

Design & Access Statement

Proposed Single Dwelling for Multi-Generational Living (Para 79 house)
+ Landscape Enhancements and Associated Works

Oxpens, Wiggington, Banbury, Oxfordshire, OX15 4JZ



JULY 2020

(This document should be printed on A3)

CONTENTS

1.0 INTRODUCTION

- The Design Team
- The Client

2.0 ASSESSING DESIGN QUALITY

3.0 THE SITE AND SURROUNDING AREA

4.0 THE PROPOSALS

5.0 PLANNING POLICY FRAMEWORK

6.0 APPRAISAL

- Designations & Planning Considerations
- Paragraph 79 Compliance
- Be truly outstanding or innovative
- Reflect the highest standards in architecture
- Helping to raise standards of design more generally in rural areas
- Be sensitive to the defining characteristics of the local area
- Significantly enhance its immediate setting
- Conclusions on Para 79 Compliance
- Trees
- Ecology
- Flood Risk & Drainage
- Residential Amenity
- Access, Parking and Highway Safety

7.0 SUMMARY



1.0 INTRODUCTION

THE DESIGN TEAM

- 1.1 This Design and Access Statement ("the Statement") has been prepared in the light of the provisions in Section 42 of the Planning and Compulsory Purchase Act 2004, regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and good practice guidance outlined in "*Design and Access Statements: How to write, read and use them*" published by CABE. The Statement has been prepared in support of an application for planning permission for the **erection of a single dwelling for multi-generational living + landscape enhancements and associated works** specifically formulated under the policy provisions set out in paragraph 79 (criterion e) of the National Planning Policy Framework 2019 (NPPF).
- 1.2 By way of introducing the core members of the project team, the proposals have been designed by a highly competent and experienced team of experts in the landscape, ecology, arboriculture, drainage, architecture and planning fields each with individual and collective expertise in designing new houses of exceptional quality and design in different landscapes across the country.
- 1.3 The landscape consultant, **SEED Landscape Designs Ltd**, are a Landscape Institute registered practice based in Bath. Their work encompasses a broad range of projects that include private gardens, new homes, housing developments, community-focused public realm projects and education projects. The common thread running through their schemes is the creation of dynamic landscapes for people and nature, with a particular emphasis on planting and the natural environment. SEED has recently secured planning permission for a Para 79 scheme in Gloucestershire.



SEED landscape design ltd

1.4 The project architect, **Seymour-Smith Architects**, was founded by Helen Seymour-Smith in 2005 and is a Cotswolds based design-led architectural practice that delivers considered, contemporary, sustainable buildings. The practice's ambitious design approach and rigorous environmental ethos first came into the public eye when Underhill House (pictured right) featured on Channel 4's Grand Designs. This was the first certified passivhaus in England and was granted permission under an earlier iteration of paragraph 79 of the NPPF. Paragraph 79 projects are a particular speciality of the practice, who has now secured planning permission for four Para 79 house proposals and with a 100% success record.



1.5 The author of this Design and Access Statement, Rob Hughes MTCP MRTPI is a Director of **Hughes Town Planning Consultancy Ltd**, a Chartered Town Planning Consultancy based in the East Midlands who specialise in applications for houses of exceptional quality and design in the countryside throughout England. Rob has over 23 years professional planning experience and the practice has gained a reputation as Para 79 house specialists having now secured permission for **15 no. such houses in 12 no. different counties** and is regularly approached by national publications for contributions to articles on the subject, including in the *Architects Journal*, *Home Building & Renovating Magazine*, *The Daily Telegraph*, *Planning Resource*, *The Times*, *Grand Designs Magazine* and most recently *Country Life*.

COUNTRY LIFE
PPA MAGAZINE OF THE YEAR 2019 EVERY WEEK | MAY 20, 2020

Leave a lighter footprint



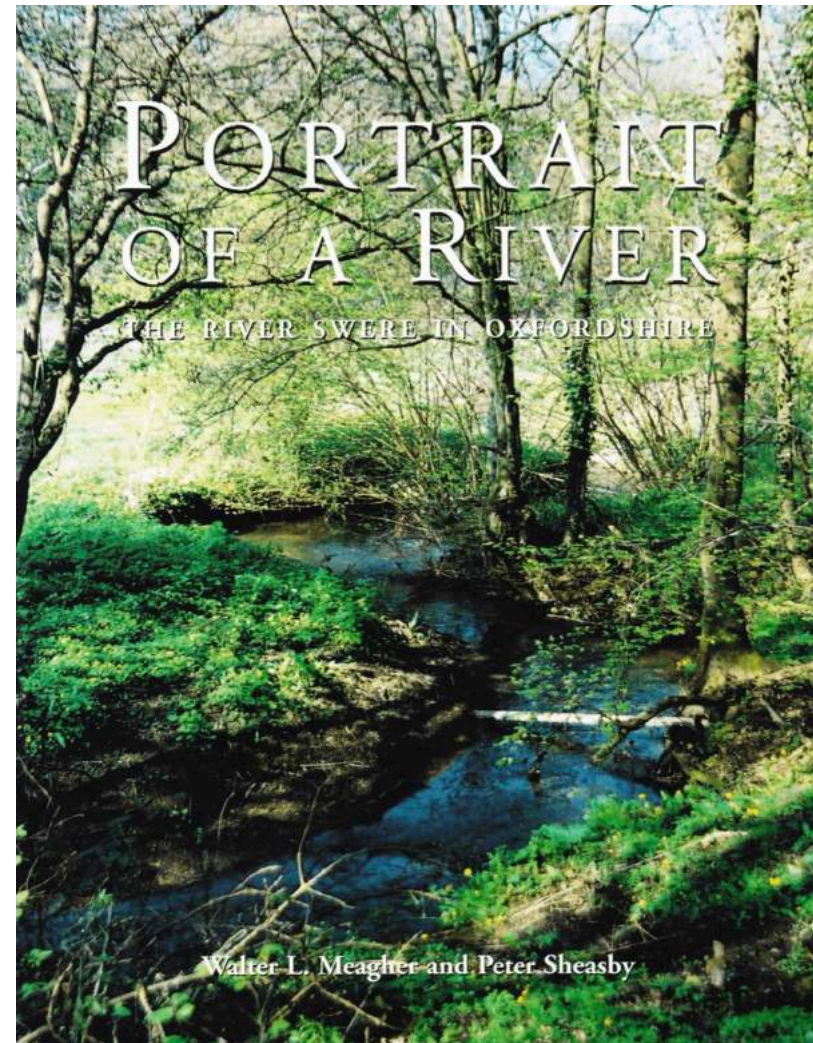
THE CLIENT

1.6 The client and future resident of the proposed development, Virginia Sweetingham, has lived in the area for 34 years, currently living at Wroxton (7 miles to the north-east of the Application Site) just outside Banbury, and raised her children in nearby Swerford (less than 2 miles south of the Site).

