is accepted that the proposal for the construction for a single dwelling with double garage would have a less than substantial harm to the Staverton Conservation Area and the setting of The Croft but that this harm would be outweighed by the public benefit of securing an identified need and affordable unit which would have an acceptable impact on highway safety and the residential amenities of nearby properties in accordance with the Development Plan and having regard to materials consideration.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement to secure the affordable unit and the following conditions

CONDITIONS

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
- 2. Any gates at the point of access shall be hung to open inwards only and shall not be nearer than 5.5 m to the near edge of carriageway.**
- 3. The garage, parking space and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.**
- 4. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the dwelling and garage hereby permitted shall have been submitted to and approved in writing by the Local**

- Planning Authority. Development shall be carried out in accordance with the approved details.**
- 5. The building shall be constructed of natural local stone details of which shall be submitted to and approved by the Local Planning Authority before the development is commenced and implemented as approved. The stone shall be laid to course and pointed in the traditional manner of the area.**
 - 6. Prior to the commencement of development details of the The Route Protection Area for the trees shall be shown on the Proposed Layout and the No Dig CCS Driveway should also be labelled and agreed by the Local Planning Authority.**
 - 7. The submitted and approved landscape scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
 - 8. Prior to first occupation a schedule of landscape maintenance details for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.**
 - 9. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type and a plan of the proposed position of fencing for the protection of trees or hedges that are to be retained on the site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the Local Planning Authority.**
 - 10. Prior to occupation of the dwelling hereby permitted a plan and elevation indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority.**

Development shall be carried out in accordance with the approved details and retain as approved in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

- 11. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which falls within Classes A, AA, B, C, D & E of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.**
- 12. The development shall be carried out strictly in accordance with drawings registered valid 7th October 2021.**

REASONS

- 1. To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).**
- 2. In the interests of public and highway safety.**
- 3. In the interests of residential amenity and the safety and convenience of users of the adjoining highway.**
- 4. From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.**
- 5. In the interests of visual amenity.**
- 6. In the interest of visual amenity and to safeguard the conditions of retained and protected trees.**
- 7. In the interests of the visual amenity of the area.**
- 8. In the interests of the visual amenity of the area.**
- 9. In the interests of the visual amenity of the area.**
- 10. In the interest of the visual amenity of the locality and conserve the setting of The Croft as a grade II listed property.**
- 11. In the interests of visual amenity of the area and the setting of heritage assets.**
- 12. To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.**

NOTES

- 1. The applicant's attention is drawn to the fact that the Council has identified this development as liable for Community**

Infrastructure Levy (CIL) payments under the 'Daventry District Council Community Infrastructure Levy Charging Schedule –Approved' (31st July 2015) which has been implemented by the District Council under the provisions of 'The Community Infrastructure Levy Regulations 2010 (as amended).' Accordingly, unless exemptions have been sought under the provisions of the CIL Regulations, payment of CIL charges will be payable to the Council upon commencement of development

<u>Application Number</u>	WND/2021/0753
Location Description	WOODLAND, LAND OFF OXENDON ROAD, CLIPSTON, NORTHAMPTONSHIRE, LE16 9RQ
Site Details	CONSTRUCTION OF 2 NO, TIMBER CABINS FOR HOLIDAY ACCOMMODATION USE.
<hr/>	
Applicant	M J GOWLING & PARTNERS
Agent	MR J CLARKE, HOWKINS & HARRISON LLP
Case Officer	JONATHAN DOE
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Ward	BRIXWORTH WARD
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Reason for Referral	Called in_by Cllr Cecile Irving-Swift
Committee Date	8 JUNE 2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposal is for two cabins for holiday use. The cabins would be set on stilts and have an adjoining raised deck and external staircase. The cabins and decks would be of timber. The cabins would be set in woodland in a rural location.

Consultations

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

- Parish Council

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

- Ecology

One letter of objection has 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
- Biodiversity
- Impact on Character of Area
- Impact on Amenity
- Design

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

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

APPLICATION SITE AND LOCALITY

The application site is an area of woodland behind a barn which has been converted to a dwelling, Bobhole Barn. The site is located to the northeast of the village of Clipston.

The site has an existing vehicular access onto Oxendon Road via a track serving Bobhole Barn.

To the south of the site is Station Road Farm which fronts Church Lane.

CONSTRAINTS

The application site is outside the village confines.

The application site is that of an area of woodland of biodiversity significance as identified by the Neighbourhood Plan (figure 12, page 56 refers).

DESCRIPTION OF PROPOSED DEVELOPMENT

The development is described as construction of two stilted timber cabins for holiday accommodation use.

The two cabins would be handed versions of the same design. Each cabin would be a maximum of 9m wide by 6m deep. The cabins would have pitched roofs with a maximum height above ground level of some 5.3m. Both cabins, and their adjoining veranda type platform, would be set on posts, on timber stilts. The horizontal surface of the veranda, enclosed by a balustrade, and the floor

level of the cabins would be set 1m above ground level. The veranda areas would be accessed by an external staircase of 6 steps.

The cabins would have external walls of a timber cladding finish and the veranda areas and balustrading would be of timber. The roofs of the cabins would be of EPDM (ethylene propylene diene monomers), a 'rubber roof', similar to a felt roof.

Each cabin would have two bedrooms, a bathroom and an open plan sitting area/kitchen.

The cabins and the platforms on which they would be set would be supported on timber stilts and it is intended to use ground screw pile foundations requiring no digging and no concrete, having minimal impact on tree roots. The platforms on which the cabins would be set would be constructed of prefabricated panels which could be manually lifted into place, allowing for quick assembly with minimal site disturbance.

The cabins would be set in clearings in the woodland and a Tree Survey Report forms part of the application documentation.

Vehicular access would be by that existing to Bobhole Barn. An existing parking area for Bobhole Barn would be used by occupiers of the cabins. A pathway of bark chippings would lead from the parking area to the cabins.

There are no details in the application regarding employees involved.

RELEVANT PLANNING HISTORY

The following planning history relates to Bobhole Barn, the existing dwelling immediately to the north and part of the application site:

Application	Proposal	Decision
PD/2015/0015	Prior approval for change of use of agricultural building to dwelling (Class MB (A) Only).	Approved 5.6.2015
PD/2015/0046	Prior approval for change of use of agricultural building to dwelling (Class Q (b)) only)	Deemed Permitted Development 4.11.2015

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- E7 – Tourism, Visitor and Cultural Industries
- BN2 – Biodiversity
- BN7A – Water Supply, Quality and Wastewater Infrastructure
- R1 – Spatial Strategy for the Rural Areas
- R2 – Rural Economy

Daventry District Local Plan (Part 2) (LPP2)

The relevant policies of the LPP2 are:

- SP1 – Daventry District Spatial Strategy
- RA6 – Open Countryside
- ENV1 – Landscape
- ENV4 – Green Infrastructure
- ENV5 – Biodiversity
- ENV10 - Design

Clipston Neighbourhood Plan (NHP)

The relevant policies of the (NHP) are:

- HBE1 – Village Confines
- ENV2 – Protection of Sites of Environmental Significance
- ENV7 – Biodiversity, Woodland, Hedges and Habitat Connectivity
- BE2 – Support for New Businesses and Employment
- BE4 - Tourism

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG) – Natural environment
- Supplementary Planning Document – Clipston Village Design Statement, Biodiversity

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Clipston Parish Council	Object	Proposal is contrary to the Clipston Neighbourhood Plan. Contrary to Policy ENV2, Protection of Sites of Environmental Significance, in that it has not been demonstrated that the development's local value outweighs the environmental significance of the site. Contrary to Policy ENV7, Biodiversity, in that it has not been demonstrated that there would be safeguarding of locally significant habitats or creation of a net gain in biodiversity or that damage would not result in loss of woodland of historical or biodiversity significance. Would create noise and light pollution in an area of open countryside.
Great Oxendon Parish Council	No response	
Ecology	No objection	Satisfied that biodiversity impacts would be negligible so content for application to be determined. Any external lighting should be the subject of a condition to avoid disturbance to bats and other nocturnal wildlife.
Environmental Health	Further information required	It is unclear the amount of groundworks proposed, and whether the contaminated land condition is necessary. There is no information regarding utilities and waste disposal (septic tank).
Landscape	No objection	The two proposed timber cabins are within the woodland and constructed in

		<p>existing clearings and would appear to be well screened. The Report indicates the need to remove only two trees both leaning, one with an extensive wound and neither good specimens. The fact that the cabins are constructed on stilts further limits any immediate or future impact upon the existing and future tree roots. The cabins are accessed by path with the cars parked to the northern edge of the wood further limiting potential impact upon the trees. The fact that the cabins are set within the wood and with wooden construction should help to limit any views. The nearest road, Church Lane to the south is well screened to the south east by a well-established roadside hedge and immediately south by a variety of farm buildings. Planting a native hedge on the northern side of the wood immediately north of the proposed parking area would in time screen any parked cars. Finally consideration should be given in the form of a method statement to protecting the trees immediately next to the sites of the two cabins as well as the route in to move materials as I assume machinery will not be brought onto site. If the ground is disturbed within the method statement, how any reinstatement of the ground would be taken should be outlined.</p>
Policy	No response	

RESPONSE TO PUBLICITY

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

There has been one letter of objection raising the following comments:

- Too close to a working farmyard where livestock kept

- Visitors to cabins would complain about noise and smell and prevent farm from developing in future
- Would be unsafe to have families with young children so close to a working farmyard

APPRAISAL

Principle of Development

The NPPF refers to building a strong, competitive economy at section 6 and to conserving and enhancing the natural environment at section 16. Both sections are relevant to this proposal.

Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth of all types of business in rural areas, both through the conversion of buildings and well-designed new buildings. Paragraph 84 of the NPPF goes on to say, at point c), that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

JCS Policy SA reiterates NPPF paragraph 11 in stating that plans and decisions should apply a presumption in favour of sustainable development which, for decision making, means approving developments that accord with an up-to-date development plan without delay, unless material considerations would indicate otherwise. In this case the proposed development is considered to accord with the up-to-date development plan as set out in this report.

JCS Policy S1 (A) (B) (C) of the adopted West Northamptonshire Joint Core Strategy seeks to distribute development and economic activity to the main towns of Northampton and Daventry, yet the development needs of the rural service centres and the rural areas will also be provided for (C).

The proposal is at an unsustainable location. In general terms the proposal is contrary to Policy SP1 of the Local Plan (Part 2) which amongst other aims seeks to protect the open countryside. However, the proposed cabins would be set in woodland and, being out of view, would have no material impact on the open countryside.

Policy R1 of the Joint Strategy refers to how development outside the existing confines will be permitted where it involves the re-use of buildings or, in exceptional circumstances, where it would enhance or maintain the vitality of rural communities or would contribute towards and improve the local economy. The proposal would improve the local economy.

Policy HBE1 of the Made Neighbourhood Plan states that land outside the defined Village Confines will be treated as open countryside, where

development will be carefully controlled in line with local and national strategic planning policies.

JCS policy E7 states that tourism proposals will be supported where: (a) They contribute to regeneration aims and objectives (b) They strengthen the overall tourism offer (c) They benefit local communities and businesses (d) The use/form/scale does not harm the quality of the natural environment.

JCS policy R2(c) allows for small-scale rural tourism proposals, including visitor accommodation provided that they sustain and enhance the rural economy, are an appropriate scale for the location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land.

