

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 17/12/2013</b>	<b>Item No: 5.11</b>
<b>Report Originator</b>	<b>Alan Davies Development Officer</b>	<b>Application No: KET/2013/0731</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>56 Church Street (Land adj to), Broughton</b>	
<b>Proposal</b>	<b>Full Application: 1 no. dwelling with access</b>	
<b>Applicant</b>	<b>Mr &amp; Mrs L Manning</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

Provided no additional comments are received by 19/12/2013 that raise different issues to those considered, that Members agree to delegate this application to the Head of Development Services and for the application to be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. Due to the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out.

Development on land affected by contamination:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

A. Site Characterisation

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

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

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

#### B. Submission of Remediation Scheme

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

#### C. Implementation of Approved Remediation Scheme

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

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

#### D. Reporting of Unexpected Contamination

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

#### E. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed in advance, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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.

REASON (common to all): 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 Section 11 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the recording of any items of archaeological interest in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure the palette of materials does not have a detrimental impact upon the setting of the Grade II\* listed St. Andrew's Church in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. All external walls to be constructed in natural stone shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed

on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

REASON: To ensure the development does not have a detrimental impact upon the setting of the Grade II\* listed St. Andrews Church in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place on site until full details of all windows, doors, verge and eaves detailing, on drawings at a scale of no less than 1:5, and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure the development does not have a detrimental impact upon the setting of the Grade II\* listed St. Andrews Church in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. No other development shall commence until visibility splays of 2 metres by 2 metres have been provided at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

9. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To preserve the character of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

10. No development shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development [building] shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenities and privacy of the neighbouring property in the interests of amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, D and E of Part 1 of Schedule 2 of the Order shall be erected on the application site.

REASON: To protect the character of the area and the setting of the Grade II\* Listed Church in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

12. No works shall commence on site until a scheme to secure the safety, stability and appearance of the stone boundary walls, which are to be retained, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall, where appropriate, include measures to strengthen the walls and/or provide protection against the weather during the progress of the works. Thereafter the works shall not be carried out other than in accordance with the approved details. Any works of repair necessary to the stone walls shall be carried out in materials to match the existing prior to the occupation of the dwelling hereby approved.

REASON: To ensure the preservation of the boundary walls to protect the character of the area and the setting of the Grade II\* Listed Church in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2013/0731**

This application is reported for Committee decision because it is a prominent site within the village of Broughton and its impact upon the Grade II\* listed St. Andrew's Church requires due consideration.

### **3.0 Information**

#### **Relevant Planning History**

KET/2013/0224 – Erection of 1 dwelling with access. Approved 07/05/2013.

#### **Site Description**

Officer's site inspection was carried out on 25/11/2013.

The application site is a grassed area to the east of Church Street and in the front of St. Andrew's Church, Broughton. The Church to the east is Grade II\* Listed and the surrounding area is a historic part of Broughton. There is a line of mature trees and dense vegetation within the graveyard of the Church along its boundary with the site which limits views into and from the application site. Opposite the site is the Grade II Listed Holly House and there are a further three Grade II Listed properties in Church Street. Directly to the west is St. Andrew's Court, a latter-half twentieth century residential home constructed of buff brick.

The ground level in this location rises significantly sloping upwards towards the Church from the access to the site. There are no buildings with the application site but to the front and side of the site (western and southern boundary) there is an existing historic stone retaining wall which is a mixture of coursed-rubble limestone and ironstone. To the side of the site facing onto this wall there is a public right of way, which runs adjacent to the southern boundary of the site.

#### **Proposed Development**

It is proposed to construct a single storey dwelling with access. The front elevation will appear as 3 separate elevations with mono-pitch roofs above. It will be constructed of ironstone (sample submitted with the application) and cementitious boarding. The wall at the front of the site will be carefully rebuilt.

#### **Any Constraints Affecting the Site**

Setting of the Grade II\* Listed St. Andrew's Church  
Public Right of Way

### **4.0 Consultation and Customer Impact**

#### **Parish Council**

Awaiting comments.

