

## Delegated Report Full Planning Application

Application Number: 2024/2433/Full

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Location: Land off Cottesbrooke Road, Naseby, Northamptonshire.

Development: Construction of dwelling and alterations to existing access.

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Applicant: Mr & Mrs A Westaway

Agent: Barry Waine Planning

Case Officer: Nisar Mogul.

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Ward: Brixworth Ward

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### 1 RECOMMENDATION

- 1.1 The application is recommended for **APPROVAL** subject to the following conditions and informatives:

#### Time limit

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - 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).

#### Approved Plans

2. The development shall be carried out strictly in accordance with drawing nos: AL-003 (Roof Plan), AL-004 (General Arrangements) received by the LPA on 01/05/2024 and plan numbers:  
ELEV-001-002 (General Arrangements - Elevations 01 and 02),  
ELEV-003-004 (General Arrangements -Elevations 03 and 04),  
AL- 001 (General Arrangements -Ground floor plan),

AL-002 (General Arrangements -First floor plan) received by the LPA on 01/05/24;  
AWB-113-011 (Fibonacci Spiral Schematic Plan),  
AWB-133-008 (Circulation and breakout spaces plan),  
AWB-133-001 (House and immediate setting plan), and  
AWB-133-022 Rev A (Amended Site Location Plan) received by the LPA on 12/03/2025.

Reason – 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 and in order to secure the design that is of exceptional quality required to comply with the provisions of paragraph 84(e) of the NPPF.

#### Materials

3. Prior to any construction above slab level and notwithstanding the details shown on the approved plans, full details of all external materials and finishes to be used in the construction of the approved dwelling, including representative samples (to be provided on site), shall be submitted to and approved in writing by the local planning authority before being installed anywhere on the site. All works shall then be carried out strictly in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the area in which the site lies and in order to secure the exemplary standard of design required to comply with the provisions of paragraph 84(e) of the NPPF.

#### Contaminated Land

4. If during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The implementation of any remediation works will be detailed in a closure report to be submitted to and the Local Planning Authority prior to first occupation.

Reason: To ensure any contamination within the site is dealt with in a safe manner.

#### Construction Management Plan

5. 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 demolition and construction works.

Reason: To protect the nearby residential amenity and in the interest of highway Safety in accordance with Policies C2 and BN9 of the West Northamptonshire Joint Core Strategy 2014.

#### Water efficiency and drainage

6. The dwelling hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

Reason: In the interests of sustainability and water efficiency in accordance with policy S10 of the West Northamptonshire Joint Core Strategy.

7. Prior to commencement of development a detailed drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of foul and surface water collection and disposal methods and details of any water saving measures to be employed.

Reason- To ensure that all services are effectively connected to the existing foul and surface water systems in accordance with ENV11 of Daventry Local Plan (Part 2).

#### Tree protection

8. 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.

Reason – In the interests of the visual amenity of the area and to protect existing landscape features in accordance with ENV1 of Daventry Local Plan (Part 2).

#### Boundary treatment

9. Prior to the first 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.

Reason – In the interests of visual amenity of the locality and in accordance with Policy ENV10 of Daventry Local Plan (Part 2) and to ensure that the dwelling conforms with the requirements of para 84 e of the NPPF.

#### Landscaping

10. Prior to commencement of the construction of the dwelling hereby permitted, full details of a scheme of hard and soft landscaping for the site which shall include the planting of native species hedgerows and tree planting shall be submitted to and approved in writing by the Local Planning Authority. All hard landscaping shall be implemented in accordance with the approved details before the dwelling hereby permitted is first brought into occupation and all soft landscaping shall thereafter be

implemented in accordance with the details so approved no later than in the first planting season following completion of the development.

Reason: To secure landscape mitigation for the development, in the interest of visual amenity and to ensure the development would not detract from the character and appearance of the site and surrounding rural area in accordance with Policy ENV10 of Daventry Local Plan (Part 2) and to ensure that the dwelling conforms with the requirements of para 84 e of the NPPF.

11. If within a period of 10 years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, up rooted or destroyed or die (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) replacement planting of the same species and size, in the same location(s) as that originally planted shall be provided, unless the Local Planning Authority gives its written consent to any variation.

Reason: To secure landscape mitigation for the development, in the interest of visual amenity and to ensure the development would not detract from the character and appearance of the site and surrounding rural area in accordance with Policy ENV10 of Daventry Local Plan (Part 2) and to ensure that the dwelling conforms with the requirements of para 84 e of the NPPF.

#### Permitted development rights

12. 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, AC, AD, B, C, D, E, F, G and H of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.

Reason: To protect the visual amenity of the area and in order to secure the exceptional quality standard of design required to comply with the provisions of paragraph 84 (e) of the NPPF and to afford the LPA the opportunity of assessing the impact of any further alterations/extensions to secure the design that is of exceptional quality required to comply with the provisions of paragraph 84(e) of the NPPF.

#### Archaeology

13. 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;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) 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 218.