SCLP policy RA6 relates to the open countryside and supports justified leisure and tourism uses that are of an appropriate scale for their location and that have no significant adverse impacts on its character, beauty or tranquillity.

Policy RA6 (Part 2) states that the intrinsic character, beauty and tranquillity of the open countryside will be recognised. As referred to above, it is considered that the cabins would be adequately screened by virtue of their woodland setting, hidden out of view by trees, and would be acceptable with regard to Policy RA6. Policy RA6 also states that in the open countryside outside the confines of the villages, development for tourism use that is justified and of an appropriate scale for its location, and has no significant adverse impacts on its character, beauty and tranquillity will be supported (point viii refers).

Policy BE2 of the Neighbourhood Plan states that proposals for new employment development will be supported where they comply with a number of criteria. The first criterion is that they fall within the boundary of the Village Confines, unless it relates to small scale leisure or tourism activities. The proposal would meet this criterion as it is for tourism. The second criterion is that, where practicable, they are sited in existing buildings or on areas of previously developed land. The attraction of the cabins would be that they would be set in woodland and it would not be practicable to be on previously developed land. The third criterion is that they are of a size and scale not adversely affecting the character, infrastructure and environment of the village itself and the Plan Area. This is considered to be the case. The fourth criterion is that they would not involve the loss of dwellings. The fifth criterion is that they would not increase noise levels or light pollution or introduce any pollution to an extent that they would unacceptably disturb occupants of nearby residential property. As referred to below, there is no nearby residential property other than Bobhole Barn itself. The sixth criterion is that they would not generate unacceptable levels of traffic movement and on road parking, providing off road parking. The proposal would meet this criterion. The seventh criterion is that they would contribute to the character, the design of the local built environment and the vitality of the local area. No

adverse impact to the character of the area is envisaged and it is thought that the proposal would contribute to the vitality of the area by creating some additional trade from holiday makers. The final criterion is that the proposal be well integrated into and complement existing businesses in terms of scale, mass and density. It is considered that an ancillary tourism element of business would integrate well with the farm business of the applicant.

In conclusion, the proposal is considered acceptable with regard to Policy BE2 of the Made Village Plan.

Policy BE4 of the Clipston Village Plan states that development proposals to enhance tourism facilities will be supported subject to a number of criteria. The proposal would accord with the criteria and accordingly Policy BE4 is considered to support the proposal in principle.

In conclusion with regard to the principle of development, the proposal is considered acceptable given that it is for tourism development, with an economic benefit, and would be in a screened setting with no significant impact on the character of its rural setting.

Biodiversity

Policy BN2 of the Local Plan (Part 1) states development that has the potential to harm sites of ecological importance will be subject to an ecological assessment. Development management decisions will reflect the hierarchy of biodiversity designations. The site has no statutory biodiversity designation.

Policy ENV4 of the Local Plan (Part 2) states, at vi., that the Council will protect green infrastructure assets by measures including supporting the recognition of important green infrastructure including designation within neighbourhood development plans.

Policy ENV5 of the Local Plan (Part 2) states that development affecting sites that are not formally designated but which make a positive contribution to biodiversity will be required to take into account their current or potential role in the District's wider biodiversity network.

The Clipston Neighbourhood Plan, at Figure 7.2, shows the site as being designated by the Neighbourhood Plan as 'Other biodiversity site'. Policy ENV2 of the Neighbourhood Plan states that development proposals that would affect the sites of natural environmental significance shown on Figure 7.2 should demonstrate that the development's local value outweighs the environmental significance of the site. It is considered that the local value would take the form of additional trade in the village from holiday makers and that there would be minimal detriment to the environmental significance of the site.

A Preliminary Ecological Appraisal forms part of the application documentation. The WNC Ecologist has commented that biodiversity impacts would be negligible. A condition to address external lighting disturbing nocturnal wildlife is recommended.

The site is shown on Figure 12 as 'Woodland of biodiversity or historical significance'. The site is shown on Figure 13 as forming part of the River Ise wildlife corridor as a 'Biodiversity site for which the corridor provides connectivity. Policy ENV7 states that development proposals should safeguard locally significant habitats and create a net gain in biodiversity; development proposals that damage woodland of biodiversity significance and amenity value will not be supported; and, should not damage or unacceptably affect the habitat connectivity provided by the River Ise wildlife corridor. The Preliminary Ecological Appraisal and the 'no dig' nature of the construction of the cabins indicate that the proposal would be acceptable with regard to Policy ENV7 of the Neighbourhood Plan.

Impact on Character of Area

Policy ENV1 of the LPP2 seeks to protect the landscape. Proposals are supported that maintain the distinctive character and quality of the District's landscape and incorporate mitigation measures to integrate development into its surroundings and enhance or restore the local landscape.

Policy ENV10 supports innovative design that integrates with the surrounding area. When defining high quality design this policy talks about promoting local distinctiveness, blending well with and enhancing surroundings, responding to wider landscape context and integrating with landscape features.

The site is not located in a Special Landscape Area and, whilst the site is generally located in open countryside, the cabins would be set in woodland such that surrounding trees would ensure the cabins would not be visible from public vantage points. Notwithstanding the screening provided by the woodland setting, the size of built form introduced to the site would be modest in proportion to the size of the site.

Overall the proposal is considered to be in accordance with ENV1 and ENV10 of the Settlements and Countryside Part 2 Local Plan.

Impact on Amenity

With the exception of Bobhole Barn, which is part of the application site, there is no neighbouring residential property.

There are only two overnight units on the site and each of these will accommodate a maximum of two people. The cabins would be spaced away from each other, by more than 20m, so not conducive to group gatherings. The

proposal is considered highly unlikely to harm the residential amenity of the area.

Similar proposals, for example for glamping sites, have had restrictions imposed upon them to say no music shall be played at the site between the hours of 22:00 and 09:00. To be consistent with other similar developments it would seem prudent to impose this condition on this site also in order to protect the tranquillity of the countryside.

Design

Policy S10 is concerned with sustainable development principles. The cabins and platforms would essentially be constructed of timber. As such the proposal would accord with a criterion of Policy S10, at c), that development is to make use of sustainably sourced materials.

FINANCIAL CONSIDERATIONS

The floorspace which would be created by the two cabins is below the threshold that would trigger liability for payment of CIL.

PLANNING BALANCE AND CONCLUSION

This proposal for tourist accommodation is a benefit to the local rural economy and accords with the relevant policies within the development plan. The proposal is acceptable visually and does not harm the character or tranquillity of the countryside or the amenity of properties in the locality. In accordance with JCS policy SA and paragraph 11 of the NPPF planning permission should be granted without delay.

RECOMMENDATION / CONDITIONS AND REASONS

The proposed development is recommended for approval subject to conditions.

CONDITIONS

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The development shall be carried out strictly in accordance with the drawings no. 01 and 02 received 12/11/2021.**
- 3. The two accommodation units hereby permitted shall be occupied for holiday purposes only and shall not serve as a person's sole or main place of residence. No person shall occupy any of the units for a period exceeding 14 consecutive days, or 28 days in any one year period**
- 4. No external lighting shall be installed to the development hereby permitted.**
- 5. No music shall be played on the site between the hours of 22:00 and 09:00.**

- 6. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type and a plan of the proposed position of fencing for the protection of trees or hedges that are to be retained on the site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the Local Planning Authority.**
- 7. The owner shall maintain an up to date register to record the occupation of the accommodation units hereby approved. Any such register shall be available for inspection by the Local Planning Authority at any time when requested and shall contain details of those occupying the units, their names, main permanent address and period of occupancy.**

REASONS

- 1. To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).**
- 2. To clarify the terms of this planning permission, to ensure that the development is carried out in accordance with the submitted details and to allow the Local Planning Authority to consider the effect of any changes.**
- 3. The application has been considered as a tourism proposal, and to permit the use of the accommodation for residential use would be contrary to the prevailing policies for the area.**
- 4. To avoid disturbance of nocturnal wildlife in accordance with Policy ENV4 and ENV5 of the Daventry District Local Plan 2020 (Part 2).**
- 5. In the interests of the amenity of the area and the tranquillity of the countryside.**
- 6. In the interests of the visual amenity of the area.**
- 7. The application has been considered as a tourism proposal, and to permit the use of the accommodation for residential use would be contrary to the prevailing policies for the area.**

NOTES

- 1. In making this decision, the Local Planning Authority has had regard to the requirements of Paragraph 38 of the National Planning Policy Framework and Article 35 (2) of the Town and Country (Development Management Procedure)(England) Order 2015 (as Amended)**

<u>Application Number</u>	WND/2021/0867
Location Description	LAND AT MANOR WORKS, BARBY LANE, BARBY, NORTHAMPTONSHIRE
Site Details	RESERVED MATTERS APPLICATION (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR CONSTRUCTION OF TWO INDUSTRIAL BUILDINGS.
<hr/>	
Applicant	MR MUIR
Agent	MR I BRAMBLE, ROGER COY PARTNERSHIP
Case Officer	S HAMMONDS
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Ward	BRAUNSTON & CRICK WARD
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Reason for Referral	This application is referred to committee as it is a major scheme (over 1000sq.m) and also because Cllr Longley has an interest in the site.
Committee Date	8 JUNE 2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application seeks reserved matters approval for the details of two industrial buildings that gained outline planning approval in 2021. The details to be considered in the current application are layout, scale, external appearance and landscaping. Access details have already been approved as part of the outline.

Consultations

No consultees have raised objections to the application.

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

- Barby & Onley Parish Council
- WNC Highways

0 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 Development Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Design and visual amenity
- Neighbour amenity

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

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

MAIN REPORT

APPLICATION SITE AND LOCALITY

The Manor Works Barby is an existing industrial and office development within open countryside to the north of Barby Village, approximately 500 metres by road from the edge of the village. The site is occupied as the national headquarters offices for Same Deutz Fahr (SDF) who operate from the 1960s two storey office building which exists at the front of the site, and the warehouse buildings and yard to the rear.

This application relates to an area of rough scrub land at the very rear (eastern) edge of the site adjacent to the boundary with open countryside. The land is surfaced in hardcore /chippings with grass and scrub growing through. The site for the proposed industrial buildings is not readily visible from Barby Lane, it is located behind the main buildings and concrete open storage yard.

Land levels rise to the east and the south of the site providing a good degree of enclosure for the proposed site of the buildings. The land to the north and the rising land to the east is open farmland, with the boundary being formed by a native hawthorn hedge approximately 5 metres high (although this is sparse on the northern boundary). The rising land to the south between the site and the main village is divided into paddocks but natural vegetation screens views of the site from the village. To the south west corner of the overall site are two recently constructed dwellings fronting Barby Lane (1-2 The Willows).

CONSTRAINTS

None identified.

DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks reserved matters approval for the previously consented two industrial buildings (granted outline planning permission under DA/2020/0310). The final layout of the site, the scale and external appearance of the two buildings, and the landscaping of the site are the matters for which approval is now sought.

The layout shows 31 car parking spaces, the same number as was shown on the indicative plan at outline stage, but three of these spaces (the dedicated disabled spaces) have been positioned on the adjacent yard (within the applicant's blue line).

The position and footprint of the two buildings is the same as was shown on the indicative layout for the outline – an identical pair of rectangular buildings positioned side by side along the rear (east) edge of the site, measuring 35m x 21m. The internal floorspace is 1380sqm, a fraction less than that envisaged at outline stage.