- 1.7 The river Swere flowed through Virginia's property at Swerford, and a nice link is that the stream running through this Application Site leads into the river Swere.
- 1.8 A book about the river Swere, "Portrait of a River", involved extensive studies on the land that she used to own at Swerford, and has been a constant source of information and inspiration for the Proposed Development throughout the design process. Virginia extensively remodelled and extended her existing house 5 years ago, and thoroughly enjoyed the process. Having created a six bedroomed / six bathroomed house so that she could accommodate all of her children when they came to stay, it became very obvious that the ideal would be to create a home where some of her children, and her beloved grandchildren, could live with her full-time whilst retaining their independence – a multi-generational house. With this in mind, Virginia had been looking for a site where she could build a house that would allow for this as well as providing the 'swallows and amazon' existence for her grandchildren, that her own children were fortunate enough to experience and enjoy.

Multi-Generational Living

- 1.9 Virginia's brief is to create a home for herself, her son Roddy, daughter Emma, and Emma's two small children. Being able to offer her grandchildren the same magical woodland setting to grow up in as her children had would be wonderful...The fundamental part of the brief therefore was for a multi-generational dwelling comprising three self-contained yet linked living environments. It was important for each to have its own entrance, living space, etc, and its own outside space - but also that this wasn't three houses, but rather one house that could be occupied in different ways and adaptable to changing circumstances. These core components of the house have underpinned the conceptual approach to design.



2.0 ASSESSING DESIGN QUALITY

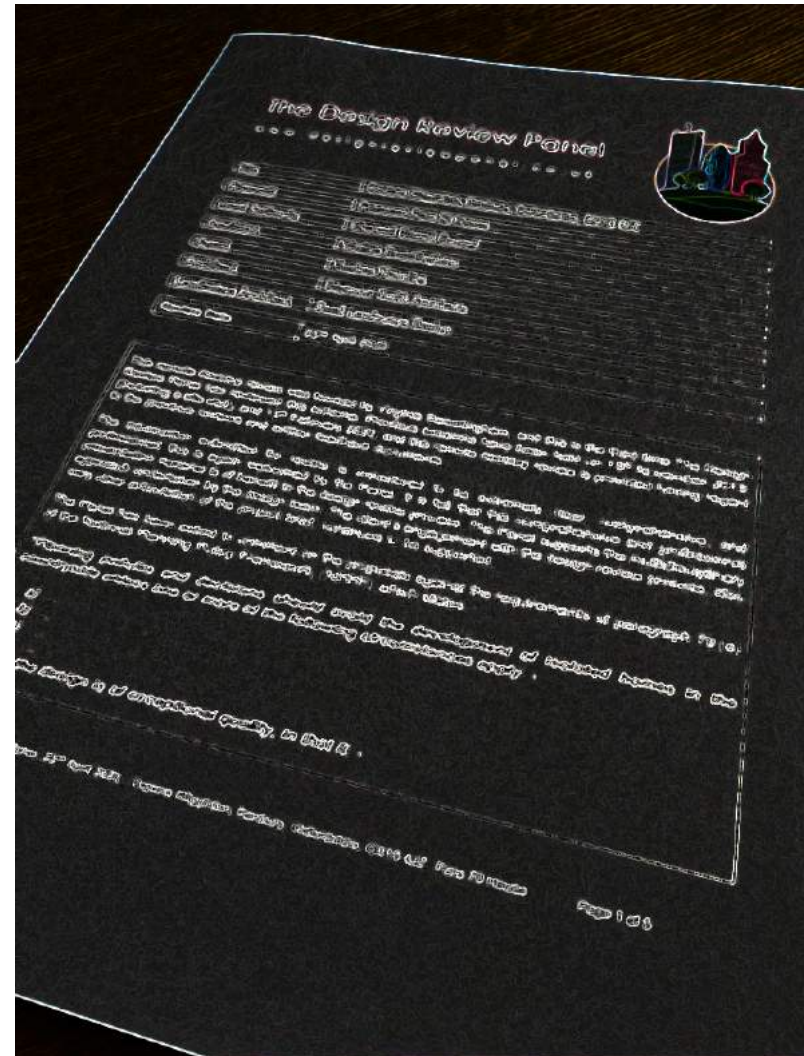
- 2.1 The proposed development has been specifically formulated under the provisions of criterion (e) of paragraph 79 of the NPPF. The provisions relate to new isolated homes in the countryside and they have existed now for over 23 years, having first been introduced into planning policy in 1997.
- 2.2 Criterion (e) is permissive of new isolated dwellings in the countryside where the design is of exceptional quality in that it is truly outstanding or innovative, 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.
- 2.3 So, how does one make an assessment of design quality? There is a common misconception that design is subjective. That it is all about likes and dislikes. Whilst 'taste' is highly subjective and will differ from one person to the other - some preferring classical architecture or Georgian architecture or contemporary architecture - the process of design is objective. There are clear processes which, if followed correctly, will result in good design. This is the basis for assessing design quality.
- 2.4 So, what makes a design exceptional? In my experience, it requires a true collaboration of disciplines and design professionals. Whilst the premise for any Para 79 scheme is a new dwelling in the countryside, often where one does not currently exist, a genuine para 79 scheme is much more than a house. It is a holistic approach to the landscape, ecology, arboriculture and hydrology within which the new house is to be integrated that results in a scheme that is not only high quality, but truly outstanding. The clear objective for each of the varied disciplines involved in the creation of the scheme is enhancement. The sum

of the whole is greater than its parts and as with all genuine Para 79 house schemes, the end result will be a house of exceptional quality set within an ecologically and landscape enhanced environment. This is the objective of the policy.

- 2.5 Having regard to the above, the applicant and design team has engaged with an independent design review panel during the formulation process both to assess and improve the design of the development. Design reviews are of greatest benefit if used during the evolution of the design, as opposed to at the end of it, and they are particularly important for Para 79 schemes where the objective is to achieve exceptional quality. This is recognised in paragraph 129 of the NPPF and local planning authorities are advised to have regard to the outcome from these processes, including any recommendations made by design review panels.
- 2.6 To this end, an earlier iteration of the landscape and design proposals was submitted to **The Design Review Panel** (www.designreviewpanel.co.uk) for independent review. The findings of the first review are contained in their initial report dated 15th November 2019. The scheme evolved further with the benefit of the Panel's comments and two additional reviews were undertaken in February 2020 and again in April 2020.
- 2.7 The Panel's conclusions from the final review are set out in the report submitted to accompany this application. Key amongst their findings is that the design of the proposal meets **all** of the criteria set out in Paragraph 79 (criterion e) of the NPPF insofar as:
- The applicant and design team have engaged with sincerity in the design review panel process.
 - The design is a well-developed proposal of the highest architectural standards, representing a truly innovative design, which promotes high levels of sustainability.