#### Ecology

14. Where an offence under Regulation 41 of the Habitat and Species Regulations 2017 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

15. The development hereby permitted shall be carried out in accordance with the recommendations set out in Ecological Appraisals by Cherryfield Ecology submitted to the LPA in May 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

16. The development hereby permitted shall not begin until:

(a) A Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The Biodiversity Gain Plan shall include a Habitat Management and Monitoring Plan (HMMP). The HMMP shall include provision for the management and monitoring of the site for at least 30 years after the development is completed (or in accordance with a revised period set out in and future relevant regulations enacted by the Secretary of State). The Biodiversity Gain Plan shall be implemented in accordance with the approved details.

Reason: In order that the biodiversity gain objective is met and to accord with Schedule 7A to the Town and Country Planning Act 1990.

### Highways

17. Prior to the first occupation of the dwelling hereby approved, pedestrian visibility splays shall be constructed and maintained in accordance with the approved plan no. No. AWB – 133 – 010 and the areas of land within the splays shall be completely cleared of all obstructions and levelled and maintained at a height not exceeding 0.9m above adjacent carriage level.

Reason: In the interests of public and highway safety in accordance with para 115 of the NPPF.

18. Prior to the first occupation of the dwelling hereby approved the details of the crossover of the highway verge (width and surfacing, which will be tarmac) shall be submitted to and approved by the LPA.

Reason: In the interests of public and highway safety and to prevent loose material being deposited on the highway.

19. Prior to the first occupation of the dwelling hereby approved the first 5 metres of the access from the highway boundary must be constructed in a hard bound material. Beyond this, there are no requirements for surface material.

Reason: In the interests of public and highway safety and to prevent loose material being deposited on the highway in accordance with para 115 of the NPPF.

20. Any gates proposed must be set back from the highway to allow a car to pull fully off the carriageway.

Reason: In the interests of public and highway safety in accordance with para 115 of the NPPF.

21. Prior to the first occupation of the dwelling hereby approved Pedestrian visibility splays shall be as shown in the approved plan AWB133 010. The areas of land within the splays shall be completely cleared of all obstructions and levelled and maintained at a height not exceeding 0.9m above adjacent footway level.

Reason: In the interests of public and highway safety in accordance with para 115 of the NPPF.

### **Informatives:**

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). In dealing with this planning application the Local Planning Authority did not need to have discussions with the applicant to amend the plans as the original submission was considered acceptable subject to the imposed conditions.
2. 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.

3. Northamptonshire has varying levels of radon due to its underlying geology. Radon can enter buildings and affect the health of the occupants living in affected areas.
4. Advice should be sought from local authority building control officers or from approved inspectors to establish if radon protection is necessary and if this is the case radon protection measures will need to be installed in accordance with BRE Report (BR 211 Radon: guidance on protective measures for new dwellings).
5. The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.
6. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0830 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.
7. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.
8. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site.
9. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site.
10. Please note that the applicant will be required to obtain a Section 184 licence from WNC Highways Regulations on receipt of a planning Consent in order to carry out works to the site access within public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a WNC Highways Approved Contractor, who has the required and necessary public liability insurance in place.
11. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan (BGP) before development is begun because none of the statutory exemptions or transitional arrangements is/are considered to apply.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is West Northamptonshire Council

Further information on statutory exemptions or transitional arrangements, the impact of irreplaceable habitats, the preparation of BGP and HMMP, the effect of Section 73D of the Town and Country Planning Act 1990, and other relevant guidance is available within the [Biodiversity Net Gain Collection](https://www.gov.uk/government/collections/biodiversity-net-gain) at [www.gov.uk/government/collections/biodiversity-net-gain](https://www.gov.uk/government/collections/biodiversity-net-gain)

## THE PROPOSAL

- 2.1 The proposal is for a single detached dwelling which is being put forward under the special circumstances of paragraph 84e of the National Planning Policy Framework (NPPF) being of a design of exceptional quality and policy RA6 (iii) of the SCLP as a dwelling that is of exceptional quality or innovative nature in its design.

The initial proposal included a detached garage and a sculpture which have now been omitted following comments from the WNC Design Officer.

Amended Site Plan was received in March 2025 that altered the red line very slightly so that the overall site area reduced to just under a hectare.

- 2.2 The design of the proposed dwelling has been influenced by the applicant's occupation as a musician to maximise its acoustic comfort. The design of the dwelling is circular in nature taking its concept from Fibonacci Sequence / Golden Section that creates visually appealing proportions in the architectural design of the building as the proportion, size and placement of one element compared to another creates a sense of harmony that provides an attractive and pleasing design.
- 2.3 The scheme comprises a building constructed from a rammed earth structure with a floating, folded timber roof which gradually increases in scale and height. The internal layout comprises 6 bedrooms, a living area to the ground floor and living accommodation, studio and two outdoor terraces to the first floor.
- 2.4 The landscape proposes comprises an orchard to the entrance, annual meadow and cut grassland to the edges of the building and crops to the southern half of the site which will contribute to the setting of the dwelling in a positive manner. Immediate to the building is an ellipse shaped courtyard and a productive garden.
- 2.5 The existing access from Cottesbrooke (northeast corner of the site) is retained, with a new drive to the building which travels through the site to the building terminating at the aforementioned courtyard.
- 2.6 The previous application under WND/2021/0034 was refused for the following reason 'The proposed dwelling would be positioned in a corner of an agricultural field and by reasons of the context of the site, and the design and degree of presence which would be presented by the proposed building and its outdoor landscaped areas, the proposed dwelling fails to exhibit exceptional design quality'
- 2.7 Under the current proposal, the above refusal reasons have been addressed as the dwelling has been slightly re-positioned and the design of the dwelling