## **Broughton Parochial Church Council (PCC)**

Support the proposal with some caveats:

- PCC reserves the right to object to any post-approval alterations.
- PCC seeks indemnity towards any disturbance to the foundations and walls between the site and the Church.
- PCC seeks indemnity against the ingress of roots from trees within the Churchyard on the North and East boundaries.
- Also reserves the right to object to any proposals that reduce the number of on-street parking spaces.

## **Neighbours**

Awaiting comments.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 12. Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **North Northamptonshire Core Spatial Strategy**

Policy 1. Strengthening the Network of Settlements

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

#### **Local Plan**

RA3. Rural Area: Restricted Infill Villages

#### **SPGs**

Sustainable Design SPD

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of development
2. Impact on the setting of neighbouring Listed Buildings
3. Design, character and appearance
4. Amenity
5. Highways, access and Car Parking
6. Contamination
7. Sustainable Design
8. Other matters

## 1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine applications in accordance with the Development Plan if regard is had to the plan, unless material considerations indicate otherwise. In this case saved Policy RA3 of the 1995 Local Plan for Kettering Borough states that planning permission will only be granted for new residential development in restricted infill villages, of which Broughton is one; where the proposal falls within the village boundary. It is within the boundary of the village and not only that but the proposal must be in character with the surrounding area; does not involve the development of open space; accords with all other policies; and takes account of the requirement to conserve energy. It is considered that this proposal satisfies all of the requirements of Policy RA3.

In addition to Policy RA3 of the Local Plan of the North Northamptonshire Core Spatial Strategy, in particular Policy 1 directs development in rural areas to within village boundaries. The application site lies within the designated settlement boundary for Broughton, with other residential properties to the north and south of the application site. Development within settlement boundaries is usually considered acceptable in principle subject to compliance with all other relevant policies and material planning considerations as discussed in further detail below. The proposal is therefore considered to accord with the Development Plan as required by Section 38(6) of the 2004 Act.

## 2. Impact on the setting of neighbouring Listed Buildings

Section 66(1) of the Planning and Listed Buildings Act 1990 places a duty on all Local Planning Authorities to have special regard when considering whether or not to grant planning permission to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

The application site is located within the setting of the Grade II\* Listed St. Andrew's Church. The significance of the Church is derived both from its architectural and historic interest. Therefore any proposal must not detract from either the architecture or history of the Church or its setting. Historically, as identified in the applicant's own Design and Access Statement and Heritage Statement, there were modest ironstone cottages that stood on this site. Permission for a new dwelling reflecting the design and character of the previous cottages was granted earlier in 2013 under permission KET/2013/0224 and significant consideration was given to both the principle of the dwelling and the previous design of the proposal. This extant permission is a material planning consideration in determining this latest proposal, which incorporates a design that strongly contrasts with that previously approved.

The latest design is for an ultra-modern, sustainable, environmentally-friendly, energy-efficient single storey dwelling. Unlike the previous design it does not seek to imitate the traditional, historic character of the cottages that once stood on the site, but instead seeks to blend high quality modern architecture with robust vernacular materials such as locally-sourced ironstone, a sample of which has been submitted with the application, to ensure that the dwelling does not compete with the Church and its setting, but does acknowledge that it is part of Broughton and is built from materials that are characteristic of the historic dwellings within the village.



From the centre of the road on Church Street to the most eastern part of the site the land rises significantly towards the Church. The highest point of the proposed dwelling would be the ridge of the central element, which would be at a height of 9 metres when measured from the existing footpath. This could have a dominant impact upon the setting of the Church if it was a solid horizontal block of roof or if the proposal was two storeys high. However, because the site not only continues to rise up towards the Church which ensures that the Church will still dominate the proposal and its setting, but the design of the dwelling ensures that the left side and central elements, when viewed from Church Street, form a v-shape which maximises views towards the spire of the Church.

Granted, in some planes, particularly when viewed from locations on Church Street to the southwest, views towards the lower part of the tower will be interrupted by the ridge of the central element of the proposal, but as one moves along Church Street or the public footpath at the side of the Church (south elevation) the tower and spire of the Church will become more visible. A finished floor levels condition is proposed to ensure that the development does not have an unacceptable floor level which would affect the setting of the Church. When looking from the north of the proposal site in a southern direction, particularly when stood in the graveyard to the front of the Church, the mature, dense vegetation in the Churchyard will further protect the setting of the Church and views to and from it. The proposed north elevation of the dwelling will be almost entirely hidden from view from within the curtilage of the Church due to the level of existing vegetation.

