

15/00143/DPA

Erection of a single dwelling – Land off Rockingham Road, Cottingham for Mr Wetherell

Background

The application site is a roughly oblong shaped plot of approximately 1.2 hectares in area which was last used as a field. It is located approximately 120 metres north east of the junction of Rockingham Road and Ripley Road on the north eastern edge of the village of Cottingham. The site adjoins a residential property (which lies to the immediate south west) but is otherwise enclosed by open fields.

Description

Planning permission is sought to erect a detached house with detached garage on this site. Approval is also sought to construct a freestanding open sided canopy to the rear of the property and a tennis court and greenhouse within the rear garden. The remaining areas are to be landscaped to form the associated residential curtilage and a woodland garden.

Site History

None.

Policies

Policies 1, 3, 8, 11, 13 and 29 of the North Northamptonshire Joint Core Strategy 2011 - 2031

National Planning Policy Framework (2012) – Paragraphs 14 and 17, Sections 6, 7 and 11.

Consultations

Cottingham Parish Council:- Object. Consider that the proposed dwelling would represent an inappropriate form of development which would not constitute infill and which would stand outside of the village boundary. Also concerned that there are errors in the submission concerning the proposed means of draining surface water from the developed site (the application form refers to it being discharged to a soak away whereas the Risk Assessment states that it will be collected for use within the dwelling and garden).

CBC Environmental Services:- No objections subject to conditions requiring the site to be investigated for contamination and suitably remediated if necessary; controlling details of any biomass boilers and combined heat and power plant; controlling fuel deliveries, and hours of construction.

NCC Highways:- Have requested that a speed survey is carried out in order to ascertain the necessary visibility splays. Want any gates to be positioned at least 5 metres from the highway boundary.

NCC Archaeologists:- No objections but as the site may contain archaeological remains recommend that a condition is imposed requiring that adequate provision is made for the investigation and recording of those remains before development commences.

CBC Local Plans:- Consider that the proposal would be contrary to the provisions of Policies 11 and 13 of the Core Strategy unless exceptional circumstances can be demonstrated for a dwelling outside of the village.

Advertisement/Representations

1. Site Notice – Posted on gate facing Rockingham Road on 15th April 2016 (expired on 6th May 2016).

2. Public Notice(ET) – Advertised as Major development in the Evening Telegraph on 14th April 2016 (Expired 7th May 2016)
3. Neighbour Notifications – 10 Church Street; 19, 44, 46 and Bull Pen Farm, Rockingham Road.
4. Summary of Representations – One letter of objection has been received in respect of this proposal from the ‘Residents of Cottingham’. Their objections are:-
 - a) that an approval of this proposal would lead to the unacceptable expansion of the village, and
 - b) that the development would disturb wildlife.

One letter of representation has been received on behalf of the Rockingham Castle Estate. They raise no objections to the proposal provided that a condition is imposed on any approval requiring that suitable planting is undertaken along the north eastern and south eastern boundaries.

Report

Principle

Whilst this site directly adjoins the village boundary of Cottingham it can essentially be viewed as ‘isolated land in the open countryside’ for planning policy purposes. This is because there is planning case law to suggest that the term ‘isolated’ can refer both to ‘stand alone’ houses in the open countryside as well as development that immediately adjoins existing settlement boundaries. In view of this, and given the nature of the proposed development, it is considered that the proposal initially needs to be judged against the requirements of Policies 1, 3, 11 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Paragraphs 14, 17 and 55 of the National Planning Policy Framework. It fails to meet most of the criteria specified by those policies and advice in that:-

- a) the proposal does not seek the re-use of an existing building,
- b) no evidence has been submitted to the effect that the dwelling is required to meet an identified housing need or to house a rural worker,
- c) it has not been demonstrated that the dwelling is essentially required in order to secure the future of a heritage asset,
- d) the proposal does not constitute ‘infill’ development.