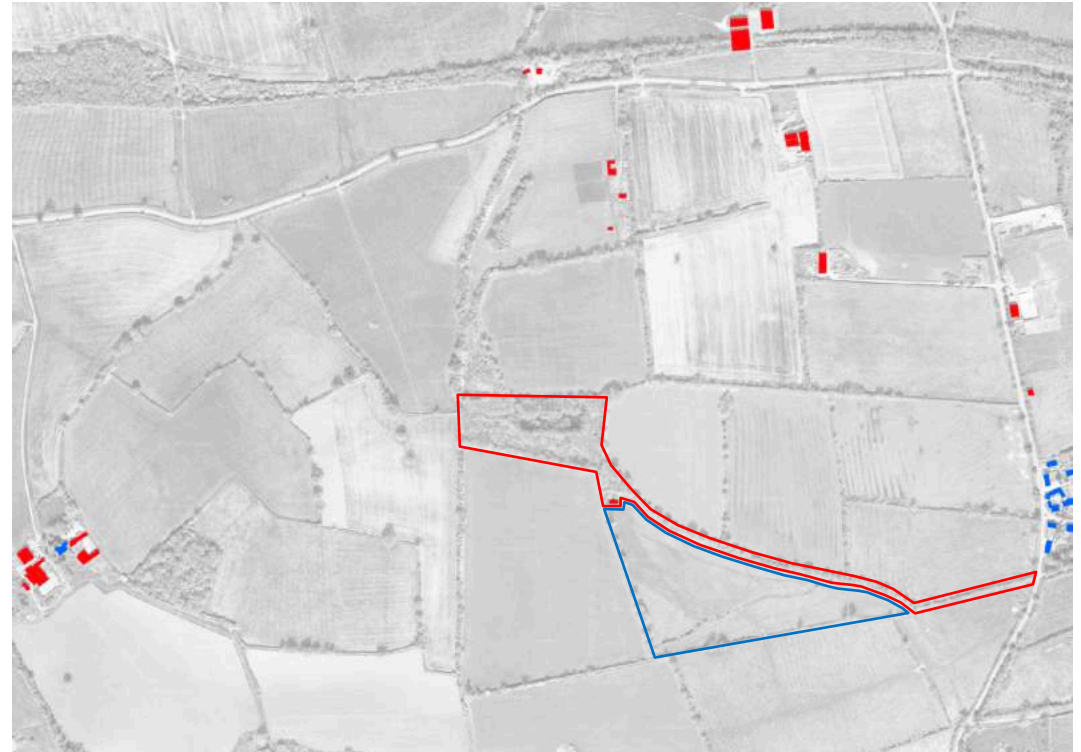
- The proposals have demonstrated that they would significantly enhance the immediate setting and are sensitive to the defining characteristics of the local area.
- Subject to a commitment to disseminate learning outcomes, the proposals will help to raise standards of design more generally in rural areas.

2.8 Having regard to the advice in paragraphs 128 - 131 of the NPPF, the expectation is that significant weight will be attributed to the quality of the overall proposals and the endorsement of its quality by The Design Review Panel in the light of the provisions in paragraph 79e) which supports new new isolated dwellings in the countryside where they are of exceptional quality.



3.0 THE SITE & SURROUNDING AREA

- 3.1 The application site is located within the open countryside, approximately 0.7km to the west of the small village of Wiggington. The site comprises an ash plantation woodland with a man-made pond set within a broadly rectangular parcel of land. Vehicular access to the site is via an unmade track (which hugs the northern site boundary) from an unnamed road that links the A361 to the south with Hook Norton Road to the north. An application was approved for the farm track on 29th June 2017 (17/00749/F).
- 3.2 The initial stretch of the track is in separate ownership (notice has been duly served and Certificate B completed) and has been laid with loose aggregate.
- 3.3 Upon arrival at the substantive part of the site, there is a redundant stone built barn, which benefits from approval under Class Q for conversion to a dwelling (18/00063/Q56). The approval was granted on 6th June 2018.
- 3.4 The application site is bounded on all sides by mature trees and hedgerows, beyond which is agricultural land. The woodland within the site is young, having been planted in the last 20 years or so by the former landowner. The planting was undertaken poorly, and the lack of an on-going and successful woodland management regime has resulted in a declining ecological environment which, with the presence of ash die-back, will eventually be lost in the absence of positive management. Similarly, the rectangular-shaped pond was ill-conceived as an ecological and environmental resource and both the woodland and pond is detrimental to the adjacent damp meadow, comprising the triangular parcel of land outlined in blue.



4.0 THE PROPOSALS

- 4.1 Full planning permission is sought for the erection of a single dwelling for multi-generational living + landscape enhancements and associated works, specifically formulated under the policy provisions of criterion (e) of paragraph 79 of the NPPF 2019.
- 4.2 In addition to the completed and signed application form and certificate of ownership (Certificate B), the plans and documentation accompanying the application are as follows: -

Seymour-Smith Architects:		
117-L-01	Site Location Plan	1:1250 @ A1
117-P-01 D	Site / Roof Plan	1:500 @ A2 / 1:250 @ A0
117-P-02 D	Ground Floor Plan	1:200 @ A2 / 1:100 @ A0
117-P-03 D	First Floor Plan	1:200 @ A2 / 1:100 @ A0
117-S-01 D	Sections A & B	1:200 @ A3 / 1:100 @ A1
117-S-02 D	Sections C & D	1:200 @ A3 / 1:100 @ A1
117-S-03 D	Sections E & F	1:200 @ A3 / 1:100 @ A1
117-S-04 D	Sections 1 & 2	1:200 @ A3 / 1:100 @ A1
117-S-05 D	Sections 3 & 4	1:200 @ A3 / 1:100 @ A1
117-E-01 E	Elevations	1:200 @ A2 / 1:100 @ A0
117-B-01 A	Barn drawings as Existing	1:100 @ A3
117-B-02 A	Barn drawings as Proposed	1:100 @ A3
117-V-01	3d studies	not to scale @ A3
SEED Landscape Design:		
OXO_002 (Developed masterplan)_Stage 3		
OXO_005 (Design Development Document)_Stage 3 (in 4 sections)		
OXO_006 (new woodland section)_Stage 3		
OXO_007 (meadow and lake section)_Stage 3		
OXO_008 (damp wood bats and birds)_Stage 3		
OXO_009 (visual assessment)_Stage 3		
Hughes Planning		
Design & Access Statement		
Ecology by Design:		
Preliminary Ecological Appraisal		
Great Crested Newt eDNA Survey Results		
National Vegetation Classification Survey		
Biodiversity Impact Calculator & spreadsheet		
Cotswold Wildlife Surveys:		
Trees and Construction BS5837 Tree Survey Assessment		
Canopy Landscaping & Arboricultural		
Tree Inspection Update June 2020		
Energy Zone		
Concepts for Heating, Power & Ventilation		
Clive Onions Consulting Civil Engineer		
Flood Risk Assessment & Drainage Strategy		
The Design Review Panel		
Review 1 - 15th November 2019		
Review 2 - 13th February 2020		
Review 3 - 22nd April 2020		

- 4.3 The proposed new dwelling would lie outside of a defined settlement and within an isolated open countryside location. The development proposals are the result of a detailed and thorough analysis of the site and surrounding area, informed by expertise in the architectural, landscape, arboricultural, ecological, drainage and planning fields.
- 4.4 The fundamental objective of the proposal was to deliver a house of exceptional quality, reflecting the highest standards in architecture whilst being sensitive to the defining characteristics of the local area, and making a significant enhancement to its immediate setting. Overlain onto these objectives was the client's brief to design and deliver a house that is suitable for multi-generational living now and adaptable to changing needs and circumstances in the future. A genuine "lifetime home".
- 4.5 The proposals are multi-faceted. The central plank of the development proposals is the creation of a highly sustainable house of truly outstanding quality of design that will further the Government's design and sustainability objectives by assisting in meeting the challenge of climate change through high quality sustainable design and construction, thereby helping to raise the standards of design more generally. Underpinning the proposals are important landscape, ecological and environmental enhancements that in combination will significantly enhance the site and its setting and the contribution that it makes to the surrounding countryside.
- 4.6 The detailed analysis of the site and area relying upon both empirical and published sources highlighted a series of key design considerations afforded by the specific landscape and environmental characteristics of the site and surrounding area. The key to understanding design, as promoted in the development plan and NPPF, is the recognition that sustainable design and good design are mutually reinforcing, and good

design is not just defined by how a building, space or place looks but whether it is responsive to context, adaptable, uses resources efficiently and delivers value over its whole life.