has been enhanced with the removal of the garage, use of external materials and with the proposed landscaping scheme which helps screen the dwelling from the streetscene as well as enhancing the countryside location in which the site lies.

### **3 SITE DESCRIPTION**

- 3.1 The application site lies in the open countryside, to the south of Naseby approximately 170 metres beyond the village confines. The nearest buildings to the site include two modern agricultural buildings, which are positioned some 120 metres to the north. The proposal site comprises of triangular like parcel of land which is surrounded by other agricultural fields.
- 3.2 The existing field is surrounded by hedgerow along the eastern boundary and has an informal vehicular access opening to the north. The levels rises gradually across the site from the north to southerly direction and there are relatively extensive views from the site of the open countryside in the westerly direction.
- 3.3 The A14 lies some 1.4 km to the north and the A5199 lies some 2.5 km to the west.

### **4 CONSTRAINTS**

- 4.1 The site lies within the open countryside and in Flood Zone 1.

### **5 RELEVANT PLANNING HISTORY**

- 5.1 WND/2021/0034 - Construction of dwelling and garage and alterations to existing access. – Refused.

### **6 RELEVANT PLANNING POLICIES AND CONSIDERATIONS**

#### **6.1 Statutory Duty**

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

#### **6.2 Development Plan**

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

- SA Presumption in Favour of Sustainable Development
- S1 The Distribution of Development
- S3 Scale and Distribution of Housing Development
- S10 Sustainable Development Principles
- R1 Spatial Strategy for the Rural Areas
- BN2 Biodiversity
- BN7 Flood Risk

BN9 Planning for Pollution Control

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

Policy SP1 - Daventry District Spatial Strategy

Policy RA2 – Secondary Service Villages

Policy RA6 – Open Countryside

Policy HO8- Housing Mix & Type

Policy ENV1 - Landscape

Policy ENV5 - Biodiversity

Policy ENV10 - Design

6.3 Material Considerations

Adopted Naseby Village Design Statement (VDS 2008)

National Planning Policy Framework (NPPF) (2024)

Part 2 - Achieving Sustainable Development

Part 4 - Decision Making

Part 6 - Building a Strong, Competitive Rural Economy

Part 8 - Promoting Healthy & Safe Communities

Part 9 - Promoting Sustainable Transport

Part 11 - Making Efficient Use of Land

Part 12 - Achieving Well-Designed Places

West Northamptonshire Emerging Local Plan (2024)

A Regulation 18 version of a local plan for the whole of West Northamptonshire was published for consultation between 8th April and 2nd June 2024. Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans subject to three considerations: namely (in summary) how advanced the preparation of the plan is; the extent of unresolved objections; and the degree of consistency with the NPPF.

As the local plan is still in the early stages of preparation, policies in it can be a material consideration, but it's policies can only be afforded limited weight at this stage.

The policies of particular relevance to this application are:

Policy S1 – Spatial Strategy (Distribution of Development)

Policy PL1 – Sustainable design and construction

Policy PL7 – Design and Amenity

National Planning Practice Guidance (NPPG) (as revised)

Local Highway Authority Standing Advice (2016)

Northamptonshire Parking Standards (2016) (as revised)

## **7 RESPONSE TO CONSULTATIONS**

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

### **7.2 Naseby Parish Council**

Whilst acknowledging that the design is very different to usual submissions, we do not feel qualified to judge if it meets the standards required to satisfy paragraph 84.

If West Northamptonshire Council are minded to grant permission, Naseby Parish Council has various concerns as follows.

- A Police radar speed survey and vehicle count was carried out in September / October 2017 near Catton Close. Over 13 days a total of 12,200 vehicles were recorded (average 939 per day). Although well within the 30mph limit, the 85th percentile speed was 39mph, so it is reasonably certain that high speeds will be experienced passing the access,
- The proposal for a single, very large dwelling, associated landscaping and infrastructure will entail deliveries of materials and construction equipment some of which will be large, plus items of electrical and mechanical plant. These could potentially arrive from the direction of Naseby causing nuisance or from the A5199 Guilsborough direction.
- Contractors' vehicles should all be parked within the development site to prevent disruption to traffic on Cottesbrooke Road. A condition could be applied, requiring all vehicles and plant to be parked on site.
- Cottesbrooke Road is a rural country lane which may suffer local damage due to the concentration of heavy construction and delivery vehicles using it. The Highway Authority could apply a condition to recover the cost of local damage attributable to this site.
- Cottesbrooke Road is a rural country lane which may suffer local damage due to the concentration of heavy construction and delivery vehicles using it. The Highway Authority could apply a condition to recover the cost of local damage attributable to this site.

If you are minded to grant permission, we request that conditions are attached as follows:

- a) Visibility splays are laid out and maintained free of vegetation and obstructions.
- b) Concealed access signs are to be installed at the applicant's cost on Cottesbrooke Road either side of the new access.

c) Construction traffic and deliveries are to approach and leave the site only via the A5199 Guilsborough junction however if this is not possible construction traffic including deliveries should only be permitted to approach from the Naseby direction during restricted working hours on weekdays and weekends to avoid causing a nuisance to Naseby residents.

d) Working hours on site are to be limited to restricted hours on weekdays and weekends to avoid causing a nuisance to Naseby residents.

e) No construction vehicles or plant shall be parked on Cottesbrooke Road.

f) The applicant shall be held responsible for extra ordinary traffic damage caused as a result of the additional construction and delivery vehicles using the local roads.

### **7.3 WNC Highways Officer :**

#### **Initial Comments:**

In respect of the above planning application, the local highway authority (LHA) has the following observations, comments and recommendations: -

#### **Site Access**

The application includes a new or upgraded access off Cottesbrooke Road. Whilst the submitted documents provide some commentary on why the point of access has been chosen, there do not appear to be any technical drawings or details of the access.

The applicant is required to submit an appropriately scaled access drawing clearly showing the following,

- Visibility splays in both directions from a point set back 2.4m from the edge of the carriageway in the centre of the proposed access. The splays must extend to the 30mph speed limit terminal to the north and to the point where visibility is lost to the south.
- Details of the crossover of the highway verge (width and surfacing, which will be tarmac).
- Surface materials. The first 5 metres of the access from the highway boundary must be constructed in a hard bound material. Beyond this, there are no requirements for surface material.
- Any gates proposed. These must be set back from the highway to allow a car to pull fully off the carriageway.
- Threshold drainage (where levels fall towards the highway only)

#### **Location**

The proposed development site is situated in a remote, unsustainable location in respect of transport. Most journeys to and from the site will need to be made by private motor vehicle. Whilst Naseby does have a bus service, it is extremely limited, and the site has no pedestrian connection to the centre of the village. The LHA object to all residential development proposals where trips to and from a site are most likely

to be made by private motor vehicle with limited options for using sustainable transport and walking or cycling journeys are unlikely.

The isolated nature of the site is not in line with Paragraph 110 of the National Planning Policy Framework (NPPF) which states that “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.”

Objective 3 of the Northamptonshire Highways Development Management Strategy, a daughter document of the Northamptonshire Transportation Plan, states that “when considering applications for development, all modes of transport, including walking, cycling and public transport will be considered, therein creating sustainable communities”.

Policy C2 of the West Northamptonshire Joint Core Strategy Local Plan states that new development will be expected to achieve modal shift targets by maximising travel choice from non-car modes.

The isolated dwellings are therefore contrary to the Northamptonshire Transportation Plan and the West Northamptonshire Joint Core Strategy. Whether this development meets the requirements of an exception site (Paragraph 79, NPPF) in respect of location, and these comments disregarded, is for the LPA to determine.

#### Public Rights of Way

There are no Public Rights of Way impacted by the proposal.

#### **Revised Comments:**

In respect of the above planning application, the local highway authority (LHA) has the following observations, comments and recommendations: -

#### Site Access

Following receipt of drawing No. AWB133/010, the LHA can confirm it has no further requests to make in respect of the site access as all matters have been addressed.

Should the LPA be minded to grant planning permission, please ensure that this plan is conditioned with the visibility splays maintained with no obstructions to visibility contained to a height no greater than 0.9 metres above carriageway level.

#### Requirement for Section 184 Licence

Please note that the applicant will be required to obtain a Section 184 licence from WNC Highways Regulations on receipt of a planning Consent in order to carry out works to the site access within public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a WNC Highways Approved Contractor, who has the required and necessary public liability insurance in place.

Please add this as a Note or Informative on the decision notice.

#### Location

The LHA wishes to clarify its comments on site location. Whilst the broad principles of the response remain the LHA's position, we would wish to clarify that Policy C2 of the

West Northamptonshire Joint Core Strategy Local Plan only applies to towns and Primary Service Villages, of which Naseby is not included.

#### **7.4 WNC Design Officer**

The proposed dwelling has a very strong concept and storyline, and I appreciate the design efforts and the thoughtful consideration put into creating this vision for an open countryside house.

I really appreciate the contemporary vertical fenestration style, with its long openings that capture abundant natural light and offer stunning views of the landscape, while also complementing and balancing the materials used in the building.

The top view plan of the proposed building aligns well with the concept and vision. The circular flow of the building is not only aesthetically appealing but also reinforces the design concept effectively.

If the circular form started at a lower level and gradually ascended as it curves, like a Fibonacci spiral found in nature, it would better align with the design concept and enhance the relationship between the massing and the circular flow.

The garage block feels almost like a separate element of the design and comes across as somewhat random. Integrating it into the circular form would simplify the overall design and enhance its cohesion. It could become part of the main dwelling, perhaps by utilising some of the lower floor space for the garage, creating a more unified and seamless structure.

The continuity of the curve could also extend into the landscape. Currently, it feels like an afterthought. By integrating the design concept into the landscape, the overall design would be enhanced, moving it toward becoming truly exceptional.

The paved pathway leading to the sculpture does not align with the overall design; it feels out of place. Additionally, the sculpture does not contribute any significant design elements to the dwelling. Consider replacing the egg-shaped structure with something that complements the dwelling's design and effectively translates the vision and concept. The materials of the building are currently difficult to visualize. I would appreciate some realistic rendered elevations or views to better understand the details of the materials used and how they appear in the design.

The current scheme is successful overall but doesn't quite meet the threshold of exceptional. With a few changes to better reflect the core concept and reconsider elements that weaken the design, it has the potential to reach that level.

#### **Revised comments:**

Following the Design Officer's initial comments, amended plans were submitted that removed the detached garage element and the sculpture from the proposal.

- As per my previous comments, I had some concerns regarding the extended garage, which did not appear cohesive with the overall design and did not align with the concept. Additionally, there were concerns regarding the landscape feature—the eggshell-shaped sculpture—which, in my opinion, did not work well within the overall

design. It detracted from the main building as the focal point. I appreciate that the comments were considered, and the necessary changes were made, which improved and simplified the design.

- The design of the house follows a strong concept and has a well-developed storyline, which is reflected in the design development process and translated into the final design and form of the building. This approach avoids unnecessary complexity, keeping the design simple and straightforward—a positive aspect. It stays true to its architectural style and represents high standards in architecture.
- There is also a simple yet effective use of materials—charred wooden panels and glass—which complement each other well. The wooden panels will weather over time but will still maintain their aesthetic appeal and can be properly maintained.
- The footprint of the dwelling is minimal, allowing it to sit comfortably within the site. It is sensitive to both the site and the surrounding context. The design does not significantly impact the street scene, as the landscaping helps to reduce its visual impact.
- The design is of the highest quality, and with the use of high-quality materials, it is both achievable and sustainable.

Comments following the revised red edge that reduced the area to less than an a hectare.

No objections and that previous comments still apply.

#### **7.5 Environmental Health Officer**

No comments received however, should the Council be minded to grant permission, conditions are recommended to require the submission of a Construction Site Management Plan, and to investigate any unexpected contamination. In addition, an informative note is recommended to advise the Applicant of the potential for radon.

#### **7.6 Archaeological Officer**

The application site is located in agricultural land to the southeast of Naseby. The proposal includes the creation of a new high-status home, associated garaging, landscaping, planting and access.

The area around the application boundary has a number of areas of known archaeological remains, both in the form of surface earthworks and sub-surface archaeological remains. The nearest of these is a cropmark complex indicating the presence of a later prehistoric settlement site c.80m from the application boundary. The groundworks inherent in the proposed development (including the planting element) have the potential to disturb heritage assets of archaeological interest. I recommend therefore that a phased evaluation of the site, including those areas subject to landscaping, access and tree planting, should be undertaken in advance of the groundworks phase of the proposed development.

The archaeological potential of the site does not represent an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any heritage assets affected. In order to secure this please attach a suitable condition for a programme of archaeological work as recommended

above and in line with NPPF paragraph 211 to any permission granted in respect of this application.

Our recommended condition wording is 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;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) 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 heritage assets of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 211.

To secure the provision of the investigation and subsequent recording of heritage assets, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

#### **7.7 Ecological Advisor**

Due to the high volume of consultations made to the Ecology team on planning applications and the ability for the capacity within the team to respond within the consultation time period, a triage of outstanding consultations by Development Management Team Leaders has been undertaken in collaboration with the Ecology Team Lead and Principal Planning Officers. As a result of the triage, this application has been assessed as not requiring a response from the Ecology Team.

#### **Revised comments following submission of an amended site plan:**

Whilst on the initial consultation, no response was received from Ecology, on the subsequent consultation following the red line change, Ecology did provide comments and raised no objections subject to conditions and an informative.

#### **7.8 Naseby Parish Council**

No response received.

#### **7.9 WNC Highways Officer**

No objections – response is the same as the previous comments.

#### **7.10 WNC Design Officer**

No objections and that previous comments still apply.



**7.11 Environmental Health Officer**

No response received.

**7.12 Archaeological Officer**

Same comments as previously made.

**8 RESPONSE TO PUBLICITY**

8.1 No neighbour or other third-party responses received at the time of writing this report.

Site notice expired 11/06/2024

**9 APPRAISAL**

Principle of Development

- 9.1 West Northamptonshire JCS policy SA sets a presumption in favour of sustainable development. S1 seeks to concentrate development in and adjoining the principal urban area of Northampton.
- 9.2 Policy S1 (C) and (D) of the Joint Core Strategy states that the development needs of rural areas will also be provided for and new development in rural areas will be limited with the emphasis being on enhancing and maintaining the distinctive character and vitality of rural communities.
- 9.3 Policy R1 of the Joint Core Strategy requires residential development in rural areas to satisfy a number of criteria. As the rural housing requirement (as set out in the plan) has been reached, further housing development will only be permitted where it can be demonstrated that the proposal would result in environmental improvements (e.g. which involves best practice design) and/ or is required to support the retention of essential local services, and one of the other criteria (iii – v) would need to be met.

The proposal seeks to introduce a dwelling of exceptional design and architectural quality and which at the same time would introduce a feature within this open countryside location that overall enhance the site and wider surroundings.

Therefore, providing the proposal is considered to meet the highest standards of design and architecture and would relate well to the context of the site and enhance the immediate setting, then the proposal could be considered to satisfy the exceptional circumstances set out by Policy R1 of the Joint Core Strategy (criteria i).

Criteria ii) of Policy R1 requires development to support the retention of or improvement to essential local services that may be under threat (in particular local primary school or primary health services). However, no evidence has been put forward to establish that there are any essential local services under threat that would need to be supported by the proposal. In any event, the proposed development is unlikely to be sufficient to support the retention of or improvement of such services,

due to its limited scale and nature. With regard to criteria iii) to v), whilst the applicant prior to the submission of the previous application had entered into pre-application discussions with the Local Planning Authority, it is questionable as to whether such consultation would satisfy criteria iii) which requires proposals to be “informed by an effective community involvement exercise”.

The proposal site is not a rural exception site and the proposed development has not been agreed through an adopted neighbourhood plan. Therefore, whilst the proposal complies with criteria i), it fails to satisfy criteria iii-v, the proposal fails to satisfy Policy R1 of the Joint Core Strategy.

- 9.4 Policy RA6 of the Part 2 Plan sets out the types of development which will be supported in the open countryside outside the confines of villages and the proposal complies with criteria iii) for “Individual dwellings of exceptional quality or innovative design”.
- 9.5 Given the above analysis, it is considered that whilst there is conflict with the above policy, given that the proposal relates to a dwelling of exceptional design under Para 84 of the NPPF within this countryside location then the principle of development should be supported as it is considered to be in accordance with Policy RA6 of the Settlements and Countryside Local Plan (Part 2). This policy can be given greater weight, as it is the most recent adopted development plan.
- 9.6 Under Section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 9.7 Therefore, although the proposal is in conflict with Policy R1, the proposal should be resolved in favour of the most recent adopted policies in the Part 2 Local Plan, ie Policy RA6, as the weight to be given to Policy R1 would be reduced.
- 9.8 Furthermore, the proposal satisfies Paragraph 84 of the NPPF which advises that planning policies and decisions should avoid the development of isolated homes in the countryside unless in exceptional circumstances and this includes the provision of a dwelling by which the design is of exceptional quality (Criteria e). Paragraph 84 of the NPPF defines ‘design of exceptional quality’ as “it is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.
- 9.9 The advice received from the relevant design expert, WNC Design Officer, confirms that the proposed dwelling satisfies Paragraph 84e of the NPPF and therefore, the principle of the development is regarded to be acceptable.
- 9.10 Naseby is identified as a ‘Secondary Service Village’ (SSV) in the Part 2 Local Plan by which development proposals would be considered against Policy RA2 of the Plan. SSVs are defined as settlements having a more limited range of services, but still provide scope to meet local needs for housing, employment and service provision

(5.2.01 of the Part 2 Local Plan). The application proposes development outside the village confines, as defined by the Part 2 Local Plan and therefore any development would need to comply with Part B and Part C of Policy RA2.

- 9.11 Part B of Policy RA2 sets out that development outside of the village confines will only be acceptable in the circumstances i) to iv). However, the proposed development would comply with criterion i) as the Council does not have a five year housing land supply as highlighted in the recent appeal ref. APP/W2845/W/23/3318366 relating to Land East of Brington Road, Flore where the Inspector concludes that the Council fails to have a sufficient supply of housing. The proposal is not for a dwelling to meet a local housing need identified through an up-to-date Housing Need Survey, and therefore, the proposal would not meet criterion ii). It has not been demonstrated that the proposal is required to support an essential local service(s) that may be under threat and the proposal is not for economic development. Therefore, the proposal would not satisfy criteria iii) and iv) and would not meet any of the exceptional circumstances for development to be allowed outside of village confines, however, the proposal will conform to Policy RA6 as demonstrated below.
- 9.12 For development *within or outside* settlement confines, Part C of Policy RA2 requires development to i) be of an appropriate scale relative to its role as a SSV 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”*; iv) *“protect the integrity of garden and open land that makes an important contribution to the form, character and setting of the settlement”*; and vii) *“protect the amenity of existing residents”*. Part D of Policy RA1 states that development that is provided for in a made neighbourhood development plan will also be supported. However, this criterion is not relevant to this proposal as Naseby does not have a Neighbourhood Plan.
- 9.13 Policy RA6 of the Part 2 Local Plan recognises the intrinsic character, beauty and tranquillity of the open countryside and in order to achieve this, the policy sets out that only certain forms of development will be supported. The proposed dwelling has been submitted in an attempt to satisfy criterion iii) of RA6 which allows “Individual dwellings of exceptional quality or innovative design” to be provided.
- 9.14 The National Planning Policy Framework 2024 (NPPF) advises that planning policies and decision should ‘achieve appropriate densities’ and “the desirability of maintaining an area’s prevailing character and setting” (Paragraph 129 d of the NPPF), and consider the effect of development proposals on both the natural, built and historic environment (i.e. Section 12). Therefore, while the NPPF gives general support for promoting effective use of land for providing housing to meet local housing needs, the proposal would also need to be assessed in terms of the impact on the local area, including natural environment, highway safety and all other material planning considerations would need to be satisfied.
- 9.15 Furthermore, Paragraph 12 of the NPPF states that the development plan should be used as the starting point for decision making and *“Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that*

*form part of the development plan), permission should not usually be granted", (NPPF, Paragraph 12).*

- 9.16 In order to comply with Policy RA6 and Paragraph 84 and justify new-build development in this location in the open countryside, it would need to be demonstrated that the proposed dwelling is of an exceptional quality and would satisfy the criteria set out in Paragraph 84 e) of the NPPF.

Whether the proposed dwelling would qualify as a dwelling of exceptional design and impact on character and appearance of the area and impact on the landscape

- 9.17 From the reports accompanying the application, it is noted that the Agent/ Applicant has entered into discussions with The Design Review Panel (DRP) , following the previous refusal, initially on 16<sup>th</sup> August 2022 and the scheme has evolved following the discussion with DRP and with the WNC Design Officer at the application stage. In the DRP's latest correspondence dated 21.09.2023, the design panel considered the scheme to have potential to meet the criteria of Paragraph 84.
- 9.18 The DRP goes on to state that the 'stated aspirations for the project continue to be supported. Whilst the extremely high bar that is required to meet the criteria set out for paragraph SO(e) of the National Planning Policy Framework (NPPF) is noted, it is felt the site offers an exciting opportunity to produce a paragraph BO(e) compliant proposal.
- 9.19 It is evident that considerable and commendable progress has been made, and it is considered that the proposals have significantly improved, since the previous design review panel session. The Panel supports the design approach being undertaken and the thoroughness of the documentation, rich in detail and extensive in its content, which underscores the project's commitment to ensuring a depth of understanding and a comprehensive outstanding design approach'.
- 9.20 The views of the DRP considered that the design of the dwelling and its landscape setting satisfy the criteria set down in paragraph 84 of the NPPF. Due to the landscaping that will surround the dwelling, views of the dwelling will be limited to largely within the site only so that the dwelling is not overly visible from the streetscene. The Landscape Officer did not comment on the proposal however, in landscape terms and subject to managing the construction phase of the development so that the trees are protected during construction, the proposal is considered to be acceptable.
- 9.21 Additionally, the WNC Design Officer commented on the proposal and stated: 'I really appreciate the contemporary vertical fenestration style, with its long openings that capture abundant natural light and offer stunning views of the landscape, while also complementing and balancing the materials used in the building.

- 9.22 The top view plan of the proposed building aligns well with the concept and vision. The circular flow of the building is not only aesthetically appealing but also reinforces the design concept effectively.
- 9.23 If the circular form started at a lower level and gradually ascended as it curves, like a Fibonacci spiral found in nature, it would better align with the design concept and enhance the relationship between the massing and the circular flow'.
- 9.24 However, the Design Officer was of the opinion that the garage block did not fit in well within the proposal and that the applicants should consider replacing the egg-shaped structure with something that complements the dwelling's design and effectively translates the vision and concept and that the materials of the building are currently difficult to visualize. She stated 'I would appreciate some realistic rendered elevations or views to better understand the details of the materials used and how they appear in the design'.
- 9.25 The Design Officer felt that the current scheme is successful overall but doesn't quite meet the threshold of exceptional. With a few changes to better reflect the core concept and reconsider elements that weaken the design, it has the potential to reach that level.
- 9.26 Following these comments, the Applicants submitted amended plans and details that omitted the garage element and sculpture and the Design Officer concluded that the 'The design is of the highest quality, and with the use of high-quality materials, it is both achievable and sustainable' and hence the proposed dwelling comfortably falls within the scope of a para 84e dwelling.

Overall, due to the above it is considered that the proposed development satisfies the criteria set out in paragraph 84 of the NPPF in that it is considered to be of exceptional quality, in that it:

Is truly outstanding , reflecting the highest standards in architecture; and Would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. This view did not change following an amended site location plan that reduced the overall area of the red edge to less than one hectare.