Putting this aside, paragraph 55 of the NPPF and Policy 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 both advise that dwellings in the open countryside may be deemed acceptable in planning policy terms if it can be satisfactorily demonstrated that they are to be of exceptional quality and of innovative design. It is this ‘line’ that the applicant is seeking to pursue. In order to do this they essentially need to demonstrate that their proposal:-

- i) is truly outstanding or innovative, helping to raise standards of design in rural areas,
- ii) reflects the highest standards in architecture,
- iii) significantly enhances its immediate setting, and
- iv) is sensitive to the defining characteristics of the local area.

The applicant has sought to demonstrate the above by seeking an independent design review of their proposal by OPUN Design Support Services, an accredited organisation specialising in architecture and the built environment. This is in accordance with the advice contained within paragraph 5.43 of the North Northamptonshire Joint Core Strategy 2011 – 2031. The review has assessed the proposal on the basis of its siting, design, scale, sustainability and landscaping quality and is broadly supportive considering:-

- a) the various elements of the development to be well related to each other and to the adjoining development,
- b) the development to be well designed describing the house as appearing ‘elegant with its playful composition and rich material palette which pays reference to the character of the village’ and describing the roof as a ‘bold design feature which works

convincingly as an architectural statement as well as a device to blend the house into the landscape when seen from a distance across the valley’,

- c) the landscaping works, whilst requiring further work, to show a ‘sensible sequence from formal lawn and tennis court to a formal garden which will work well with the contour of the site’,
- d) the development to be sustainable in that it seeks to be carbon neutral, to meet the Passivhaus standards, and to embrace issues of nature conservation and biodiversity.

In view of the above it is considered that, in this instance, the proposed development could reasonably be viewed as outstanding and/or innovative, as reflecting the highest standards of architecture, as enhancing its setting and as sensitive to the defining characteristics of the local area. As such it is considered that, despite concerns to the contrary, the proposal satisfies adopted planning policy and is therefore considered to be acceptable in principle.

Design/Scale/Effect on street scene

The dwelling and garage will be visible from Rockingham Road although their prominence will be reduced to some degree by the presence of boundary hedges. The other elements of the proposal will be less visible as they will be set further back into the site. Putting this aside it is considered that all elements will relate in a satisfactory manner to their surroundings and will suitably blend into the landscape.

Scale

The dwelling itself will essentially accommodate two floors and will stand some 7.4 metres at its highest point (excluding the chimney). However the upper floor will be smaller and the roof curved which will help to reduce the overall height of the development (to less than four metres in places). The garage should also appear in scale with its surroundings being a single storey structure of approximately four metres in height that will be smaller than both the host dwelling and the property to the immediate south west. Conditions can reasonably be imposed in both cases to control the finished ground floor levels of the structures so as to minimise their effect on the appearance of the area.

Details of the respective heights of the freestanding canopy and greenhouse have not been included with the application. However, it is considered that these can reasonably be controlled by way of a planning condition so as to ensure that neither structure significantly impacts upon the appearance of their surroundings. The tennis court will have no impact as it is to be formed at ground level and will be screened by surrounding hedges.

Design

The dwelling is considered to be acceptable in design terms. It will appear as a modern building incorporating a chimney, a substantial glass balustrade and a curved roof. Additionally it is to be constructed of a combination of natural stone, rendered blockwork and oak weatherboarding, for the external walls, under a curved ‘green’ roof with zinc edging, materials that will match/suitably harmonise with those used in the construction of other properties in the locality.

The garage and freestanding canopy are also considered to be acceptable in design terms. They will be modern in appearance incorporating curved zinc roofs that will ‘echo’ the shape of the house roof. The garage is also to be constructed of render to match the house and will incorporate painted metal doors.

No details of the design of the greenhouse have been included with the application. However, these can reasonably be controlled by way of a condition.