4.7 These characteristics will influence the siting of buildings, their form, scale, materiality and landscaping. There are a number of components of good design and achieving high quality design, which can be summarised as follows: -

- **Site Appraisal** - Maximum benefits from the site and its features can only be obtained if a full survey of the site and its setting is carried out. When the context and characteristics of the site are fully understood, a design can evolve which reflects the character of the locality, thereby enabling the development to be readily integrated into the environment.
- **Site Layout** - New buildings should make a positive contribution to the special quality of the area and their setting.
- **Massing and Form** - The form and massing of new buildings is one of the most important factors in the successful integration of new houses in established settings.
- **Materials** - Choice of materials should reflect and reinforce the character of the area.
- **External Appearance** - New buildings should be well proportioned. Genuinely creative and innovative designs should also be attractive. Contemporary designs, reinterpreting traditional forms and using local materials creatively, can add to the richness and interest of the area.

4.8 The Architectural Design Document + Landscape Design Development Document submitted to accompany this application set out in detail the site analysis and design strategies that have informed the development proposals, including consideration of

landscape, ecology, biodiversity, arboriculture, visual amenity, drainage, building location, orientation, design, materials, sustainable construction and energy generation. It will be clear by reference to these documents that considerable thought has been invested in every aspect of this environmentally-led proposal.

4.9 In architectural terms, the design of the proposed dwelling draws inspiration from the characteristics of the site and local area, including the particular landscape qualities of the woodland site and landscape. The dwelling has been specifically designed for this site in this location, following the clear principles of good design set out in paragraph 4.7. Exhaustive research of the site and its functional and physical relationship within the wider landscape and the historical evolution of the site itself have informed the design process. In addition to the house, the proposals adopt a truly integrated approach to design whereby house and landscape are combined, including the use of the existing barn to assist in site landscape management.

4.10 However, it is not only the architectural quality and landscape sensitivity of the proposals that warrant praise but the approach to its sustainable design and construction and how this is linked to a holistic approach to integrated on-site energy generation, energy conservation and water and waste management for the entire development. In this case, the exceptional quality of the proposals cannot be narrowed down to one or two aspects of the development. The exceptional quality is more far-reaching as it results from a holistic approach to design whereby the interrelationship of design, materials, siting, orientation, energy demands, energy generation, functional use of spaces, location and landscape - when taken together - would significantly further the aims and objectives of the Government's core principles for climate change, architectural design and the natural environment, as described more fully below and in the accompanying documentation.



5.0 PLANNING POLICY FRAMEWORK

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of applications under the Planning Acts should be in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2019) must be taken into account in preparing the development plan and is a very important material consideration in planning decisions.¹
- 5.2 In this case, the **development plan** comprises the following key documents: -
- Cherwell Local Plan 2011 – 2031 Part 1 (2015)
 - Cherwell Local Plan (1996) (Saved Policies)
- 5.3 The **other material policy considerations** that are relevant to the consideration of the Proposed Development comprise: -
- National Planning Policy Framework (February 2019)
 - National Planning Practice Guidance
 - Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2018)
 - Design Review Panel Reports (November 2019, February & April 2020)

¹ Paragraph 2 of the Framework

Rural housing

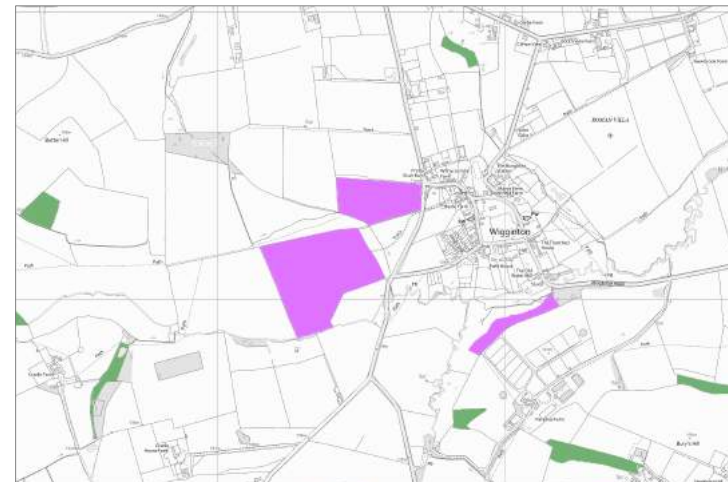
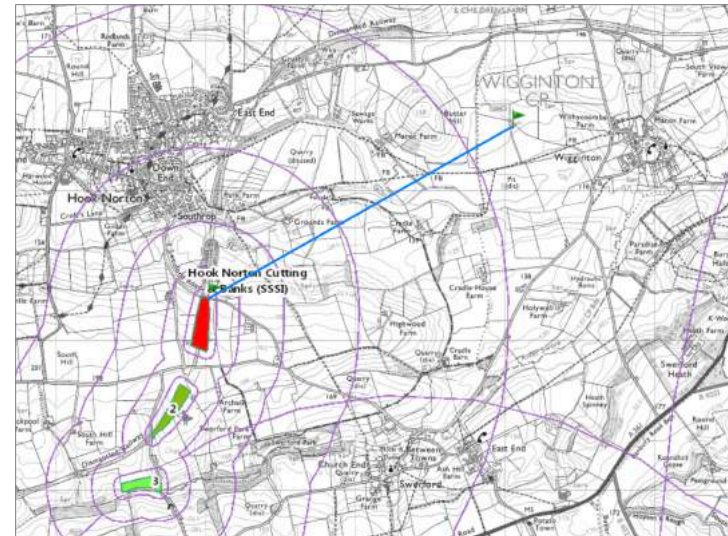
77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
78. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
79. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential dwelling; or
 - e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, 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.

Cherwell Local Plan Policies Map

- 5.4 For the purposes of the development plan, the site lies outside of any defined settlement boundary and within an isolated open countryside location. The site's western boundary adjoins the boundary of the Hook Norton Designated Neighbourhood Area. The nearest settlement to the site, Wigginton, has a Conservation Area. The site lies 0.7km away from Wigginton.