The Heritage Assessment submitted with the application considers that the visual impact of the proposal upon the setting of St. Andrew's Church will be *less than substantial harm* as defined in Paragraph 134 of the National Planning Policy Framework. This is based on the assessment of the new dwelling having a striking modern appearance that may compete with the existing Church. As such the impact of the proposal, according to the assessment undertaken as part of the applicant's own Heritage Statement, is that 'it will lie somewhere between moderate and slightly adverse due to a partial alteration or slight change of the assets setting leading to the partial loss or reduction in the significance of the asset'. It is considered that this assessment is overcautious as the proposal will, at worst, have a slightly adverse impact upon the setting of the Church. The setting will remain largely unaltered due to visual boundaries such as historic walls and mature vegetation around the Church and when views towards the Church are taken into account the further one gets from the application site the greater the impact of the Church and the less the application property becomes noticeable.

To the northwest of the site is the Grade II Listed Holly House and to the south is 54 Church Street, also Grade II Listed. These two dwellings are ironstone properties, set back from the public highway and the application site. Subject to the materials used in the construction of the proposed dwelling being sympathetic to this historic area of Broughton then the proposal is not considered to have an unacceptable impact on the significance or setting of the three surrounding Listed Buildings in accordance with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

### 3. Design, character and appearance

The application site lies within the proposed Broughton Conservation Area which identifies this site as having stone boundary walls of significance. In addition the area is considered to be one of the more historic parts of the village providing views towards the Church of St. Andrew's, one of the most significant historic buildings within Broughton with a spire visible from at least 250 metres away, even further in certain directions. In addition, the site is also an important green space within the Conservation Area, although the document does explain that the site was historically the location of several two storey ironstone cottages and therefore the principle of a dwelling in this location is not an alien concept for this important historic area. In contrast to the previously granted permission for this site this latest application seeks to retain the historic rubble-stone boundary wall at the front and side of the site, although it will be rebuilt to ensure its structural integrity.

This site is identified in the emerging Site Specific Proposals LDD Options Paper as Historically and Visually Important Open Space (HVI). These HVI open spaces are considered to provide the setting, form or character for a particular settlement. In this particular case due to the verdant nature of the site it is often considered as part of the setting of the Church. However, historically this site is out of both the physical curtilage and the designated listed curtilage of the Church. The quality of this open space is undermined as it is often overgrown with limited vegetation. The area is discussed as part of the emerging Conservation Area and reference is made to the historic dwellings that once stood on the site.

The proposal, which will be sited adjacent to the public highway, will follow the pattern of development of the majority of historic buildings in Broughton which is identified in the emerging Conservation Area Appraisal. Whilst part of the dwelling will be set back the inclusion of the existing historic rubble-stone wall at the front of the site, the use of ironstone in the construction of the property and the southern element of the proposed dwelling will reflect the historic layout of many of the properties along Church Street that abut the highway, although this dwelling takes some influence from properties such as Ratcatcher's Barn, 54 Church Street and 62 Church Street, which all have a small front courtyard rather than a suburban, domestic, grassed, front garden.

A high quality modern design that incorporates both modern materials and high quality historic materials that are specific to the village of Broughton will have a positive impact on this part of Broughton. It is considered that this proposal will not have a detrimental impact on the significance or setting of the Church as the architecture employed is honest – it does not try to compete with the Church in terms of style, detailing, materials, proportions or mass. It is designed to encourage inter-visibility through from Church Street and towards the spire of the Church, reflecting the fact that it is the Church and its tower that are the dominant structures in this area. The modern design does not attempt to create a pastiche and replicate something that may or may not have previously stood on the site, but instead attempts to create a striking contrast that will leave no doubt as to what is the significant historic structure.