Conclusion

In coming to the view that the proposal is acceptable in design and scale terms, full consideration has been given to the comments of OPUN Design Support Services (see ‘Principle’ section above). They essentially support the view that the development could reasonably be viewed as outstanding and/or innovative, as reflecting the highest standards

of architecture, as enhancing its setting and as sensitive to the defining characteristics of the local area.

Amenity Issues

- a) Light:- The development will not adversely affect the level of light that neighbouring properties currently receive. Only one property is likely to be affected (46 Rockingham Road which lies to the immediate south west). However, the new garage will stand some 13 metres from that property and will be at least partly screened from it by a substantial hedge. The dwelling itself will stand almost 40 metres away and all other parts of the development will stand further away still.
- b) Overlooking:- The development will not unacceptably overlook 46 Rockingham Road either. Whilst windows are to be formed within all elevations of the dwelling these will either face the boundary with no. 46 at a distance of some 24 metres; open land to the north east; the rear boundary of the application site at a minimum distance of over 150 metres (and thereafter open land) or Rockingham Road itself.

Highway Safety Issues

It will be possible to park at least three cars within the curtilage of the new property. This is a level of parking that is considered to be satisfactory for what will be a four bedroom house. It will also be possible to satisfactorily turn vehicles within the site such that they will be able to enter Rockingham Road in a forward gear.

On the issue of visibility Rockingham Road is de-restricted at this point but reduces to 30mph within less than 100 metres on the Cottingham approach. In order therefore to work out the length of the visibility splays that will be required to allow vehicles to safely enter Rockingham Road from the site County Highways have requested that a speed survey is carried out to ascertain the actual speed of traffic here. This has not been carried out. However, in the worst case scenario visibility splays of 2.4 x 215 metres would need to be provided for a de-restricted road. It is considered that these could reasonably be achieved in this instance, subject to the hedge being cut back slightly on the north eastern side of the proposed access, as Rockingham Road is relatively straight at this point. It is therefore considered that vehicles would be able to safely enter and exit the site via that access.

Given the above it is considered that the proposals will be acceptable in highway safety terms.

Ecological Issues

Concern has been expressed to the effect that the development of this site would unduly disturb wildlife. However the site is not known to be the habitat of any protected flora or fauna.

Other Issues

Concern has been expressed by the Parish Council about the proposed means of draining surface water from the developed site. However it is considered that this can reasonably be addressed, and subsequently controlled, by way of a planning condition.

RECOMMENDATION: That planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The approved plans comprise the Location Plans entitled 'Promap' and 'Blackwell's' and drawing numbers 550/05A,05, 550/10, 550/11A and 550/12A received by the Local Planning Authority on 9th February 2016, and drawing number 550/20, received on 7th June 2016. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative

details have been subsequently approved following an application for a non-material amendment.

Reason: To specify the permission and for the avoidance of doubt.

3. Full details of the proposed open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved canopy and greenhouse shall be constructed in the positions shown on the approved plans and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

4. Samples of the materials to be used in the construction of the new dwelling, garage, open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The respective buildings shall be constructed of the approved materials and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

5. Samples of the materials to be used in the construction of the proposed footpaths, driveway and parking areas, and of the proposed means of sealing and draining these areas, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. These areas shall be surfaced, sealed and drained in the approved manner/using the approved materials before the approved dwelling is first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

6. Details of the proposed treatment of the site boundaries shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. This shall include for:-

- a) the retention of all existing hedges at heights to be agreed with the Local Planning Authority,
- b) the cutting back of the hedge, located along the north western site boundary to the north east of the proposed access, for a distance of 2.4 metres measured from the carriageway edge of Rockingham Road,
- c) further boundary tree and hedge planting.