#### Residential amenity

- 9.27 There are no neighbouring properties affected by this proposal as there are no residential dwellings within close proximity of the application site.

#### Highway safety

- 9.28 The application seeks to re-use the existing informal agricultural access opening and to create a formal access point to the serve the proposed dwelling from Cottesbrooke Road. The highway impacts of this proposal has been assessed by the Local Highway Authority (LHA). The LHA does not object to a new vehicular access being formed in the proposed location, as drawings were supplied by the Agent/ Architect to demonstrate that adequate visibility splays could be achieved for the access.
- 9.29 Adequate off-road parking and turning areas would be provided to serve the proposed dwelling on site.

## **Landscaping**

- 9.30 Following the red line amendment, the WNC Landscape Officer has recommended that a 10 year maintenance/replacement of the planting should be included rather than a 5 year as is normally the case. This is to ensure that the proposed landscaping will not only enhance and blend in with the wider countryside but will also help to screen the dwelling from the streetscene. The landscaping condition has been included that reflects the Landscape officer comments.

## **10. OTHER MATTERS**

- 10.1 **Flood Risk & Drainage** – The application site lies on Flood Zone 1 and no significant issues have been identified. However, a condition requiring the details of the proposed drainage scheme will be included in the planning permission to ensure that no undue flooding issues result from the proposed development
- 10.2 **Impact on Trees** – No significant issues have been identified from this proposal. The retention of the existing hedgerows on the eastern boundary of the site and the proposed landscaping scheme would help promote biodiversity and net gain and would contribute to the enhancement of the countryside location as well as help screen the proposed dwelling from the streetscene thereby reducing any visual impact from the proposal.
- 10.3 **Other Design Guidance/ Policies** – The Naseby VDS sets out a list of ‘Guidelines - Development (DV)’ which should be applied to development and of relevance to this proposal is guideline 4) this states “*Any proposed development should clearly demonstrate that due consideration of the wider context of the site within the village fabric and framework has been undertaken. This should be evidence by the provision of a Design Statement setting out how the proposal has incorporated the VDS guidelines and principles*” (Page 15).
- The National Design Guide 2019 (Paragraphs 20-21) advises that well-design places are unlikely to be achieved by focusing on the appearance, materials and detailing of the buildings. It comes about through making the right choices at all levels, including the layout, the form and scale buildings, their appearance, landscaping, materials, and their detailing. In addition, there needs to be an understanding of the context, history and cultural characteristics of a site, neighbourhood in order to create a positive sense of place to help foster inclusion and community cohesion and in order to integrate development into their surroundings so that they relate well to them (Paragraphs 37 – 39).
- 10.4 **Provision of Energy Efficient/ Eco-style Dwelling** – The proposed dwelling has the potential to be built using sustainable construction methods, incorporate various energy efficiency measures and would have a green-roof. It is therefore considered to confirm to policy S10 of the Joint Core Strategy.
- 10.5 **Community Infrastructure Levy (CIL)** – The proposal incurs residential development and would be CIL liable. The relevant CIL forms have been received and Self-build Exemptions has been claimed.

- 10.6 **New Homes Bonus** – It is recognised that the proposal would contribute towards the new homes bonus.

## 11 CONCLUSION

- 11.1 Full planning permission is sought for a new dwelling in the open countryside, outside the village confines of Naseby. The application site, within the amended reduced red line is accessed from an existing private access off Cottesbroke Road. Proposals such as this need to be considered as an exception to the normal presumption against approval of new dwellings within the open countryside under bullet 'e' to Paragraph 84 of the National Planning Policy Framework 2024, which allows scope for new free-standing country houses of exceptional design concept and quality, particularly those which are proposed within an appropriate landscaped setting and which respond well to their context.
- 11.2 The application site lies outside the village confines and on balance the proposals are considered to be acceptable under the provisions of NPPF Paragraph 84e and RA6iii of the Part 2 Local Plan relevant local policies given the exceptional quality of the design concept and detailed proposals.
- 11.3 After undergoing a design review the proposal is considered to meet the tests of paragraph 84e and proposes a dwelling that is of exceptional design with existing and proposed landscaping that will not only create a soft edge to the proposal with regards to any visual impact from the streetscene but will also help enhance the countryside location that the site lies in. Therefore, although contrary to the residential policies of the West Northamptonshire Joint Core Strategy and the Settlements and Countryside Local Plan (Part 2), the principle of the development is considered acceptable in this instance due to the exceptional design of the dwelling. With the use of appropriate conditions, the proposal will be acceptable in terms of visual and residential amenity, landscape and highway impacts.
- 11.4 In applying the relevant policies in the NPPF the proposal is considered to accord with Policies S1, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies RA6, ENV1, ENV2, ENV4, ENV5, ENV7, ENV9, ENV10 and ENV11 of the Part 2 Local Plan.

<b>Case Officer</b>	Nisar Mogul	<b>Date</b>	10/06/2025
<b>Authorising Officer</b>	Chuong Philips	<b>Date</b>	24/06/2025