The setting, and the approach to the Church, will retain its character by virtue of the single storey nature of the proposal, the mono-pitch roofs and the mature vegetation between the north boundary of the site and the graveyard. The public right of way, on the south elevation of the site, is also an approach to the Church and this elevation will largely be blank. The combination of the ironstone wall with boarding above and a low eaves height which shrinks from 4 metres to 2 metres as one moves west to east from the street along the public right of way. This will give the impression to those accessing the Church from the public right of way that this elevation hides nothing more than a simple single storey structure – again allowing the spire of the Church to dominate the space as it does so now. The north and east elevations of the proposal will largely remain hidden from view. The north elevation, as discussed above, will be screened by the boundary wall of the graveyard and existing mature vegetation. The east elevation will be screened by an existing rubble-stone wall and the fall of the ground levels towards Church Street will ensure that all visitors to the Church will see will be glimpses of the Welsh slate roof.

Both the emerging Broughton Conservation Area Appraisal and emerging Site Specific Proposals are material considerations in the determination of this application, although as emerging documents at present they have limited weight. The latter does not put this site forward for development, though the principle of development was agreed through the earlier application. The proposed design is a striking departure from that approved under KET/2013/0224. It is of a similar height in that the approved ridge height of the tradition design would have measured 8 metres in height from the footpath, whereas the ridge height of this proposal will be 9 metres. However, unlike the design previously approved, the three mono-pitch roofs give the sense of three separate elements that break up the mass and bulk of the structure allowing more, not less, views of the Church tower and spire. The previously approved design was for a two storey dwelling, whereas this proposal is a single storey design. Whilst it will be taller than a standard single storey dwelling it does have a horizontal emphasis which again will lessen its visual impact and contrast strongly with the verticality of the Church and its dominant spire.

The contrast between the proposed dwelling and the Church will ensure the proposal is not confused as a modern Rectory or similar, but appears as a dwellinghouse, just as the dwellings that once stood on this site appeared to be. In order to ensure that this is the case conditions are proposed to ensure the materials used are appropriate to this location and that the details such as fenestration and rainwater goods enhance the design. It is considered that the proposal will enhance this area and the street scene and if it were part of an already adopted Conservation Area it would enhance the character and appearance of the area as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, the proposal is considered to accord with Sections 6 and 7 of the National Planning Policy Framework in respect of design and providing a wide variety of housing and Policy 13 of the North Northamptonshire Core Spatial Strategy.

#### 4. Amenity

The closest residential property is 56 Church Street to the southeast. It is on higher ground than the proposal and approximately at least 10 metres away from the proposed east elevation of the dwelling. It is therefore sufficiently distanced from this

and all other surrounding neighbouring properties so as not to have an impact on their amenity, whether that be in terms of loss of light, overbearing impact or loss of privacy. The close proximity of the Church to the dwelling is obvious to anyone wishing to occupy the proposed building and it is considered that the use of the Church either for worship or other community activities is not a reason to refuse planning permission, nor is it likely that the use of the Church for worship would have a detrimental impact upon the amenity of the occupants of the proposed dwelling. The proposal is therefore considered to be in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of residential amenity.

#### 5. Highways and access

It is considered that the proposed access is sufficient, with adequate parking and turning provided within the site. The plans submitted with the application also demonstrate that sufficient vehicular and pedestrian visibility splays that accord with Northamptonshire County Council's Highways Standing Advice for Local Planning Authorities will be provided. A condition requiring these splays to be retained is proposed and provided that this condition is adhered to the proposal will be acceptable in terms of its impact on highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

The Parochial Church Council has raised concerns about additional activities at the Church resulting in a requirement for additional on-street car parking and pedestrian movements associated with the Church. They do not object to the proposal but they do wish to make it formally known that the existing on-street parking provision must be retained. The creation of a new access to the site will remove two car parking spaces from the street, but the large on-site parking and turning area proposed for this new dwelling should not, other than in exceptional circumstances, result in a requirement for on-street parking. The proposal will have a wide street frontage along with the street frontage to the Church and therefore a sufficient amount of on-street car parking will remain to the benefit of the Church. The proposal is therefore considered to be in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

#### 6. Contamination

Due to the underlying geology present throughout Northamptonshire which contains unacceptable levels of naturally occurring contaminants, including arsenic and vanadium, a full ground investigation will be required to prevent risk to future occupants of the site. A condition is proposed for a phased study requiring mitigation measures to be carried out where necessary. Subject to the imposition of this condition it is considered that the proposal will accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in terms of risk of contaminants arising from the development of the existing site.