The approved treatment shall be completed before the approved dwelling is first occupied, or within a timescale to be agreed in writing with the Local Planning Authority, and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area and highway safety, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

7. Notwithstanding the details given on the approved plans a revised scheme for the internal landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved scheme, and any boundary hedge and tree planting to be undertaken under the terms of condition 6 above, shall be implemented in the first planting season following the completion of the development, or first occupation of the dwelling, whichever is the sooner. The approved scheme shall be

maintained by the applicant or their successors in title for a period of at least ten years to the satisfaction of the Local Planning Authority. This maintenance shall include for the replacement of any tree, hedge or shrub which is removed, becomes seriously damaged or dies, by a similar sized tree, hedge or shrub of the same species or other species as agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and highway safety, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

8. Any new gates shall be installed a minimum of five metres from the carriageway edge of Rockingham Road and shall open inwards into the site.

Reason: In the interests of highway safety, in accordance with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031.

9. Details of the existing and proposed ground levels, and of the finished floor levels of the new dwelling, garage, open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The ground levels, and finished floor levels of the respective buildings, shall thereafter be set at the approved levels.

Reason: So as to ensure that the various elements of the development suitably harmonise with their surroundings, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

10. Details of the proposed means of draining foul and surface water from the developed site, which shall be based on sustainable drainage principles, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved drainage scheme shall be completed in accordance with the approved details before the approved development is first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In order to ensure that the development is satisfactorily drained.

11. No development shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall first have been approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the requirements of Section 12 of the National Planning Policy Framework.

12. 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 C 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

Further to the provided contamination assessment, additional investigative and risk assessments must be completed in accordance with a scheme to assess the full 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 part A, and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of part 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 part C.

Reason: 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 the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Section 11 of the National Planning Policy Framework.

13. Details of any Biomass Boilers and/or Combined Heat and Power (CHP) Plant to be installed as part of the development shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved development shall be carried out in accordance with the approved details and shall thereafter be satisfactorily retained at all times.

Reason: To protect residential amenity and minimise the impact of the plant on local air quality, in accordance with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Section 11 of the National Planning Policy Framework.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, or any subsequent Order or statutory provision amending, revoking or re-enacting that Order, no extensions shall be added to the new dwelling and no freestanding structures (other than those hereby approved) shall be erected within its curtilage without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain a degree of control over the development in the interests of safeguarding the character of the surrounding area and the amenities of the occupiers of the neighbouring property, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

Informatives

1. Nesting birds and bats, their nests/roosts and their access to those nests/roosts are protected under the Wildlife and Countryside Act 1981. Should nesting birds, bats or other protected wildlife be found during the construction works you should stop work immediately and contact Natural England on 0300 060 3900. Failure to do so could potentially lead to you being prosecuted under the remit of this Act.
2. As this plot adjoins residential properties there is the potential for local residents to be disturbed during the construction works and as a result of deliveries of fuel. In view of this please could you ensure that construction works, and any deliveries to and from the site, are carried out solely between the hours of 08.00 to 18.00 hrs Monday to Friday, 08.30 to 13.30 hours on Saturdays, and at no time whatsoever on Sundays or Bank Holidays.

Reasons for Approval:

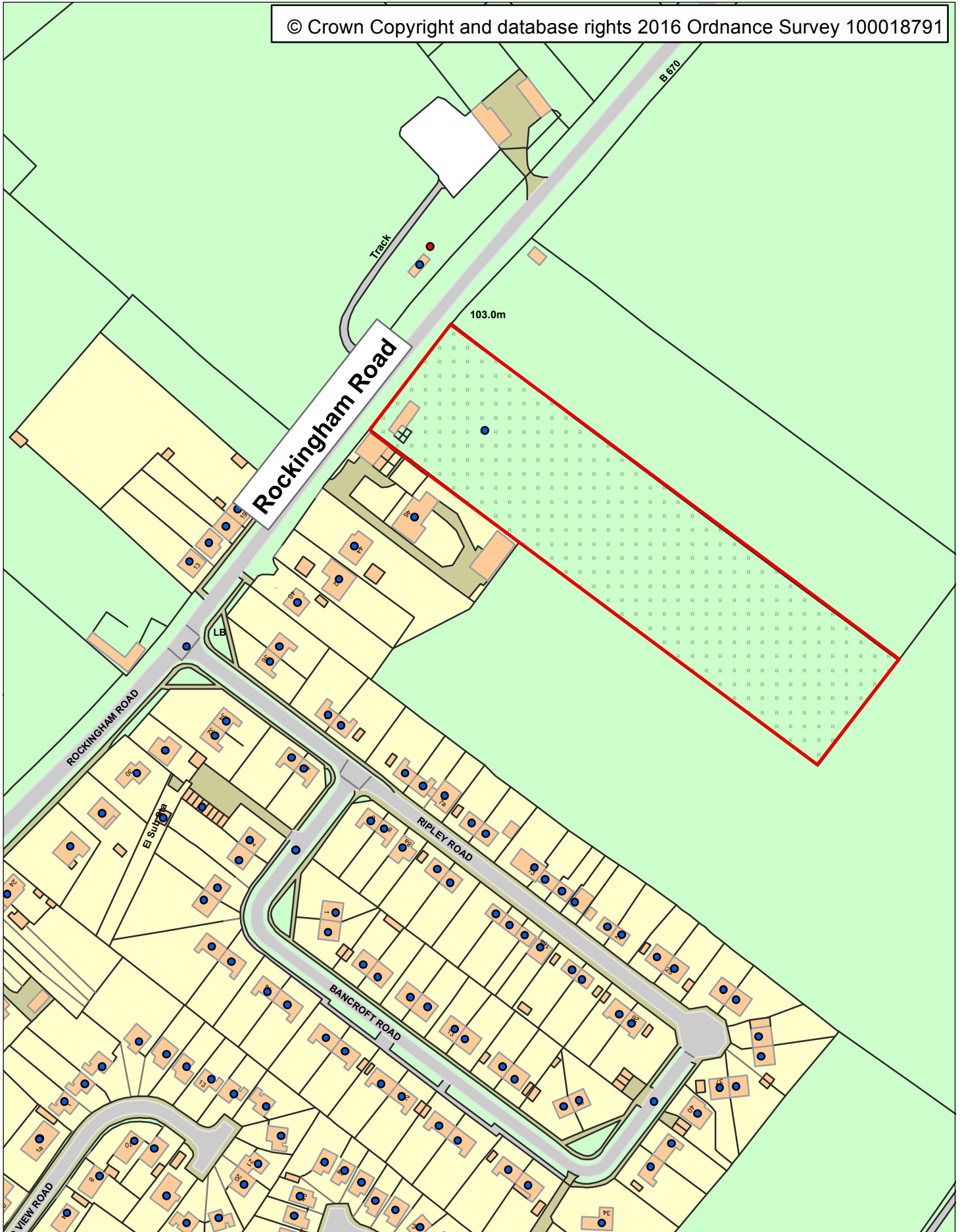
The proposal is considered to be in accordance with the requirements of Policies 1, 3, 8, 11,13 and 29 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and paragraphs 14 and 17 and Sections 6, 7 and 11 of the National Planning Policy Framework. It is considered that the erection of a new dwelling on this site would accord with current planning policy in that it would represent an outstanding and innovative form of development, reflecting the highest standards of architecture, that would enhance its setting and that would be sensitive to the defining characteristics of the local area. It is also contended that the proposed development would safeguard the character and appearance of, and relate in an a satisfactory manner to, its surroundings; would safeguard the amenities currently enjoyed by the occupiers of the adjoining property, and would not give rise to any undue highway safety or ecological concerns.

Statement of Applicant Involvement:

In dealing with this application Corby Borough Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF.

Officers to contact:

Ian Lunn



LOCATION PLAN 15/00143/DPA
Land off Rockingham Road,
Cottingham

Scale: 1:2,000