The main front elevation of the two buildings would comprise a regular arrangement of triple pane personnel door into an office space and a taller roller shutter door into the industrial space, with this pattern repeated for each of the three units that would be formed in each building. The lower 2.4m of the elevation would be faced in brickwork, and above this would be profiled metal cladding to the eaves. The eaves and ridge height are 7m and 9.4m respectively.

Landscaping plans show an additional native hedgerow to be planted on the northern boundary as was discussed at outline stage.

RELEVANT PLANNING HISTORY

DA/2020/0310 – Outline for the erection of two industrial buildings.
Approved.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; the adopted Settlements and Countryside Local Plan (Part 2) (2020); and the Barby & Onley Neighbourhood Development Plan (NDP) (2016). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development

Settlements and Countryside Local Plan (Part 2) (LPP2)

The relevant policies of the LPP2 are:

- ENV10 – Design

Barby and Onley Neighbourhood Development Plan (NDP)

The relevant policies of the NDP are:

- BO-GP1 General development principles

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Barby & Onley Parish Council – no objection

- wished to see renewable energy systems used on the units.

WNC Highways – no objection

Parking has been provided in line with standards (28 required, 31 provided) and accessible and motorcycle spaces available. It would have been nice to see some cycle stands (secure/ covered) but recognise that the location is unlikely to attract many cycle to work journeys. If this had been an industrial estate in Daventry we would have required them. An articulated HGV can access the site, turn and dock with the units if needed. They are providing a passing place along the access road, although at 7.2m wide, the access road

isn't far off the recommended standard required for 2 HGVs to pass anyway (7.3m).

RESPONSE TO PUBLICITY

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

No letters were received in response to the site notices or neighbour notifications.

APPRAISAL

Principle of Development

The principle of development of two industrial buildings on this site was established by the original outline planning permission DA/2020/0310. Also the access to the site was fixed at outline stage. Therefore, only the following details are relevant to this reserved matters application: layout, scale, appearance and landscaping, including how these matters will impact in respect of other material considerations such as parking, neighbouring amenity, biodiversity, and noise.

Layout

There are conditions on the outline that stipulate compliance with HGV swept path turning plans but this is in respect of the access only. The internal layout of the site and the associated HGV turning in this area is part of the current submission. The proposed internal layout of the site is almost exactly as was presented at outline stage in respect of parking and HGV turning and Highways have confirmed that they are happy with the plans.

The proposed parking provision is sufficient and the circulation areas are spacious and well overlooked. The mobility spaces are detached from the rest of the parking but this has the benefit of offering more space for manoeuvre without the pressures of continual vehicle movements around the buildings themselves. At exposed corners landscaping is proposed to clearly define the parking spaces, offer visual screening softening and prevent people cutting corners. Overall, the layout is well considered and workable.

The area at the opposite side of the yard where the three mobility spaces are proposed does lie outside the red lined area for the outline application but as it is within the applicant's blue lined land it is still legitimate to secure these spaces by conditioning compliance with the layout plan.

Scale and Appearance

The scale of buildings proposed is exactly as expected in terms of the footprint. The height is 7m to eaves and 9.4m to ridge with a 4.5m high roller door – these are confirmed to be industry standard and necessary to provide the required flexibility. The height is only c.1m taller than the existing industrial buildings on site and given that they are grouped together in a valley-bottom location the height will not be over-dominant when viewed from either Barby Lane to the west or Nortoft Lane to the east. The grouping of buildings is in line with guidance and will ensure they blend in with the site and its setting.

Whilst it would normally be expected that the materials palette would be tied up as part of the reserved matters on appearance, the applicant on this occasion has expressed a desire to further reserve this matter by condition as the project is likely to be a Design and Build tender where the successful contractor will wish to be involved with decisions about the external finishes. A further condition submission will therefore be required in this regard, but the agent has confirmed he is happy with this.

Landscaping

The submitted scheme has demonstrated that the retained vegetation would integrate well with the development and would offer an attractive green character to the overall development. Detailed planting plans have been submitted to cover the site. The species chosen for the enhanced planting and the landscaping throughout the rest of the development are appropriate.

The proposal complies with the criteria in SCLP policy ENV10, in that it is a quality development that reflects and integrates with the surrounding area and creates a strong sense of place. The proposal would not harm the character of the surrounding area, it would be appropriate to its locality and would not detract from the visual amenity of the area.

Other matters

In terms of impact on residential amenity, the new buildings proposed are at the opposite end of the site to the nearest neighbouring dwellings, 1 & 2 The Willows, and screened by the intervening existing industrial buildings and operations. The buildings themselves will have no direct impact on the dwellings by reason of their physical separation. The neighbouring dwellings are not near enough to be directly affected by the buildings in terms of overbearing, overshadowing or loss of privacy.

Measures for minimising potential for noise and light disturbance were included in the conditions of the outline consent and these will still be relevant going forward. Specifically condition 9 of DA/2020/0310 requires full details of any lighting to be submitted and approved, and condition 10 requires a scheme for acoustic insulation of the buildings and plant.

The biodiversity protection measures that were a condition of the outline remain relevant. The proposed planting of the additional native hedgerow does form an integral part of the landscaping plans that are submitted so the associated biodiversity enhancement will be secured.

The Parish Council has requested for renewable energy systems to be incorporated on the buildings. There was no mention of this at outline stage and as permission has now been granted without a requirement for renewables it is not possible to now introduce this requirement at reserved matters stage (the reserved matters are purely for considering layout, scale, appearance and landscaping).

FINANCIAL CONSIDERATIONS

None identified.

PLANNING BALANCE AND CONCLUSION

The details of layout, scale, appearance and landscaping submitted in this application are acceptable and in line with what was envisaged at outline stage. There are no adverse impacts in terms of the visual impact on the area, the workability of the site or the impact on neighbouring occupiers. In accordance with JCS policy SA and paragraph 11 of the NPPF planning permission should be granted without delay.

RECOMMENDATION / CONDITIONS AND REASONS

The proposed development is recommended for approval subject to conditions.

CONDITIONS

- 1. The development shall be carried out strictly in accordance with the following approved plans and documents: 012 Design Proposals, 013 Site Plan, and LAS 330 01 rev– Landscape Proposals, all registered valid 26/11/2021.**
- 2. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 3. The submitted and approved landscape scheme shall be implemented in full before the end of the first planting season following the first occupation of either of the buildings hereby approved. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority,**

seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

REASONS

- 1. To ensure development is in accordance with the submitted details and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.**
- 2. From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.**
- 3. In the interests of the visual amenity of the area**

NOTES

- 1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.**
- 2. The applicant is reminded that there are other planning conditions on the original outline planning consent (ref DA/2020/0310) that must be complied with / discharged in addition to the new conditions on this reserved matters approval.**

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<u>Application Number</u>	WND/2021/0905
Location Description	6, PRIESTWELL COURT, EAST HADDON, NORTHAMPTONSHIRE, NN6 8BT
Site Details	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION. CONSTRUCTION OF NEW GARAGE AND CONVERSION OF EXISTING GARAGE TO CAR PORT AND SUN ROOM. ALTERATIONS OF WINDOWS AND DOORS.
Applicant	MRS S DION
Agent	MR D SUTER
Case Officer	O BILLING
Ward	LONG BUCKBY WARD
Reason for Referral	Call in by Assistant Director for Growth, Climate Change and Regeneration on the basis of the application being locally controversial
Committee Date	8 JUNE 2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application is for the construction of a single storey garage to the front of the property, conversion of the existing garage to a car port with sun room at the rear (no increase to the footprint size), the construction of a rear extension which includes the demolition of the existing conservatory, and alterations to the existing windows and doors.

Consultations (original proposal)

The following consultees have raised objections to the original proposal:

- None

The following consultees have raised **no objections** to the original proposal:

- East Haddon Parish Council
- Landscape officer (no comments received)

The following consultees are **in support** of the original proposal:

- None

4 letters of objection have been received and 0 letters of support have been received with regards to the original proposal.

Consultations (amended proposal following re-consultation)

The following consultees have raised objections to the amended proposal:

- East Haddon Parish Council

The following consultees have raised no objections to the amended proposal:

- None

The following consultees are **in support** of the amended proposal:

- None

Following re-consultation, 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.
- Design and the impact on the character and appearance of the area.
- Impact on neighbouring residential amenity, including impact of construction traffic.

The report looks into the key planning issues in detail, and Officers conclude that the amended proposal is acceptable subject to conditions.

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

APPLICATION SITE AND LOCALITY

The application site comprises a detached two storey dwelling located at the end of the cul-de-sac of Priestwell Court within the village of East Haddon. The property is surrounded by residential properties and their associated

gardens and driveways to the east, south and west (Tilbury Rise). To the north is an area of open land accessed off Northfield Green.

The property benefits from a single storey integral garage, front driveway parking and a rear and side garden. It has light buff brick elevations, a dual pitched concrete tiled roof and dark brown framed windows and doors.

It is located within the village confines of East Haddon.

CONSTRAINTS

The application site lies within an area designated as a Special Landscape Area.

DESCRIPTION OF PROPOSED DEVELOPMENT

Initially, the application sought the construction of a single storey flat roofed garage/store, conversion of existing garage, window and door alterations and rear extension. Two stores were also proposed at the rear of the property.

The proposal has been amended, and the final version is for the construction of a single storey brick garage with a dual pitched roof, conversion of existing garage, window and door alterations and rear extension. The size of the garage has been reduced and the rear stores have been omitted under the final proposal. Some of the initial windows alterations have also been amended.

The following description refers to the door and window labels as shown on the amended drawings received 07th March 2022.

The proposed garage measures 6 metres deep by 3.6 metres wide (measured at the widest point) and will have a front canopy overhang of 0.8 metres deep by 3 metres wide. It will have a ridge height of approximately 3.3 metres and an eaves height of approximately 2.2 metres. The garage will have a dual pitched roof with a 30-degree pitch and will be constructed with brick elevations and gable ends, concrete roof tiles and a grey up and over door (to match the other window/door colour changes) (labelled D7 on the amended drawing). The garage will be built up to the boundary line and the application confirms that no gutter or foundation will encroach on the adjoining property. A personnel door (D8) is proposed on the western elevation of the garage. The garage wall above the existing fence height will be timber clad.

The proposed car port/sun room conversion involves removing the existing garage door and partitioning this area to create a separate sun room at the rear. Two new stores are proposed within the rear of the car port and a new electric charging point is to be fitted. Three roof lights are proposed at the rear of the property (W15, W16 & W17) to serve the sun room along with a set of folding doors (D5).

The existing conservatory is proposed to be demolished with a rear extension constructed in its place. This will have a footprint of 1.5 metres deep by 6.15 metres wide. It will have glazing on the western (D1) and southern elevations (W3) with a brick face (to match existing) on the northern elevation, and a mono-pitched concrete tiled roof (to match existing). The total height of the extension will be approximately 3 metres with an eaves height of approximately 2.4 metres.

The window and door alterations include replacing all of the existing windows with grey framed replacements. The other window and door alterations include:

- Replacement of existing ground floor doors on the northern elevation with a new window (W1).
- Replacement of existing ground floor window on the northern elevation with a new set of doors (D2).
- The main entrance door (D9) on the eastern elevation will be moved forward and replaced with a grey alternative to match the design of the windows.
- A new window (W7) on the first-floor western elevation.
- A new roof light (W15) on the southern elevation to serve the bathroom, whilst the existing window will be bricked up (W9).
- Two of the first-floor windows (W13 and W14) on the northern elevation will also be reduced in size.
- The new windows will also be finished with grey coloured frames.

The driveway to the front of the property will also be enlarged with a planted ornamental front border proposed.

RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
BRX/72/491	Conversion of house and stables. Erection of 8 dwellings.	Approved with conditions.
BRX/73/325	Details for 16 dwellings.	Approved with conditions.
DA/75/176c	Erection of 32 dwellings.	Refused.
DA/78/315	Erection of 10 dwellings.	Approved with conditions.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014, and which provides the strategic planning policy framework for the District to 2029, the adopted Settlement and Countryside Local Plan (Part 2) (2020) and adopted Neighbourhood Plans. There are no neighbourhood plans which cover East Haddon. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles

Settlements and Countryside Local Plan (Part 2) (LPP2)

The relevant policies of the LPP2 are:

- SP1 – Daventry District Spatial Strategy
- RA2 – Secondary Service Villages
- ENV10 - Design

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Daventry District Council Designing House Extensions Supplementary Planning Guidance (SPG)

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
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East Haddon Parish Council	No objection (original proposal)	- No comments or objections to make regarding this application.
Landscape Officer	No comment. (original proposal)	- No comments received.
East Haddon Parish Council	Objection (amended proposal)	<ul style="list-style-type: none"> - No objection to the conservatory re-build. - The drawings were difficult to read and consider. - The proposed garage may cause loss of light/overshadowing to the neighbour and is too tall for a building that is against a boundary. - Change of window and door colour will not be in keeping with the design of the other properties. - Concerns with increased traffic resulting from the works and associated noise and disruption. Damage to surrounding properties when vehicles have insufficient space to turn.

RESPONSE TO PUBLICITY

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

There have been 4 letters of objections received regarding the original submission raising the following concerns:

- Breach of restrictive covenants.
- Development is not in keeping with the appearance/design of the surrounding properties/locality.
- Increased traffic disruption and noise, and damage to the road resulting from the construction traffic. Restricted space for traffic to manoeuvre at the end of the court.
- Impact on neighbouring amenity from the proposed garage.
- Questioned the need for the increased number of stores at the property/use of the stores.
- Plans unclear/difficult to read/misleading.

There have been 3 letters of objections received regarding the amended proposal raising the following concerns:

- Breach of restrictive covenants.
- Development not in keeping with the appearance/design of the surrounding properties/locality, including the loss of the front garden.
- Increased traffic disruption and noise, and damage to the road resulting from the construction traffic. Restricted space for traffic to manoeuvre at the end of the court.

- Impact on neighbouring amenity from the proposed garage, including loss of light and outlook.
- Questioned how the boundary fence will be maintained.
- Plans unclear/difficult to read/missing information/misleading.

APPRAISAL

Principle of Development

LPP1 Policy SA requires Councils to take a positive approach that reflects the presumption in favour of sustainable development and to work proactively with applicants to secure development that improves the economic, social, and environmental conditions in the area.

LPP1 Policy S1 allows for limited new development in the rural area with an emphasis on enhancing the distinctive character and vitality of rural communities and respecting the quality of tranquillity. LPP2 Policy RA2 directs that development within the Secondary Service Villages will be located within the village confines and that the proposed development shall be of an appropriate scale whilst protecting the form, character and setting of the village.

Accounting for the above policy context and the location of the application site within the village confines of East Haddon, it is considered that the principle of development should be supported, subject to detail.

Design and the impact on the character and appearance of the area

Objectors felt that the proposed alterations, particularly the car port conversion and window and door changes would not be in keeping with the appearance and character of the surrounding properties along Priestwell Court, which all have similar dark brown windows and doors, light buff brick elevations and concrete roof tiles. Concerns were also raised that the loss of the front garden would further impact the uniform appearance of the locality.

Having visited the application site, the planning officer recognises that the proposed alterations will contrast with the prevailing character of the surrounding properties; however, the subject property is located to the end of the cul-de-sac and therefore any changes have a reduced visual impact on the streetscene when compared to other more prominent parts of Priestwell Court. Moreover it is deemed that the proposed changes will not significantly alter the uniformed appearance of the court and on a standalone basis, they are considered to be of high design quality and therefore accord with LLP2 Policy ENV10 and the NPPF.

Specifically, the window and door colour changes are acceptable and ensure that uniformed alterations are made to the whole property, opposed to applying a piecemeal approach. The proposed grey colour is not significantly different in appearance from the existing brown fenestrations.

Furthermore, the amended proposal will include an area of front garden, maintaining the landscaped appearance at the front of the property and addressing some of the initial concerns raised.

The proposed garage is of an appropriate scale, height and massing and will have a matching appearance to the elevations and roof of the existing dwelling. The roof pitch will also be similar to the existing garage. This new addition does not constitute as overdevelopment, as the plot is sufficiently sized to accommodate the proposed garage. The garage is located within the corner of the plot and set back from the most visible elevation thus limiting its impact on the street scene whilst maintaining an element of openness to the front of the property. The size of the garage door canopy has been reduced from the initial proposal and this will have little impact on the overall appearance of the new garage.

The rear conservatory is a minor addition and as it is to the rear, it will not harm the appearance of the property nor the streetscene.

The amended proposal is considered to be of an appropriate design, scale, height, and massing with relation to the existing dwelling and its surroundings. It therefore accords with LPP2 Policy ENV10, particularly paragraph A i and iii.

Impact on neighbouring residential amenity

Concerns have been raised regarding the proximity of the proposed garage to the neighbouring boundary with the property to the east and the impact the works may have on the traffic, noise and disruption along Priestwell Court. Objectors felt that the proposed garage would lead to a loss of light and poor outlook/loss of view, whilst the construction works associated with the proposed development would result in increased traffic and disruption and cause damage to the highway.

Despite the garage being proposed adjacent to the boundary, the eaves height will be circa 0.3 metres above the existing fence height and the pitch of the roof will slope away from the boundary to a ridge height of 3.3 metres. When measured from the drawings, the ridge height is shown to be below the first-floor cill level which is circa 3.7 metres. The gap above the fence height will also be timber clad to give a more pleasing appearance from the neighbouring point of view. Given these considerations and the north facing orientation of the gardens, it is considered that the garage will not result in

any overbearing or loss of light. There is also a sufficient distance from the position of the garage to the rear of the neighbouring property.

Loss of view is not a material planning consideration and therefore no weight has been given to this part of the objection.

Given that the works comprise minor residential additions/alterations, it is not considered reasonable to impose any conditions restricting deliveries or conditioning hours of work. Any damage to the road would not be a planning matter and would be an issue for the highway's authority or a civil matter, depending on the adopted status of the road. Notwithstanding this, it is not expected that a significant number of deliveries would be required given the size of the proposal and this would be comparable with normal non-construction delivery trips and refuse collection. An informative has been attached to the decision to remind the applicant that the Council has non-planning powers for any issues arising from noise/neighbour nuisance.

Regarding the concern over the boundary fence maintenance, this is not a planning consideration and would be dealt with between neighbours. It has been confirmed that no part of the garage will overhang the boundary, which is specified on the amended drawings.

Despite new windows and doors being proposed on the northern and western elevations, the changes will not result in any increased overlooking. The property borders an area of open space to the north and there is sufficient distance to the dwelling to the west. The garden is also screened by vegetation along the western boundary which helps to limit potential overlooking

It is concluded that the proposed development will not cause harm to neighbouring residential amenity and therefore accords with the relevant policy, particularly LPP2 ENV10 A viii.

Other considerations

By adding in the car port and enlarging the size of the driveway, greater space is afforded to parking and turning around at the property which makes access and vehicular movement safer and easier at the end of Priestwell Court.

The concerns relating to the works being a breach of property covenants are not a planning matter and therefore carry no weight in determining this application.

The number of stores has been reduced during the planning process and this is reflected on the amended drawings. The use of the remaining stores and

garage are incidental to the enjoyment of the dwellinghouse and therefore are appropriate.

In accordance with the National Planning Policy Framework, the applicant was given the opportunity to work proactively with the planning authority to achieve a positive outcome. In this instance, the proposed development has been amended to take account of some of the initial concerns and to finalise the applicant's proposal.

FINANCIAL CONSIDERATIONS

Not applicable for this application as the development is not liable for CIL.

PLANNING BALANCE AND CONCLUSION

The site is located within the residential area of the village of East Haddon and conforms to the spatial policies of the development plan which allow for the principle of residential development, and therefore extensions and alterations, within this area.

The proposed new garage, rear conservatory and other alterations are acceptable for their use and to the site and surroundings. Despite changing the overall appearance of the property, the proposal will not significantly alter the uniform appearance of Priestwell Court given the minor nature of the proposed alterations/new garage and the properties location at the end of the court. Therefore the design of the proposal is considered acceptable

The location and size of the proposed garage will not cause harm on neighbouring residential amenity.

In terms of the planning balance and given the amendments made, the above factors are considered to weigh in favour of the proposal and therefore it is recommended that the application is approved.

RECOMMENDATION

The proposed development is recommended for approval subject to the following conditions.

CONDITIONS

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The materials to be used in the external surfaces of the works hereby permitted shall be as specified in the application.**
- 3. The development hereby permitted shall be carried out in accordance with the amended drawing reference 'Proposed extension to rear and some fenestration changes 6 Priestwell Court East Haddon Northampton Issue 3: minor notes**

amended' deposited with the Local Planning Authority on the 07th March 2022.

REASONS

- 1. To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).**
- 2. In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the dwelling.**
- 3. To ensure that the development is carried out in accordance with agreed amendments.**

NOTES

- 1. In granting this planning permission, the Local Planning Authority expects the construction of the development to be carried out in a courteous manner so as not to cause nuisance to others which includes not unnecessarily obstructing local roads and driveways/footpaths at any time and/or taking deliveries or working making an unacceptable level of noise at unsocial hours defined as other than between the 8.00am and 6.00pm on weekdays and 8.00am to 1.00pm on Saturdays and at no time on Sundays and Bank Holidays. You should be aware the Council has non planning powers to deal with neighbour nuisance should it prove expedient to do so**
- 2. The applicant is reminded that the provisions of the Party Wall etc. Act 1996 may apply in relation to the development hereby permitted.**

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<u>Application Number</u>	WND/2021/0391
Location Description	LAND ADJ 30, WEST END, WEST HADDON, NORTHAMPTONSHIRE
Site Details	CONSTRUCTION OF NEW COTTAGE DWELLING AND A DETACHED GARAGE WITH ASSOCIATED LANDSCAPING (RESUBMISSION OF PREVIOUSLY REFUSED SCHEME UNDER DA/2020/0627).
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Applicant	MR & MRS M & V LONGLEY
Agent	CAT ABLITT, ROGER COY PARTNERSHIP
Case Officer	NISAR MOGUL
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Ward	LONG BUCKBY WARD
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Reason for Referral	(1)On the advice of Counsel (2)The Applicant is a West Northants Councillor.
Committee Date	8 JUNE 2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION:

(I) THAT THE COMMITTEE RESOLUTION OF 8th DECEMBER 2021 TO APPROVE THE APPLICATION BE RESCINDED BY REASON OF ERRORS OF LAW AND REVISIONS

TO THE APPLICATION: AND .

(II) THAT THE APPLICATION BE REFUSED FOR THE FOLLOWING REASONS :

It is considered that the proposed two storey thatched dwelling and the detached garage fronting on to the street will have a detrimental impact on the character and appearance of the Conservation Area and in particular of this piece of open space that would fundamentally change its character and appearance of the area due to the loss of the openness of the land and the prominence of the two storey dwelling and the associated double garage. The proposal would therefore conflict with policies S1 and R1 of the West Northamptonshire Joint Strategy, and policies SP1, RA2, ENV7 and ENV10 of the Settlements and Countryside Local Plan as well as

policies within the West Haddon Neighbourhood Development Plan and policy OS10 of the West Haddon Area Appraisal and Management Plan as well as having regard to the Framework.

Background to this report

This application was originally considered at the 8th December 2021 Daventry Area Planning Committee, when members resolved to grant permission. The decision was not issued and the application is being presented back to committee. The reasons for doing this are twofold:

Firstly, following a claim by a local resident that a grant of planning permission pursuant to the resolution made on 8 December 2021 would be unlawful, Counsel's advice was sought. Counsel has advised that the approach of the Planning Committee of seeking to deal with the impact of the proposed development on a group of off-site trees by way of condition was unlawful as there was no evidence before the Committee that a dwelling sited in the position shown on the application plans could be constructed without harming the relevant trees. Secondly, Counsel advised that this was a case which required the Planning Committee to give proper, adequate and intelligible reasons for its decision not to follow the recommendation of its professional officers having regard to the context of the application, particularly the Council's identification of the application site as lying within an important open space in the West Haddon Conservation Area Appraisal and Management Plan and the planning history, which includes the recent refusal by the Council of a similar application for the same site on the grounds of harm to the character and appearance of the area.

Counsel has advised that in relation to these two errors it is likely that if permission were issued based on the previous committee resolution it would almost certainly be quashed as unlawful on a claim for judicial review. The Council is on notice that such a claim would be made if permission were granted on the basis of the previous resolution.

Secondly, and reflective of the first error of law referred to above, it has been established that adequate protection for the off-site trees could be secured only through a revision to the scheme. As a direct result of concerns raised at the previous planning committee by some members about the impact of the development on trees engagement between the applicant's agents and council officers has resulted in revised proposals. This revised scheme differs materially from that previously considered by planning committee.

In consequence, it is necessary for the Planning Committee to reconsider the application afresh. This requires a full consideration of the merits of the application, including consideration of the impact on the character and appearance of the piece of open space and the heritage significance of the

Conservation Area and the contribution of the application site to it, as well as the matter of tree root protection.

The Proposal

This full application seeks permission for the construction of a detached thatched cottage style two storey dwelling including a detached garage, alterations to the access and the land levels including associated works (revised scheme following the refusal of a similar scheme under DA/2020/0627) on part of open space (OS10) adjacent to 30 West End, West Haddon which in February 2020 was designated as part of the West Haddon Conservation Area.

The site was subject to a previous application under DA/2020/0627 which was refused on 12 February 2021 for the following reasons:

It is considered that the proposed two storey thatched dwelling and the detached garage fronting on to the street at an elevated height will have a detrimental impact on the character and appearance of this piece of open space that would fundamentally change its character and appearance due to the loss of the openness of the land and the prominence of the two storey dwelling and the associated double garage. The proposal would therefore conflict with policies S1 and R1 of the West Northamptonshire Joint Strategy, and policies SP1, RA2, ENV1, ENV7 and ENV10 of the Settlements and Countryside Local Plan as well as policies within the West Haddon Neighbourhood Development Plan and policy OS10 of the West Haddon Area Conservation Area Appraisal and Management Plan as well as having regard to the Framework.

The current application addresses the issue of the dwelling being at an elevated height and is now proposed so that it is at street level and also sets the dwelling slightly to the south towards No.30 West End's boundary, with a retaining wall around the patio area that provides a 15 metre separation distance from the adjacent TPO tree. The proposed garage has been re-orientated so that the front elevation faces the street with two parking spaces being provided to the front of the garage. The garage is now sited away from the root protection area of the TPO Trees which extends into the site and is in close proximity to the rear boundary. The side and rear walls of the garage will form part of the retaining walls to protect the tree roots and the surrounding land.

It is accepted that the proposed detached dwelling and the detached garage could be accommodated here without any adverse impact on the amenities of the occupants of the neighbouring properties by reason of there being adequate screening and separation distance between the adjacent property as well as the properties across the road from the site.

However it is considered that this area of open space makes a significant contribution to the peaceful, rural atmosphere of this part of the village and enhances the setting of the historic buildings opposite. It further enables open views along West End in a north-westerly direction towards two groups of important trees that are covered by Tree Preservation Orders. The stone wall along the frontage of the site is also identified as an important boundary feature in the Conservation Area Appraisal and Management Plan (CAAMP).

The site has in the recent past been cleared of vegetation and hedgerow at the frontage and a number of trees have been removed. The effect of all of this has been to open up views across the site and along West End.

The site forms part of a wider area open space and although it sits wholly within the village confines this wider open space is contiguous with adjoining fields forming part of the open countryside abutting immediately to the east of the site.

Whilst the proposed two storey detached dwelling fronting the street will now be at street level, it is considered that it will have a detrimental impact on the character and appearance of this piece of open space and would fundamentally change and harm its character and appearance due to the loss of the openness of this part of the land with the introduction of a prominent detached dwelling and garage .

At the time of the Planning Committee's earlier resolution officers considered that due to the changes in the levels proposed there would be unacceptable harm to the roots of the adjacent TPO Trees within the grounds of No.30 West End. However, following that committee meeting of 8th December officers engaged with applicants agents which resulted in the submission of amended plans with details of root protection and amendments to the siting and orientation of the detached garage. These changes only addressed the concerns of officers in respect of the impact of the development on trees but concerns about impact of the dwelling and detached garage on the Conservation Area and in particular this important open space remain.

Officers consider that the revised proposal would still conflict with policies S1 and R1 of the West Northamptonshire Joint Strategy and policies SP1, RA2, ENV7 and ENV10 of the Settlements and Countryside Local Plan (part 2), as well as policies within the West Haddon Neighbourhood Development Plan. It would also be inconsistent with the West Haddon Conservation Area Appraisal and Management Plan, which describes the site and the existing stone wall as being 'important open space and important stone wall'.

For the reasons set out above it is considered that the proposed development would cause harm to the significance of the West Haddon Conservation Area and that the harm would be 'less than substantial' with regards to the NPPF which requires that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification i.e. such harm attracts considerable importance and weight. The NPPF further states that any such harm should be weighed against the public benefits of the proposal. It is considered that there is limited public benefit arising from this proposal which would not outweigh the harm identified above.

Consultations

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

WNC Conservation Officer

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

West Haddon Parish Council

WNC Landscape Officer

WNC Local Highway Authority

WNC Environmental Health Officer

WNC Ecology Officer

WNC Archaeology Officer

2 letters of objection have been received as part of the original plans and 4 letters of objections were received following amended plans relating to details of root protection areas and 0 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Development Plan and other relevant guidance as listed in detail below in the report.

The key issues arising from the application details are impact on:

- Principle of the development
- Impact on the important open space and the Conservation Area
- Impact on neighbour residential amenity
- Impact on highway safety
- Impact on the TPO trees
- Impact on Ecology
- Impact on Archaeology

The report looks into the key planning issues in detail below, and Officers conclude that the proposal is unacceptable and should be refused.

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

MAIN REPORT

APPLICATION SITE AND LOCALITY

The application site lies on the east side of West End (A428) towards the northern limit of residential development in the village of West Haddon circa 300 metres north of the village centre. It is rectangular in shape being approximately 1000sqm in size. Whilst the site is wholly within the confines of the village, it is also part of the West Haddon Conservation Area. The West Haddon Conservation Area Appraisal and Management Plan (February 2020) identifies the site as 'important' part of the designated open space (OS10) and the boundary wall is also described as being an 'important' non designated heritage asset.

It is believed that historically this parcel of land may have been part of the garden area belonging to no.30 West End and other than a small break to form the existing access into the site, (which has since been widened) it was enclosed by a stone wall with relatively high dense hedgerow adjacent including several trees on the land. The actual land on the site is elevated by circa 1.1 metres above the pavement level.

More recently, the hedgerow along the frontage including several trees have been removed and the existing access widened into the site to the northern part of the site which has opened up the views across the site and to the western boundary where there is group of TPO'd trees.

The site boundary adjacent to no.30 West End consists of a 2 metre high close boarded fence whilst the rear boundary is screened by a belt of trees.

The application site abuts a wider parcel of open land lying outside the defined confines of the village in what would be regarded as open countryside to the north-west and north-east and parts of which are designated as local green space in the West Haddon neighbourhood Plan.

To the south-east of the site lies the adjacent neighbouring property, no.30 West End. This property has two prominent TPO trees in close proximity to the eastern boundary of the application site whilst the nearest elevation of this property is circa 13.2 metres away from the side boundary of the site.

The nearest residential property to the site is on the opposite side of the West End, no.45 West End, which is circa 13 metres from the front boundary of the site.

CONSTRAINTS

The site is situated within the confines of the village of West Haddon and is within the West Haddon designated Conservation Area and in an important open space (OS10).

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposal seeks permission for the construction of a two storey detached thatched Roofed 'L' shaped dwelling, a detached double garage, together with the alteration of the existing access into the site. Also proposed are repair works to make good the stone wall to the front boundary of the site and provision of a pedestrian gated entrance adjacent to the front elevation of the proposed dwelling.

The proposed dwelling will include a porch to the front elevation and dormers to the first floor and two chimneys to each end of the main body of the dwelling.

The dwelling will sit circa 1.5 metres at its nearest point from the front boundary of the site and is set in circa 13 metres in from the side boundary of the adjacent property, no.30 West End and the detached garage will be set within close proximity to the north eastern rear boundary of the site and has now been re-orientated to face the street with two off road parking spaces to its front elevation.

The dwelling will be 15.8 metres in length and circa 7 metres in width to the main body of the dwelling with a two storey projection from the rear elevation.

The proposed accommodation will consist of a dining room, kitchen, an office, a utility room and a living room on the ground floor whilst on the first floor there will be four bedrooms all with en-suites.

The external materials proposed in the construction of the dwelling and the detached garage will be a thatched roof and local stone to the external facing walls of the main body of the dwelling with render to the subservient two storey element to the side elevation.

RELEVANT PLANNING HISTORY

DR/72/353 – Residential Development (larger site) – Refused 06/02/1973

DR/73/214 – Houses with garages (larger site) – Refused 16/10/1973

Appeal to DR/73/214 – Dismissed 5/6/1975

DA/82/683 – Two detached dwellings with shared access – Refused
26/01/1983

DA/93/1157 – Outline application for residential development of two dwellings
– 4/2/1994

T/APP/Y2810/A/94/235304/P2 – Appeal for DA/93/1157 – Dismissed
01/7/1994.

DA/2018/0552 – Construction of four apartments, alterations to access,
replacement stone wall to frontage and associated works – Withdrawn
15/10/18.

DA/2019/0383 - construction of four apartments, alterations to access,
replacement stone wall to frontage and associated works (revised scheme) –
Withdrawn 19/12/2019.

DA/2020/0627 - Construction of dwelling with associated landscaping – Refused
12/2/2021.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Development Plan

The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

Policy S1 Development will be primarily in and adjoining the principal urban area of Northampton. Development in the rural areas will be limited with the emphasis being on maintaining the distinctive character and vitality of rural communities. Priority will be given to making best use of previously developed land.

Policy S3 Provision to be made for 12,730 additional dwellings in Daventry District 2011 – 2029.

Policy S10 Sustainable Development Principles

Policy BN5 Historic environment and landscape

Policy R1 Spatial Strategy for the rural areas

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

Policy SP1 Daventry District Spatial Strategy

Policy RA2 Secondary Service Villages

Policy ENV7 Historic environment

Policy ENV1 Landscaping

Policy ENV10 Design

West Haddon Neighbourhood Development Plan (2016)

WH1 Protecting and enhancing the landscape and local countryside character

WH10 New residential development in West Haddon

WH11 New housing development outside West Haddon Village

WH13 Design

Other relevant Guidance

West Haddon Conservation Area Appraisal and Management Plan (Feb 2020)

OS10 – An area of open ground north of no.30 West End that makes a significant contribution to the Conservation Area.

National Planning Policy Framework (NPPF) (2021)

Presumption in favour of sustainable development

Para 9 Take local circumstances into account

Para 11 Approve proposals that accord with the dev plan without delay. Where plan is absent, silent or out of date, grant permission unless adverse impacts significantly and demonstrably outweigh the benefits

Chapter 5 Delivering a sufficient supply choice of homes

Para 68 Need to maintain a 5 year land supply plus 5%

Chapter 9 Promoting sustainable transport

Chapter 12 Achieving well designed places

Chapter 16 Conserving and enhancing the historic environment

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received under the original plans:

West Haddon Parish Council – Whilst the Council acknowledged the slight movement of the property away from a root protection zone, the amended scheme now indicated additional car parking / driveway in the vicinity and within the root protection zone of other trees. Consequently, the Council respectfully asked that the planning authority’s arborist would ensure the proposal would not damage the trees on the site. Further, the Council acknowledged the objections and concerns raised by some members of the community with regard the proposed scheme and would ask that the planning authority take all concerns / observations into consideration when determining the application at committee. The Council, however, endorsed the style of the proposed dwelling as attractive.

WNC Local Highways Authority - The Local Highway Authority (LHA) has the following observations, comments and recommendations: -

All matters relating to access were resolved during consultation for DA/2020/0627 to the LHA’s satisfaction. As this new application retains the same access arrangements as the previous proposal, the LHA have no objection.

WNC Archaeology - The site lies to the north of the village centre and on the eastern side of West End and is within the area of known historic settlement. A short distance to the south the county Historic Environment Record indicates that a cremation urn thought to be of Romano-British date was found during well-digging; this was first reported in 1712 but no further details are known.

A few Roman coins have also been found at this end of the village and it is possible that there is Romano-British activity in the area. There is the potential for remains of archaeological interest to survive on the application site, albeit truncated by more recent activity.

The NPPF, in paragraphs 189 & 190, stresses the importance of pre application discussions in order to assess the significance of potential heritage assets. Normally the assessment would take the form of an evaluation prior to

determination; however, in this case, a condition for a programme of archaeological works is recommended.

The proposed application will have a detrimental impact upon any archaeological deposits present. This does not however represent an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application.

The suggested standard condition is worded as follows:

Condition: No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (i) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (ii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological and historic interest are properly examined and recorded and the results made available, in accordance with NPPF paragraph 199.

WNC Ecology Officer - Having reviewed the ecological survey report supplied I'm satisfied that biodiversity impacts should be minimal provided the precautionary working methods set out in section 6 of the report ('Ecological Survey of Land at West End, West Haddon, Northamptonshire' by Philip Irving and dated October 2020) are followed.

WNC Environmental Health Officer - Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after

development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

REASON: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Construction Management Plan

Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction

REASON: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Informative:

The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.
- design of construction access
- hours of construction work
- measures to control overspill of light from security lighting

Informative:

Contractors and sub contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

WNC Planning Policy – The new application shows some changes to the positioning of the proposed dwelling within the site. It is also set lower into the site, presumably to reduce visual impact. However, as stated in comments on application DA/2020/0627, this may impact on below ground archaeological interest. The change of positioning has not overcome previous concerns that the site forms part of an open space identified as making a significant contribution to the West Haddon Conservation Area. There is therefore still conflict with the development plan, specifically Local Plan Part 2 policies RA2 Ciii and iv and ENV7 part Civ, plus policy WH13 a) of the West Haddon Neighbourhood Plan.

WNC Conservation Officer – I maintain my objection to the introduction of a new dwelling on this site as it would fundamentally change the character and appearance of an area of open land that is identified within the council's adopted West Haddon Conservation Area Appraisal and Management Plan (CAAMP) as important open space (OS10). This land makes a significant contribution to the Conservation Area. The CAAMP describes it as contributing to the peaceful, rural atmosphere of this area of the village, which has a less densely built character than nearer the centre, and enhances the setting of the historic buildings opposite. It enables open views along West End in a north-westerly direction towards two groups of important trees that are covered by Tree Preservation Orders. The stone wall along the frontage of the site is identified as an important boundary feature in the CAAMP.

It is disappointing that the applicant is yet to acknowledge the site as important open space, despite its status within the adopted CAAMP. The Design & Access Statement is also incorrect to say that the site is within the Conservation Area but there are no designated heritage assets on the site. The Conservation Area is the designated heritage asset.

I note the proposed change in site levels, which has brought the house down nearly to road level. This is more consistent with traditional built form on West End and would, to some extent, reduce the impact of the new build on the surrounding houses and character of the area. Having recently reviewed the amended application drawings again I noted various inconsistencies in the site and building levels as shown on the proposed elevations and sections. I raised these with the architect. On 22 November 2021 amended drawings with some existing & proposed site levels were provided. They do provide some clarification but they also reinforce existing concerns about the extent of ground levels changes that would be required to accommodate the proposed development – especially in those areas within and adjacent to the root protection zones of TPO trees. I really don't think that this impact has been properly considered or demonstrated by the architects.

Based on the information we have to date, I would conclude that the proposal is likely to compromise the wellbeing of the trees. The marked changes in the existing site levels, including the effect of the garage building sitting on elevated land behind the house and the introduction of steps and retaining features across the site, would have a harmful impact upon the local street scene. Widening the existing access by removing more of the stone boundary wall at the frontage to create a 9m+ hard surfaced entrance would also be detrimental to the character and appearance of the Conservation Area.

The application drawings had shown a 1.2m high stone wall along the boundary with 30 West End. This would have been a visual improvement over the existing timber close boarded fence. However, I raised concerns about the impact on tree roots of constructing a new wall in this position directly beneath the beech trees. The plans have been revised and the close boarded fence is now shown to be retained. This is an unattractive suburban detail that detracts from the character and appearance of this piece of open space. Any opportunity to soften this boundary with native hedgerow planting would be welcomed.

I still feel that the proposed design approach would be unsuccessful in this context. It is perhaps trying too hard to achieve a traditional cottage vernacular for what would in reality be a medium sized family home with associated private drive and garaging on a sloping site. If traditional architecture is used in new design it must be authentic (including in size, scale and detailing) otherwise it will look out of place.

The application drawings originally showed the stone wall at the site frontage to be retained and repaired. I questioned whether a structural engineer had

inspected the wall to establish its makeup and that of the retained land behind it. The removal of ground levels from behind the stone wall would leave it as a freestanding structure. It might well require complete rebuilding in order to allow for this. The drawings have been amended to acknowledge this, but no extra information has been provided so we don't know the extent of any loss of historic character and fabric from the wall.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The character of the application site as open space, and the traditional stone boundary wall along the frontage, are key locally distinctive features which make a positive contribution to the West Haddon Conservation Area. For the reasons set out above I consider that the proposed development would cause harm to the significance of the Conservation Area. The harm would be 'less than substantial' in NPPF terms. Paragraph 200 of the NPPF requires that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 requires that any harm should be weighed against the public benefits of the proposal.

WNC Landscape Officer - The addition of levels has clarified my concerns over the potential impact of the proposed property on not only the adjacent TPO Beech but also the TPO Group on the northern edge of the site. It would appear that the new FFL of the house is at 100.51 while the area below the Beech trees to the immediate south ranges from 102.59 to 103.17 toward the southern boundary the majority of which is within the RPA. There is no indication of how that transition in level change is to be achieved from the southern edge of the property to the grass beyond beneath the Beech trees, There does not appear to be a retaining wall so the assumption is that the aim would be to regrade the soil which would certainly have a significant impact upon the trees roots.

In addition the permeable resin bound aggregate drive access would appear to have been excavated with the new spot height next to the proposed garage at 101.51 while the nearest existing spot height is 102.46 which extends beneath the RPA of the TPO tree group, including two parking spaces which raises specific concerns over the impact on the trees roots. In practical terms there also appears to be an issue in the levels associated with the access into the double garage.

As with the comments made for the previous applications the proposed building will certainly alter the character of the site which since the vegetation along the front of the site was removed some time ago opened up views to the north east from the street scene have been made possible as well as

views of the existing trees within the site and the mature Beech sitting adjacent.

Ultimately there remain a number of practical issues regarding potential impact upon TPO trees on and overhanging the site that are unresolved and cause concern that should not be ignored.

Below is a summary of the consultation responses received following the amended plans in relation to tree root protection details:

West Haddon Parish Council - The Council acknowledged the amended plans which appeared to accommodate the tree protection root zones and, as a result, supported the application.

WNC Landscape Officer - Along the southern end of the site a retaining wall has now been proposed along the edge of the paving outside the identified Root Protection Area and approximately 15m from the trunks of the Beech and Sequoia in the neighbouring property of 30 West End. This amendment allows the ground south of the retaining wall to the boundary with 30 West End to remain unaltered safeguarding the tree roots likely to exist within associated with the Beech and Sequoia. This has further been confirmed with the label on the plan "existing levels unchanged".

With regard the relocated garage the associated drive/turning area is now entirely outside the Root Protection Area for the adjacent group of TPO trees. In addition, the two parking spaces are now located to the front of the garage and not under within the Root Protection Area, which like the area to the south of the proposed property will remain unaltered, again with the label "existing levels unchanged".

In order to avoid impacting the Root Protection Area, the Garage is located beyond it and the walls act to retain the soil in order that the ground immediately around will remain unaltered. The garage retaining walls have been indicated on the plan for further clarity.

I believe where previously concerns had been raised over the potential impact of excavation within the Root Protection Areas, the alterations identified above, keeping the existing ground levels within these areas unaltered, should safeguard the roots of the TPO trees located immediately around the site, in conjunction with the erection of temporary protective fencing.

WNC Conservation Officer – I acknowledge the further changes that have been made to the proposed scheme, and the additional information that has been provided in respect of root protection areas and methods of construction, in response to officer concerns about the impact of development upon important trees on and adjacent to the site. However, the fundamental concerns relating to the principle of residential development on this piece of

open space, and the design of the new dwelling, which would adversely affect the character and appearance of the site and harm the contribution that it makes to the significance of the village Conservation Area, have not been overcome. I maintain my objection to the proposal.

WNC Highways – No further comments on the amended plans.

RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received on the original plans:

There have been 2 objections raising the following comments:

- The proposed development would conflict with the Conservation Area Management Plan and would cause harm to this part of the Conservation Area; great weight must be given as a matter of law, and national and local policy, to this harm;
- The moving of the proposed buildings northwards will now require excavation within the root protection area (RPA) of a TPO tree to the left of the access
- The identical design to that previously put forward remains out-of-keeping with the CA for the reasons stated previously by the Conservation Officer, notwithstanding a proposed lowering of land levels at the front of the site.
- This is the fourth application, and the fifth formal or informal proposal, made by these applicants or their associated family-owned company, since July 2017.
- The highway access has been widened without permission
- No change to the size of the house or garage or their design is proposed.
- The proposal to reduce the existing ground level will result in significant excavation well within the root protection area of the TPO tree to the left of the access. This reduction within the root protection area may well lead therefore to the loss of the TPO tree.
- Conservation Officer's concerns about design have not been fully addressed.
- The site has been identified as an important open space which makes a significant contribution to the Conservation Area (OS10 in the adopted West Haddon CAAMP). Any development upon this land would fundamentally change its character and appearance as an area of open land, which contributes to the peaceful, rural atmosphere of this part of the village and enhances the setting of the historic buildings opposite.

- The fact that the site lies within the “village confines” does not mean that development must be granted.
- The proposed building of any dwelling in this location would directly overlook our property, particularly to the bedrooms at the front of our property on both the ground floor and first floor, which would be a total loss of privacy together with light pollution.
- There has been no reduction in the size of the house and garage from the application decision refused full in February 2021, the bulk and massing of the proposed dwelling and garage will have a significant impact on the character and appearance of the locality by detracting from the visual amenity of the street scene.
- The footprint of the house and garage have been moved slightly northwards which now has an impact on the TPO tree in close proximity to the garage; this tree must be protected by avoiding any excavation near to it.

Below is a summary of the third party and neighbour responses received on the amended plans:

There have been 5 objections raising the following comments:

- No written explanation for the amendment had been provided by the applicants.
- Inadequacy of the distance between the veteran TPO trees to the south and the proposed house and of the distance between the TPO trees to the north and the proposed garage.
- Insufficient information is provided, whether on the plans or otherwise, (in particular topographical information) to enable a view to be expressed regarding the impact on the TPO trees to the north.
- The consequence of moving the house northwards is firstly that the development now extends yet further along the front of the land notated as OS10 in the West Haddon Conservation Area Management Plan, because of the consequential inclusion of a vehicular turning area extending to the north of the access road.
- The vast majority of the entire frontage of OS10 will therefore now be developed.
- The turning area adds yet further to the urbanisation introduced to the site by the proposed medium sized family house (not a cottage) and separate large double garage and garden store, the designated parking places, the proposed width of the (to-be-made) access road, the noticeable curving wall proposed on the southern side of the access and the proposed three flights of steps. It is quite likely too that the area

shown as turning area will come to be used for the parking of vehicles too.

- As the Secretary of State's decision letter stated in 1994: "the site forms part of an important break in the ribbon of development along the main road ... this green gap makes a significant contribution to the rustic nature of this part of the village".
- The Conservation Area, adopted unanimously by the Full Council of Daventry District Council (of which the applicant was a member) in February 2020, also and consistently concluded that the site makes "a significant contribution to the Conservation Area"; "contributes to the peaceful, rural atmosphere of this area of the village"; "It enables open views along West End in a north-westerly direction towards two groups of important trees that are covered by Tree Preservation Orders".
- The Conservation Area officer's objection, recorded in the report to committee, that "the effect of the garage building sitting on elevated land behind the house and the introduction of steps and retaining features across the site, would have a harmful impact upon the local street scene. Widening the existing access by removing more of the stone boundary wall at the frontage to create a 9m+ hard surfaced entrance would also be detrimental to the character and appearance of the Conservation Area."
- It seems also inevitable that the front wall, which has all the appearance of a retaining wall, will have to be demolished and rebuilt rather than be repaired.
- There is no housing or other need at all for development on this site – and no public benefits to weigh against the harm/loss/diminution of the positive contribution the site makes to the Conservation Area.
- The concern about the impact on the trees has not been satisfactorily addressed; at the same time, more harm to the Conservation Area is caused by the proposed amendments.
- The distance between these trees and the proposed build still remains of insufficient distance, being less than the minimum requirement of 15 metres. Any siting/excavation within the minimum root protection distance will cause potential harm to these trees, being over 150 years old and deemed irreplaceable.
- The garage and two car parking spaces appear to have been set at a higher level of 1.74m above the road level.
- The proposed building located upon the frontage of this elevated site would overlook directly into the residential properties opposite, resulting in a total loss of privacy and loss of their current settings enhancement.

- The owners have a responsibility to maintain and repair the site, including the stone wall frontage along the roadside pedestrian walkway, and maintenance and repair issues should have no bearing on the decision on this planning application.
- There is no need in housing land supply terms for the addition of a new dwelling in this location given that the 5 year housing supply in the rural areas has been significantly exceeded.
- This application will harm the character of this village, and is at odds with the spirit of the CAAMP.

APPRAISAL

Principle of Development

Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Daventry District consists of the policies within the WNJCS and Daventry District Council Settlement and Countryside (Part 2) Local Plan as well as the West Haddon Neighbourhood Plan and West Haddon Conservation Area Appraisal and Management Plan.

Annex 1 of the National Planning Policy Framework (NPPF) makes reference to due weight being given to relevant policies in existing plans according to their degree of consistency with the Framework and that the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given. The development plan policies relevant to the determination of this application are considered to be consistent with the NPPF and should be given full weight.

In respect of applications relating to residential development, footnote 3 to paragraph 2 of the NPPF sets out that relevant policies for the supply of housing should be considered out-of-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As at 1st April 2020 the Daventry Area of WNC (formerly Daventry District Council Area) has a 6.9 year supply. As a consequence, Para 11 (part d) is not considered to be engaged in respect of housing land supply.

Policy S1 sets out how development will be distributed, focusing on concentrating development in and adjoining the main urban areas of Northampton and Daventry. In the rural areas new development should be limited, with an emphasis on four criteria under part D, firstly enhancing and maintaining the distinctive character and vitality of rural communities, secondly, shortening journeys and facilitating access to jobs and services, thirdly, strengthening rural enterprise and linkages between settlements and their hinterlands and finally respecting the quality of tranquillity. Officers consider

that the proposed detached dwelling and detached garage due to size, scale, appearance and massing will harm the distinctive character and tranquillity of the area and open rural character of this part of the village.

Policy S1 also gives priority to making the best use of previously developed land in sustainable locations. The application site is located within the confines of the village of West Haddon in what was historically the garden area of No.30 West End. Since the 1970s' it appears to have been open space within the confines and hence is not considered to be previously developed land (PDL), whilst the area to the rear boundary is clearly within the open countryside. The site does not therefore benefit from the priority accorded by policy S1 and it is considered that the proposal would conflict with part D (1) and (4) as the openness of the land and the distinctive and tranquil character of this part of the village would be harmed. The proposal will conflict with policy S1.

Policy R1 relates to the spatial strategy for rural areas, therefore criteria i - v of this policy are engaged. Policy R1 'Spatial Strategy for Rural Area' identifies a need for 2,360 new dwellings within Daventry District. The policy sets out the requirements for residential development within the rural area (criteria A – G). The policy also sets out the additional criteria (i – v) to be applied when the housing requirement for the rural area has been met. The 2019 HLA report shows that as at 1st April 2020 there has been significant housing delivery in the rural areas and the requirement of 2,360 dwellings been exceeded by 630 dwellings.

With regards to this application, it is considered that proposal would conflict with criteria B and C of policy R1 as the proposal does affect open land which is of particular significance to the form and character of the village as highlighted in the recently adopted West Haddon Conservation Area Appraisal and Management Plan (2020), Policy OS10, which is afforded significant weight as it is adopted.

Policy R1 requires that proposals should demonstrate that either criterion i) or ii) are met before demonstrating compliance with criteria iii) to v). Starting with criterion i), the site since the 1970s' has been part of the open land within this part of the village although it was predominantly enclosed with a wall to its frontage with tall dense hedging immediately behind the wall with numerous trees in it. However, more recently the hedging and many of the trees have been removed and the access way into the site has been altered opening up the views into and across the site which further enhances the importance of the openness of the site. It is considered that introducing a dwelling onto this open site would not lead to any environmental improvements on the site but would cause considerable visual harm and as such the proposal conflicts with criterion (i).

In terms of criterion ii) there is no evidence that any relevant local service or facility is under threat so as to require residential development within the village. The applicant has not submitted any evidence of local services or

facilities being under threat and in any case, the proposal is so small scale that any contribution to existing services and facilities is likely to be negligible.

The applicants in the submitted Planning Statement details various engagement activities undertaken by them and states that these and comments from statutory consultees on the previous withdrawn application have informed the current scheme.

The proposal would however fail against criteria iv) and v) because it is neither a rural exceptions site nor has it been agreed through the neighbourhood plan. Overall, therefore based on the above it is considered that the proposal will conflict with policy R1.

Policy SP1 of the LPP2 identifies several criteria (A-H) that need to be satisfied to ensure a sustainable pattern of development within the District.

As there is no identified housing need within this village, the proposal could be considered not to accord with criterion E.

Whilst the site itself is considered to be within the confines of the village it is considered to be harmful to the Conservation Area as it forms part of an area of open space that makes a significant contribution hence will not accord with criterion G.

Overall therefore the proposal is considered to conflict with policy SP1 of the SCLP.

West Haddon is identified in Policy RA2 as a Secondary Service Village. Criterion A is satisfied as the proposal is considered to be within the village confines. There is a conflict with Criteria C iii and iv as the proposal does not protect the form, character and setting of this part of the village but harms an area of open space that makes an important contribution to the form, character and setting of the village as recognised by West Haddon CAAMP. Overall, for the above reasons the proposal will conflict with policy RA2 of the SCLP.

Policy ENV7 aims to conserve and enhance the District's historic environment. The concerns regarding the impact of the proposal on the historic environment and in particular the impact on the character of this part of the open land within West Haddon which are set out in detail under policy S1 of the Core strategy above apply equally to consideration against policy ENV7 and for these reasons the proposal is considered to be contrary to policy ENV7.

Policy ENV10 requires the design to be of a high quality and the criteria set out how this can be achieved which include promoting or reinforcing local distinctiveness, taking account of local building traditions and materials and local context in terms of scale/height/density etc. The proposal appears to be a traditional style dwelling which takes its inspiration from nearby buildings, however, whilst the design of the house incorporates many features of

vernacular architecture, it is considered that it is not appropriate for this particular context.

The design is based on historic examples of cottages in the village which are usually of modest size and sitting at the pavement edge, often with other houses adjoining or arranged very closely to them. The proposed dwelling would sit in relative isolation, would be set slightly back from the street and whilst this amended proposal would sit at the street level in order to reduce its visual impact it is considered due to its size, scale, height and massing it would not be consistent with the historic buildings immediately opposite which generally are more modest in size and scale and hence for these reasons the proposal is considered to conflict with policy ENV10 of SCLP.

West Haddon Neighbourhood Development Plan (NDP) (2016)

The West Haddon NDP (2016) forms part of the development plan. Four policies are considered to be relevant to this proposal:

Policy WH1 supports development proposals subject to a series of landscape design principles, of which a), b) and f) are relevant. In terms of criteria a) and b), the proposal is small scale compared to the size of the settlement. Although it is within the confines, the site is a green open space and the proposal would change the character of the village along the north side of West End. With regards to criterion f), the proposal would be two storeys in height but due to its massing, scale and bulk it would be considered to be out of keeping with the character and appearance of dwellings within the immediate vicinity of the streetscene. Overall, therefore the proposal conflicts with policy WH1.

Policy WH10 supports small scale infill housing development within the confines that would not lead to loss of open green space or an existing community facility. The site is within the confines and whilst it is a relatively small site, it is not strictly speaking an infill site and would lead to loss of green open space.

Policy WH13 is a design policy, of which criteria a) and b) are most relevant to this application. Criterion a) is concerned with the built, historic and natural environment. Concerns regarding the impact of the proposal on the historic environment are set out under consideration of WNJCS policy S1 above. In terms of criterion b), the design and appearance due to its massing, scale and height will have a detrimental impact on the character and distinctiveness of the site within this part of West Haddon and therefore does not accord with policy WH13.

Impact upon the character and appearance of the Conservation Area

A Conservation Area is defined as an "...*area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance*". Section 69 Planning (Listed Buildings and Conservation Areas) Act

1990.

A review of West Haddon's potential for Conservation Area status was undertaken in 2019 as part of the Council's ongoing review of existing Conservation Areas within the Daventry area, and designation of new Conservation Areas where appropriate. The Conservation Area was formally designated in February 2020. The West Haddon Conservation Area Appraisal and Management Plan (CAAMP) was adopted at the same time. This document, which is based upon extensive documentary research and on-site assessment, outlines the special architectural and historic interest of the Conservation Area, including the assessment of the historic development of West Haddon, the analysis of its current spatial form, architectural form, building styles and materials, and examination of the contribution of important open spaces, areas of archaeological potential and views, was informed by several rounds of public consultation. The document was formerly adopted having been approved by the Council's Strategy Committee. It represents the Council's views on what makes West Haddon Conservation Area special.

It should be used to inform the planning process with a view to preserving and enhancing those features and characteristics which contribute to the character and appearance of the Conservation Area.

"Preservation" in the planning context does not mean preventing change and stopping all development. Rather it is about managing change in a way which protects rather than erodes the qualities which make an area special.

The West Haddon CAAMP identifies a number of areas of open space as making a positive contribution to the character and appearance of the Conservation Area. A methodology that was formulated by Historic England has been employed by the council to assess the contribution of open spaces to the West Haddon Conservation Area.

The following factors were taken into account in assessing each area:

1. the historical relationship and function of open space
2. its contribution to the form and structure of the settlement
3. how the open space is experienced and viewed from within the boundary of the Conservation Area
4. what contribution open space makes to understanding the pattern of historic settlements and their relationship to the wider landscape.

Three categories were used to assess the contribution of open space to the West Haddon Conservation Area:

- Open space that makes a significant contribution to the character and appearance of the Conservation Area
- Open space that makes a moderate contribution to the character and appearance of the conservation are
- Open space that makes no or negligible contribution to the character

and appearance of the Conservation Area.

The CAAMP identifies the application site as part of a large area of open ground north of no.30 West End (OS10), which makes a significant contribution to the Conservation Area. It is described as:-

- This land contributes to the peaceful, rural atmosphere of this area of the village and enhances the setting of the historic buildings opposite.
- It enables open views along West End in a north-westerly direction towards two groups of important trees that are covered by Tree Preservation Orders.

The West Haddon CAAMP Management Plan warns that inappropriate development has the potential to erode historic character and harm the character and appearance of the Conservation Area. It is noted that, particularly towards the north end of West End the settlement pattern is less dense and buildings are separated by green open spaces or agricultural fields. These spaces make an important contribution to the character of this part of the Conservation Area and, where possible, should be retained.

The Conservation Area designation is very recent. The character and appearance of the open space OS10, including the application site, has not materially changed since the formal designation and the adoption of the CAAMP in 2020. The application site, which is that part which fronts onto West End, comprises a relatively small section of OS10. A few years prior to the designation of the Conservation Area (c.2017) this site was the subject of extensive clearance works involving removal of a hedgerow that ran along the entire West End frontage on top of the stone wall, and removal of dense ivy growth, which covered the face of the wall. Within the site dense scrubby vegetation and several trees were removed, creating a significantly more open character and appearance, and enhancing views of and across the wider area of what is now OS10 from West End. It is these newly created/revealed features, including two specimen trees and two groups of trees (all now protected by tree preservations orders) and the historic stone boundary wall, that are recognised by the open space designation in the CAAMP. It is therefore reasonable to say that the character and appearance of the application site is consistent with the key characteristics and qualities of open space OS10 and makes a significant contribution to the architectural and historic interest of the Conservation Area.

It is considered any built form on this parcel of land would conflict with the reasons for designating OS10 as significant open space. It would fundamentally change the character and appearance of the site, which would have a detrimental adverse impact on this part of the Conservation Area and would harm the peaceful, tranquil and rural atmosphere of this area of the village of West Haddon. The proposal will therefore be contrary to Policy OS10 West Haddon CAAMP.

Impact on the Character and Appearance of the Locality:

The proposal is for a two storey thatched roofed dwelling with a detached garage that has been designed to be similar to historic dwellings found within the vicinity in terms of the design, appearance and the use of external facing materials being a mixture of stone and render to the walls and the roof being thatched. However, due to the size, bulk, massing and height of the proposed dwelling and garage it is considered that it will detract from the visual amenity of the street scene. Furthermore, the site is considered to be an important piece of open space within this part of the village which affords views of the open countryside beyond the site and it is considered that the open land forms part of an important break in the street scene between 30 West End and Rush House to north of the village. This green open land makes a significant contribution to the rustic nature of this part of the village.

Additionally, due to the siting of the proposal within this important piece of open space the proposed dwelling and garage would be highly visible and considered to be a prominent and incongruous feature within the street scene that will have an adverse effect on the character and appearance of the immediate surrounding and the wider setting of the village of West Haddon. Overall, it is considered that the proposal will conflict with policies S1 and R1 of the West Northamptonshire Joint Strategy, and policies SP1, RA2, ENV7 and ENV10 of the Settlements and Countryside Local Plan, as well as policies within the West Haddon Neighbourhood development Plan and the West Haddon Area Appraisal and Management Plan as well as having regard to the Framework.

Impact on residential amenity:

The proposed dwelling does include first floor side facing windows to a bedroom area and a wc area that will face the neighbouring property, no. 30 West End. However, it is considered that due to the two mature TPO trees that exist in the garden area of this property, the proposed will have little impact with regards to overlooking or loss of privacy and in terms of loss of sun/daylight that would warrant the application to be refused on these grounds.

Furthermore, with regards to the properties to the opposite side of the site, and in particular No.s 45 and 47 West End, it is considered that, whilst these properties have windows to its ground floor and first floor front elevation facing the site and equally the proposed dwelling also incorporates windows to its front elevation to bedroom areas, the relationship is a typical one which provides for an acceptable level of amenity and would not warrant a refusal on overlooking or loss of privacy grounds when assessed against these properties.

Landscaping:

The WNC Landscaping Officer initially raised concerns regarding the new levels being proposed for the dwelling as well as for the proposed detached garage and the two off road parking spaces and the potential impact on the TPO trees and on the tree roots and felt that these issues had not been

sufficiently addressed and the initial plans would conflict with policy ENV1 of SCLP. However, with the submission of the amended plans the Landscape Officer now feels that the TPO Tree roots are now adequately protected and has therefore removed his concerns subject to submission of fencing details around the tree root areas should the application be approved. The proposal therefore complies with policy ENV1 of the SCLP in this respect.

Highway safety and parking:

The proposal utilises the existing access that has been recently created by the applicants' and the proposed development incorporates a double garage within the site with sufficient space for parking a couple of cars and hence it is considered that the number of off-road parking spaces provided are sufficient for the proposed development and furthermore the WNC Highways Authority commented on the proposal and have raised no objections to the original or amended proposal on highway safety grounds.

Environmental Health

WNC Environmental Health Officer commented on this application, however, raised no objections subject to the inclusion of informatives relating to restriction on hours of work during construction amongst other informatives to be included should the application be approved.

Archaeology

WNC Archaeology Department were consulted on the application and have raised no objections subject to a condition relating to the submission of an archaeological programme of works being included in any approval of the application.

Biodiversity

The WNC Ecologist was consulted on the proposal in relation to any adverse impact on the biodiversity on the site and raised no objection.

Financial Considerations

If approved, this property will be liable to pay the Community Infrastructure Levy (CIL) unless the applicant is able to demonstrate a self-build exemption. Provision of a new dwelling at this location would also contribute towards the New Homes Bonus for the Council.

Planning Balance and Conclusion

There have been several applications for residential development on this site and the wider site as listed above that have been refused by the Local Planning Authority or on appeal, by the Secretary of State. The application refused under DA/93/1157 for outline planning permission for the construction of two dwellings was subject to an appeal that was dismissed by a Planning Inspector on the grounds of visual impact on the character and appearance of this part of the village of West Haddon. The previous application for the construction of

a dwelling under DA/2020/0627 that was essentially a similar proposal to the current application albeit at an elevated level that was refused in February 2021 and has not been appealed.

The development as proposed for the detached dwelling and the detached garage on this open space would harm the character and appearance of the area including the West Haddon Conservation Area to which it would result in "less than substantial harm" for the purposes of the NPPF. The site makes a significant contribution to the rustic nature of this part of the village of West Haddon and hence it is considered the proposed development fails to accord with the relevant policies of the development plan as listed and discussed above and as informed by the West Haddon Conservation Area Appraisal and Management Plan.

It is considered that the benefits of the proposal in terms of providing a market house as well as the potential benefits that would be accrued from CIL and the limited social, economic and environmental benefits with regards to the provisions within the NPPF are very limited. It is not considered that those limited benefits would clearly and convincingly outweigh the less than substantial harm to the significance of the Conservation Area which has been identified. The development does not accord with the development plan and it is not considered that there are any material considerations which would indicate a decision contrary to the development plan. It is recommended that the application should be refused.

RECOMMENDATION:

That the application be refused for the following reasons:

It is considered that the proposed two storey thatched dwelling and the detached garage fronting on to the street will have a detrimental impact on the character and appearance of the Conservation Area and in particular of this piece of open space that would fundamentally change its character and appearance of the area due to the loss of the openness of the land and the prominence of the two storey dwelling and the associated double garage. The proposal would therefore conflict with policies S1 and R1 of the West Northamptonshire Joint Strategy, and policies SP1, RA2, ENV7 and ENV10 of the Settlements and Countryside Local Plan as well as policies within the West Haddon Neighbourhood Development Plan and policy OS10 of the West Haddon Area Appraisal and Management Plan as well as having regard to the Framework.

NOTES

- 1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.

- 2. At all times through the application process the Council has worked positively and proactively with the applicant in seeking a solution as required by paragraphs 186 and 187 of the National Planning Policy Framework. However, the adverse impact of the development would outweigh the benefits of the proposal**

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