#### 7. Sustainable Design

Policy 14 of the North Northamptonshire Core Spatial Strategy requires new development to meet the highest standards of resource and energy efficiency and to help towards and an overall reduction in carbon emissions. The policy requires all proposals for new development to demonstrate how they are intending to incorporate techniques of sustainable construction and energy efficiency. In addition, they must also make provision for waste reduction and recycling and for water

efficiency and water recycling. In this particular case the applicant intends the dwelling to not only be a design exemplar, but also highly sustainable and to achieve Level 4 of the Code for Sustainable Homes. Considerable amounts of information has been submitted with the application that demonstrates how this will be achieved and the measures that will be incorporated to ensure that the dwelling is highly efficient, requiring low energy input and will be highly sustainable. It is this aspect of the proposal that is considered to outweigh any perceived negative impact upon the setting of the Grade II\* Listed Church from such a modern, distinct design.

In terms of assessing the sustainability of the design the applicant has submitted a thorough Design and Access Statement with the proposal. It acknowledges the fact that this proposal does not seek to follow the existing architecture of the surrounding area, but will be locally distinct whilst at the same time being in proportion to surrounding development. In this respect Paragraph 60 of the National Planning Policy Framework states that Local Planning Authorities should not seek to impose architectural styles or particular tastes in order to promote local distinctiveness. As Local Planning Authorities should not seek to stifle innovative design, which this proposal clearly is, the design is considered to satisfy the architectural criteria of the Sustainable Design SPD checklist which requires development to be distinctive and designed with its context in mind.

There are numerous measures proposed with the application, such as grey water harvesting, the planting of a wildflower meadow in the rear garden and the use of the latest solar photovoltaic roof tiles to generate electricity that will increase the overall level of sustainability of the dwelling. The design of the roof and the use of high level windows are proposed to maximise solar gain, minimise heat loss and promote the passive circulation of air within the building. As a result the walls have very few windows, including the front elevation (although sufficient fenestration has been included to ensure natural surveillance of the front of the property). A south facing window on the roof will be visible from Church Street, which could be argued could look out of place. However, in order to achieve maximum solar gain and to ensure that the dwelling meets Code for Sustainable Homes Level 4 this window is required to maximise solar gain and minimise the need for energy-intensive heating systems. It is an example of form following function and explains why the dwelling will have an appearance that contrasts with the existing neighbouring properties.

The dwelling is designed, according to the Design and Access Statement, to use the 'Fabric First' approach. This relies on the geometry of the building along with strategically placed windows to maximise solar gain at different times of the day and a highly insulated building with levels between 10-50% better than Building Regulations values to create a very warm building that generates its warmth passively, without relying on fossil fuel-based systems. The roof design, one of the most striking architectural aspects of the design, is integral to create 'hot air reservoirs'. As a result in combination with other measures the building will exceed energy performance targets for Code for Sustainable Homes Level 4 by at least 15%. There are numerous measures identified in the Design and Access Statement that will ensure that the proposal satisfies the requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy.

## 8. Other matters

The Broughton Parochial Church Council has raised matters relating to foundations of the Church and existing trees and the need for indemnity in perpetuity with regards to these matters. These matters are not material planning considerations and therefore have not been taken into consideration in the determination of this application. However, a condition has been applied to repair any damage to stone boundary walls in matching or like for like materials as it is recognised that these contribute to the character of the area and the setting of the Church.

## **Conclusion**

The proposal is considered to enhance the character of the proposed Conservation Area, subject to conditions and is a high quality sustainable design which will make a positive contribution to the street scene. The proposal is therefore considered to accord with Policies 6, 7 and 12 of the National Planning Policy Framework, Policies 1, 10, 13 and 14 of the North Northamptonshire Core Spatial Strategy and Policy RA3 of the 1995 Local Plan for Kettering Borough. It is therefore recommended for approval.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date: