



Planning Committee Report

Application Number: 2023/7743/FULL

Location: Rosewood Cottage Church Green Badby NN11 3AS

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

Applicant: Mr & Mrs G Hind

Agent: JJB Chartered Architects Ltd

Case Officer: Oliver Billing

Ward: Woodford & Weedon Ward

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

Committee Date: 03rd April 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

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

Consultations

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

- WNC Conservation Officer

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

- WNC Landscape Officer, WNC Ecology

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

- Badby Parish Council

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

Conclusion

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

The key issues arising from the application details are:

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

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

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

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

2 CONSTRAINTS

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

3 DESCRIPTION OF PROPOSED DEVELOPMENT

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

4 RELEVANT PLANNING HISTORY

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

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

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

5.4 Development Plan

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

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

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

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

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

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

5.5 Material Considerations

Below is a list of the relevant Material Planning Considerations:

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

6 RESPONSE TO CONSULTATION

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

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

7 RESPONSE TO PUBLICITY

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

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

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

8 APPRAISAL

Principle of Development

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

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

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

Impact on the significance of the listed building

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

Design and materials

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

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

Impact on the character and appearance of the area

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

Impact on neighbouring amenity

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

Other considerations

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

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

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

11 RECOMMENDATION / CONDITIONS AND REASONS

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

REASON FOR REFUSAL

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