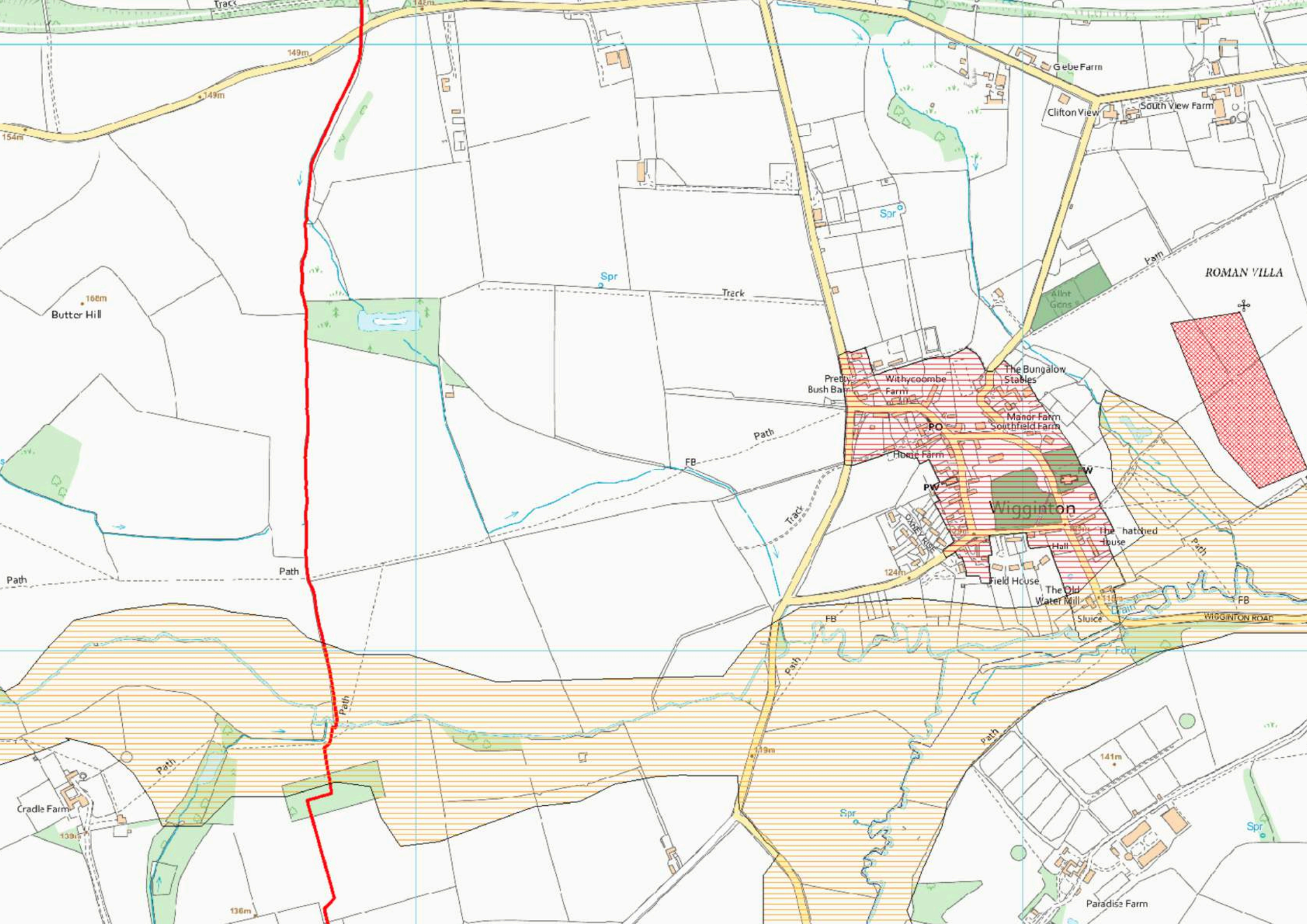
Environmental Designations

- 5.5 The site is not the subject of any specific planning or environmental designation. The Hook Norton Cutting Banks SSSI lies approx. 2.3km to the south-west of the site (at its nearest point) as shown by the map to the right (top). The site is outside of its Impact Risk Zone. There are no nearby listed buildings or ancient monuments. Two of the fields adjacent / near to the application site are good quality semi-improved grassland, as shown by the map to the right (bottom). The woodland within the site is neither a deciduous woodland priority habitat nor ancient woodland.



THE DEVELOPMENT PLAN

- 5.6 The Cherwell Local Plan 2011-2031 - Part 1 (the "Local Plan 2015") was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 (the "Local Plan 1996") though many of its policies are retained and remain part of the development plan.
- 5.7 An extract from the Local Plan Policies Map is reproduced on the following page and the relevant planning policies of Cherwell District's statutory Development Plan are set out below.



ROMAN VILLA

Gebe Farm

Clifton View

South View Farm

Butter Hill

Pretty Bush Barn

Withycombe Farm

The Bungalow Stables

Manor Farm

Southfield Farm

PO

Home Farm

Wigginton

The hatched house

Hall

Field House

The Old Water Mill

Sluice

WIGGINTON ROAD

Cradle Farm

Paradise Farm

149m

149m

154m

166m

Spr

Track

Path

FB

Track

Path

Path

Path

139m

136m

19m

Spr

141m

Spr

Cherwell Local Plan 2015

- 5.8 The Cherwell Local Plan was adopted (in July 2015) prior to the publication of the Government's latest approach to planning as set out in the NPPF (February 2019). The policies in the Local Plan must therefore be read in conjunction with the advice in the more up-to-date NPPF.
- 5.9 **Policy PSD1 (Presumption in Favour of Sustainable Development)** states that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether: any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in the Framework indicate that development should be restricted.
- 5.10 **Policy BSC 1 (District Wide Housing Distribution)** sets a minimum windfall housing allowance of 754 new homes “in the rest of the District outside Bicester and Banbury” between the period 2011 to 2031. The proposal comprises a windfall dwelling.
- 5.11 **Policy BSC 4 (Housing Mix)** states that new residential development will be expected to provide a mix of homes to meet current and expected future requirements in the interests of meeting housing need and creating socially mixed and inclusive communities.
- 5.12 **Policy ESD 1 (Mitigating and Adapting to Climate Change)** states that measures will be taken to mitigate the impact of development

within the District on climate change. The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- Taking into account the known physical and environmental constraints when identifying locations for development;
 - Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling;
 - Minimising the risk of flooding and making use of sustainable drainage methods, and
 - Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).
- 5.13 **Policy ESD 2 (Energy Hierarchy and Allowable Solutions)** states that in seeking to achieve carbon emissions reductions, an 'energy hierarchy' will be promoted, as follows - Reducing energy use, in particular by the use of sustainable design and construction measures; supplying energy efficiently and giving priority to decentralised energy supply; making use of renewable energy; and making use of allowable solutions.
- 5.14 **Policy ESD 3 (Sustainable Construction)** states that all new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy. Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day. All development proposals will be encouraged to reflect high quality design and

high environmental standards, demonstrating sustainable construction methods.

- 5.15 **Policy ESD 5 (Renewable Energy)** states that the Council supports renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily. The potential local environmental, economic and community benefits of renewable energy schemes will be a material consideration in determining planning applications. A feasibility assessment of the potential for significant on site renewable energy provision (above any provision required to meet national building standards) will be required for all residential developments for 100 dwellings or more and all residential developments in off-gas areas for 50 dwellings or more.
- 5.16 **Policy ESD 6 (Sustainable Flood Risk Management)** states that the Council will manage and reduce flood risk in the District. In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Site specific flood risk assessments will be required to accompany development proposals of 1 hectare or more located in flood zone 1. Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.
- 5.17 **Policy ESD 7 (Sustainable Drainage Systems (SuDS))** states that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where

infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits.

- 5.18 **Policy ESD 8 (Water Resources)** states that the Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use. Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals which would adversely affect the water quality of surface or underground water bodies, including rivers, canals, lakes and reservoirs, as a result of directly attributable factors, will not be permitted. Development will only be permitted where adequate water resources exist or can be provided without detriment to existing uses.
- 5.19 **Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment)** seeks to achieve the protection and enhancement of biodiversity and the natural environment. In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. The protection of trees will be encouraged, with an aim to increase the number of trees in the District. Development proposals will be expected to incorporate features to encourage biodiversity and retain, and where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity. Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value.

5.20 **Policy ESD 13 (Local Landscape Protection and Enhancement)** seeks opportunities to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would - cause undue visual intrusion into the open countryside; cause undue harm to important natural landscape features and topography; be inconsistent with local character Impact on areas judged to have a high level of tranquillity; harm the setting of settlements, buildings, structures or other landmark features; or harm the historic value of the landscape.

5.21 **Policy ESD 15 (The Character of the Built and Historic Environment)** states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. Where development is in the vicinity of any of the District's distinctive natural assets, delivering high quality design that complements the asset will be essential.

5.22 New development should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions;

- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions;
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local typography and landscape features;
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings;
- Reflect or, in a contemporary design response, re-interpret local distinctives, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette;
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space;
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation;
- Consider sustainable design and layout at the master planning stage of design, where building orientation and the impact of microclimate can be considered within the layout. Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context;
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible. Well-designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the microclimate, and air pollution and provide attractive places that improve people's health and sense of vitality; and
- Use locally sourced sustainable materials where possible.

5.23 **Policy ESD 17 (Green Infrastructure)** seeks to maintain and enhance the District's green infrastructure network. This will be achieved by pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation; protecting and enhancing existing sites and features forming part of the green infrastructure network; and ensuring that green infrastructure network considerations are integral to the planning of new development.

5.24 **Policy Villages 2 (Distributing Growth Across the Rural Areas)** sets a rural allowance for small housing sites.

Cherwell Local Plan 1996 (Saved Policies)

5.25 **Policy H12 (Housing in Rural Areas)** is permissive of new housing within existing settlements.

5.26 **Policy H18 (New Dwellings in the Countryside)** states that planning permission will only be granted for the construction of new dwellings beyond the built-up limits of settlements when: (i) it is essential for agriculture or other existing undertakings, or (ii) the proposal meets the criteria set out in policy H6; and (iii) the proposal would not conflict with other policies in this plan.

5.27 **Policy C1 (Protection of Sites of Nature Conservation Value)** seeks to promote the interests of nature conservation. Development which would result in damage to or loss of sites of special scientific interest or other areas of designated wildlife or scientific importance will not normally be permitted. Furthermore, the council will seek to ensure the protection of sites of local nature conservation value. The potential adverse effect of development on such sites will be a material consideration in determining planning applications.

5.28 **Policy C2 (Development Affecting Protected Species)** seeks to avoid harm to protected species.

5.29 **Policy C4 (Creation of New Habitats)** seeks to promote the creation of new habitats.

5.30 **Policy C7 (Landscape Conservation)** seeks to avoid demonstrable harm to the topography and character of the landscape.

5.31 **Policy C9 (Scale of development compatible with a rural location)** seeks to direct development to the country towns and limit the level of development elsewhere in order to protect the environment, character and agricultural resources of the rural areas.

5.32 **Policy C28 (Layout, Design and External Appearance of New Development)** seeks to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the rural context of that development.

5.33 **Policy C30 (Design of New Residential Development)** states that the Council wishes to secure environmental enhancement through new development. Proposals that would detract from the character of an area owing to obviously poor design will be resisted. Similarly proposals that would change the established character of an area, by, for example, introducing high-density housing development where low densities predominate, will normally be unacceptable.

OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework 2019

- 5.34 The Framework was published by Central Government in February 2019 and is a very important material consideration in the assessment of this application. The Framework sets out the Government's planning policies for England and how these are expected to be applied.²
- 5.35 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.³
- 5.36 The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): an economic objective, a social objective, and an environmental objective.⁴
- 5.37 The Government's planning policies on the delivery of a sufficient supply of homes is set out in section 5 of the Framework. Those specifically relating to rural housing are set out in paragraphs 77 – 79.

² Paragraph 1 of the Framework

³ Paragraph 2 of the Framework

⁴ Paragraph 8 of the Framework

- 5.38 At paragraph 79, we are advised that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more circumstances apply. The relevant circumstance in relation to the proposed development is set out in criterion e) where the design is of exceptional quality, in that it is truly outstanding or innovative, 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.
- 5.39 The Government's planning policies on design is set out in section 12 of the Framework. We are advised that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.⁵
- 5.40 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change; and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.⁶

⁵ Paragraph 124 of the Framework

⁶ Paragraph 127 of the Framework

5.41 Design quality should be considered throughout the evolution and assessment of individual proposals.⁷ In determining applications, “great weight” should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.⁸

5.42 The Government’s planning policies on meeting the challenge of climate change is set out in section 14 of the Framework. In determining planning applications, local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscape to minimise energy consumption.⁹

5.43 The Government’s planning policies on the conservation and enhancement of the natural environment is set out in section 15 of the Framework. We are advised that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Cherwell Residential Design Guide Supplementary Planning Document (SPD) July 2018

5.44 This Residential Design Guide is an important document that supports the Council’s drive to significantly raise the standard of residential design across the District. It forms part of a wider design quality initiative. The Guide provides further explanation and guidance in relation to Policy ESD15 of the Cherwell Local Plan 2015, explaining what high quality design means in practical

terms and why it matters. It is a technical guide, providing clarity and certainty on the design standards that are required. In doing so, it supports a streamlined planning application process and the timely delivery of new homes.

5.45 Innovation and the sustainability are a key part of the design agenda and provide the foundation to creating healthy and sustainable places. The Council promotes architectural innovation.

5.46 New development in Cherwell **should promote:**

- Development informed by an understanding of the historic evolution and character of the District;
- The creation of new places which fit well with the pattern and character of local towns and villages;
- Development which is locally distinctive and reinforces the different characters of the north and south of the District;
- Development which is located appropriately in response to landscape and topography;
- Use of appropriate local materials and detailing; and
- A truly innovative approach to architecture and design.

5.47 New development **should avoid:**

- The creation of ‘anywhere places’ which do not reflect local character;
- Inappropriate settlement patterns, architecture and materials;
- An awkward relationship between new and old; and
- The use of superficial details to add character.

⁷ Paragraph 128 of the Framework

⁸ Paragraph 131 of the Framework

⁹ Paragraph 153 of the Framework

5.48 Chapter 8 of the SPD addresses innovation and sustainability. We are informed that CDC is forward thinking and encourages innovation in design and construction to deliver sustainable development. Innovative, non-traditional architecture can contribute positively to the character of an area. The district has been leading the field in sustainability through the eco-town exemplar project at North West Bicester and is promoting the UK's largest self-build project at Graven Hill.

Design Review Panel Reports (November 2019, February & April 2020)

5.49 The design team presented the proposals to a design review panel (The Design Review Panel) for independent assessment between 2019 - 2020. The proposals that emerged have taken on board this advice and the recommendations of the design review panel, and the final scheme that is now submitted for determination has the full endorsement of the design panel in relation to its design quality and in meeting all of the requirements within paragraph 79 (criterion e) of the NPPF.

5.50 The Panel is supportive of the design approach and considers that the submitted proposals have responded to the suggestions and comments made in their earlier feedback. **The Panel consider that the proposals meet the requirements of paragraph 79 of the NPPF** insofar as they:

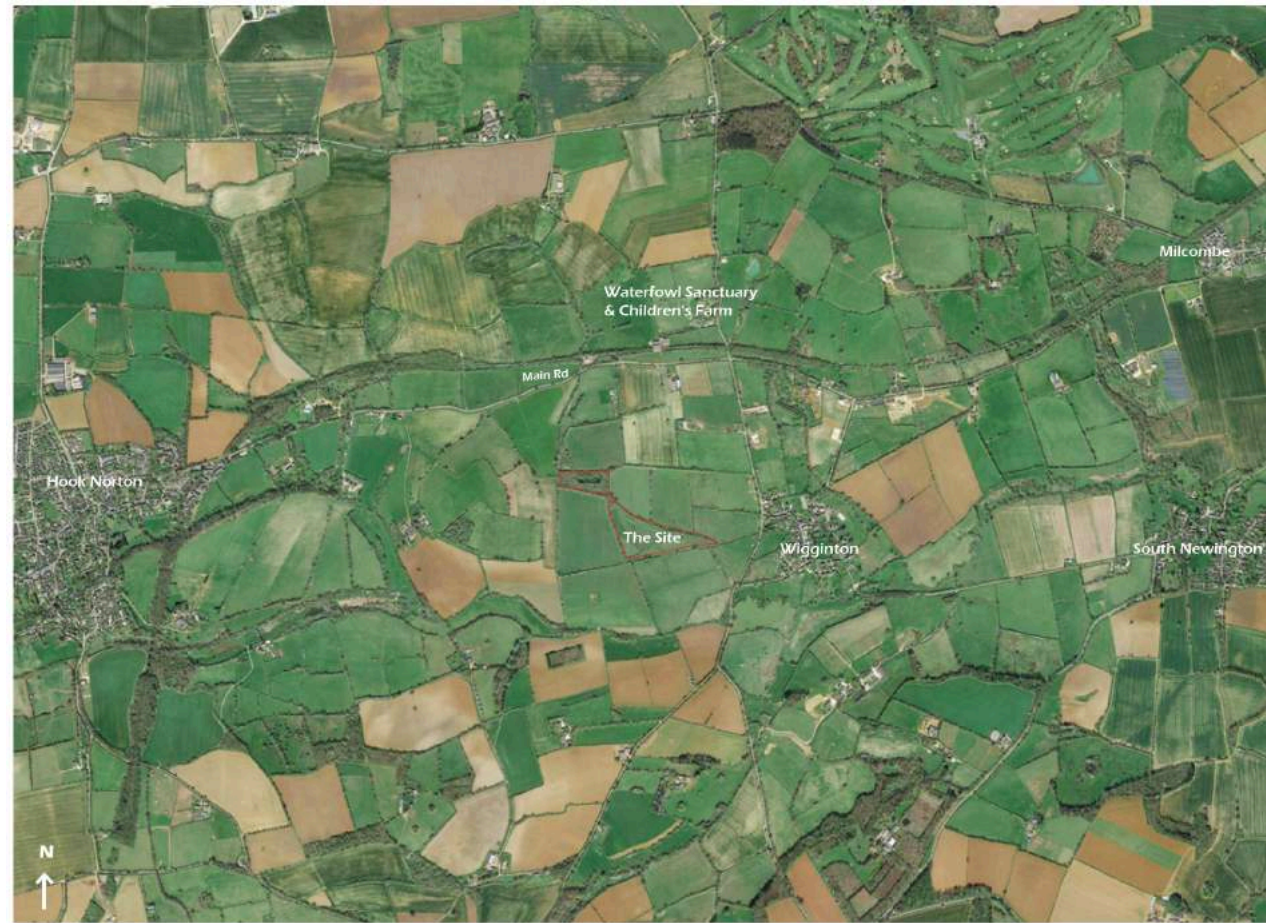
- have demonstrated that they are truly outstanding and innovative,
- do reflect the highest standards in architecture,
- do significantly enhance the immediate setting, and
- are sensitive to the defining characteristics of the local area.



6.0 APPRAISAL

Designations & Planning Considerations

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan unless material considerations indicate otherwise.
- 6.2 The application site is situated outside of any defined settlement boundary and within an isolated open countryside location for planning policy purposes. The site's western boundary adjoins the Hook Norton Neighbourhood Area but the site is outside of the designated area. The nearest settlement to the site, Wigginton, has a Conservation Area. The site lies 0.7km away from Wigginton. The site is not the subject of any specific planning or environmental designation. The Hook Norton Cutting Banks SSSI lies approx. 2.3km to the south-west of the site (at its nearest point). The site is outside of its Impact Risk Zone. There are no nearby listed buildings or ancient monuments. Two of the fields adjacent / near to the application site are good quality semi-improved grassland. The woodland within the site is neither a deciduous woodland priority habitat nor ancient woodland.
- 6.3 The preliminary Ecological Appraisal discovered that the site contains semi-improved grassland, a fragment of semi-natural woodland, some plantation woodland and a man-made pond. There was evidence of roosting (but not nesting) barn owl in the barn. The pond has been surveyed using the environmental DNA technique and great crested newt are absent. The trees and grassland provide suitable habitat for nesting birds and some trees may have features suitable for roosting bats. The habitat is suitable for common reptiles and grass snake have been recorded on site. The habitat is likely to support foraging bats and common amphibians are highly likely to be present on the site.



Site Location and surrounding context

- 6.4 In relation to new housing, **Policy BSC 1 (District Wide Housing Distribution)** sets a minimum windfall housing allowance of 754 new homes in the rest of the District outside Bicester and Banbury between the period 2011 to 2031. **Policy Villages 2 (Distributing Growth Across the Rural Areas)** sets a rural allowance for small housing sites.
- 6.5 **Policy H12 (Housing in Rural Areas)** is permissive of new housing within existing settlements. **Policy H18 (New Dwellings in the Countryside)** sets out the closed circumstances in which new dwellings will be approved in the countryside, outside of defined settlements.
- 6.6 The proposed development would conflict with policies H12 and H18 (in part) of the Cherwell Local Plan 1996 because it would not fall within any of the specific development types permitted under these policies. However, the policies, which were adopted (in 1996) prior to the publication of the current (2019) and former (2018) Frameworks, are generally restrictive of new housing in rural areas and yet the policy of the NPPF promotes sustainable housing in rural areas. It indicates that new housing can be located in rural areas where, amongst other things, the house is of exceptional design quality.
- 6.7 Thus, the above development plan policies are not fully consistent with the NPPF and accordingly, the weight to be attached to the policy conflict of the proposal should be limited. It is clear that if a proposal for a new dwelling in the countryside falls within the terms of criterion (e) of paragraph 79 of the Framework, this would provide the other material policy considerations to justify the proposed development. Virtually all Para 79 house applications are approved on this policy basis.

Paragraph 79 Compliance

- 6.8 Paragraph 79 requires that local planning authorities should avoid new isolated homes in the countryside unless certain circumstances exist. Criterion (e) is the only relevant one to this proposal and this requires an exceptional quality of design. The passage continues...such a design should be truly outstanding or innovative, 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.

The Design Team

- 6.9 The development proposals have been designed in a thorough and highly competent way by a team who have considerable experience in delivering schemes of exceptional quality and design, in both rural and urban areas. **SEED Landscape Designs Ltd** are a Landscape Institute registered practice based in Bath whose schemes embrace the common thread of the creation of dynamic landscapes for people and nature, with a particular emphasis on planting and the natural environment. SEED recently secured planning permission for a Para 79 scheme in Gloucestershire. **Seymour-Smith Architects** is Cotswolds based design-led architectural practice that delivers considered, contemporary, sustainable buildings. Paragraph 79 projects are a particular speciality of the practice, having now secured planning permission for four Para 79 house proposals and with a 100% success record. **Hughes Planning** has successfully formulated proposals for 15 no. Para 79 houses in 12 different counties over a period of 16 years.

Detailed Site Analysis

- 6.10 At the outset of the proposal, detailed research and site analysis work was undertaken to understand the particular components of the site and its surroundings, local characteristics and features, and the technical requirements of the house's intended environmental credentials. This approach to design is embodied within **Policy ESD 15 (The Character of the Built and Historic Environment)** of the Cherwell Local Plan 2015 which states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design.
- 6.11 It is also embodied within the advice in paragraph 128 of the **NPPF** which states that design quality should be considered throughout the evolution and assessment of individual proposals and in determining applications, "great weight" should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Further support is contained within the Council's **Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2018)**.
- 6.12 Whilst it is undoubtedly the case that a primary aim of the design is to meet the criteria of paragraph 79(e), as this is the relevant policy provision for the type of housing proposed, it is also the case that the driving force has been to design a holistic scheme, embracing landscape and ecological enhancements of the very highest quality not only to meet the needs of the future occupiers (Virginia and her family) but to address those who would

experience the development as part of their everyday life and those who visit the area for its visual and other qualities.

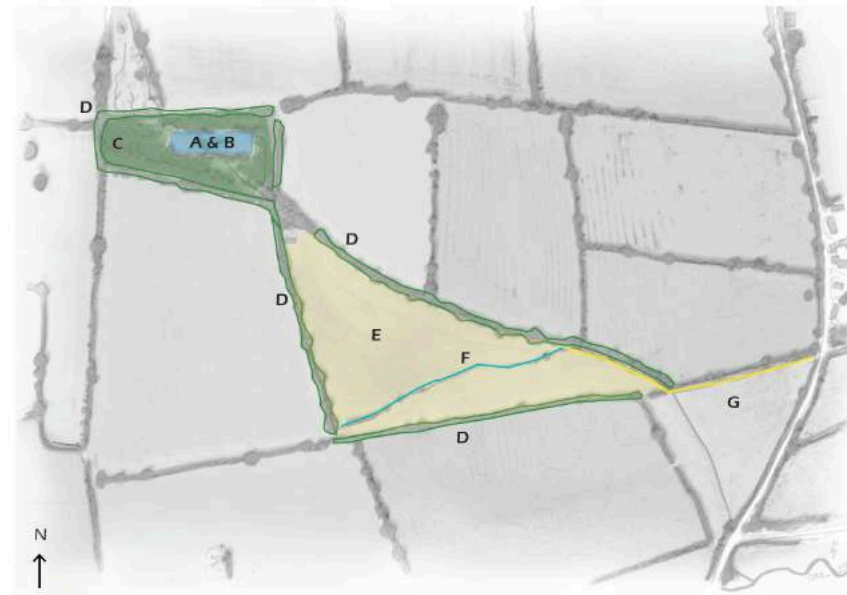
- 6.13 The site is located to the west of Wigginton parish in Oxfordshire, and north of the River Swere. The site is currently characterised as being of modern and pre-modern agricultural form under the National Historic Landscape Characterisation. The wider site comprises of several adjoined fields to the south and east, connected by a newly laid hardcore access track and a tyre track access leading to an existing agricultural barn (with the benefit of conversion to a dwelling under Class Q) and a small ash plantation woodland and pond. A natural spring runs from the north and connects to the pond, eventually linking to the River Swere tributaries.
- 6.14 The site and landscape analysis revealed that the triangular shaped field situated immediately to the south of the existing barn is a lowland neutral grassland community characterised by a species-rich sward. There are 16 species listed as 'constants' of this community in Rodwell 1992. Of these species, 13 were present within the site and all were found in quadrats. Of the 35 species recorded in the grassland of the site, only six would be considered untypical of the MG4 community¹⁰, and these were all infrequently encountered. The grassland on site can therefore be considered to have an assemblage of species typical of the MG4 community. However, the constancy with which many of these species occur is lower than that which would be found in a 'good' example of the community. MG4 grassland falls within the definition of a lowland meadow and as such is 'habitat of principal importance' for the conservation of biodiversity under the provisions of the Natural Environment and Rural Communities Act (NERC) 2006.

¹⁰ MG4 is one of the mesotrophic grassland communities in the British National Vegetation Classification system. It is one of four such communities associated with well-drained permanent pasture and meadows.

6.15 The ash plantation woodland and pond are relatively new landscape interventions, having been created by the previous landowner around twenty years ago. This was primarily formed of hundreds of young ash (*Fraxinus excelsior*) specimens. The trees are planted in uniform rows and are still young. The ground flora is still primarily composed of grassland species present prior to the tree-planting although there are clumps of tufted hair-grass and evidence of some developing woodland ground flora at the edges of the plantation. The man-made pond is shaded and there is quite a lot of leaf litter present with little aquatic vegetation. There were some strands of Yellow iris on the margins.

6.16 The site analysis revealed that the damp meadow is nationally important but species poor, due to the change in winter flooding caused by the pond and ash plantation, presenting clear opportunities for ecological enhancement. Whilst the existing barn benefits from approval for conversion to a dwelling, its position at the edge of the meadow is not ideally suited to domestic use, and other opportunities are present. The mono-culture ash plantation woodland and pond are poorly designed, unmanaged and of low ecological value. Despite its young age, the woodland is already in decline due to ash die-back and left unattended, the woodland will be lost. Additionally, the trees absorb floodwater that would otherwise have flooded the damp meadow, with negative consequences to the ecological value of the grassland. The pond is a rectangular shape and has little ecological value of itself due to its steep edge profiles and over-shading by the surrounding trees.

6.17 In short, the woodland is in decline, the ecological value of the plantation and pond is low, and their poor design has resulted in detrimental effects to the damp meadow. Allied with the existing (partially laid) access road up to the woodland, and the approved barn conversion, this is a site where opportunities to enhance are clearly present. The seeds for a paragraph 79e) proposal are set.



Existing Damaged Landscape

- A** The introduced poorly designed pond and trees almost certainly absorbs floodwater that otherwise would have flooded the damp meadow.
- B** The pond has little ecological value due to its steep edge profiles and over shading by the surrounding trees.
- C** Un-managed, dark mono culture of the Ash plantation has little ecological benefit or diversity. Given that Ash die-back is present it the surrounding hedgerows it is almost certain that the trees will die.
- D** The hedgerows are un-managed and although they are diverse and ecologically rich at the moment if they are not managed as field boundaries they will start to grow out and decline.
- E** The damp meadow is nationally important, but is relatively species poor, almost certainly due to the change in winter flooding caused by the pond and Ash plantation.
- F** The stream is un-managed, hidden and currently has little influence on its adjacent landscape context.
- G** A Cotswold aggregate access road was laid within the last 2 years. It is wide, very yellow and dominant within the landscape.

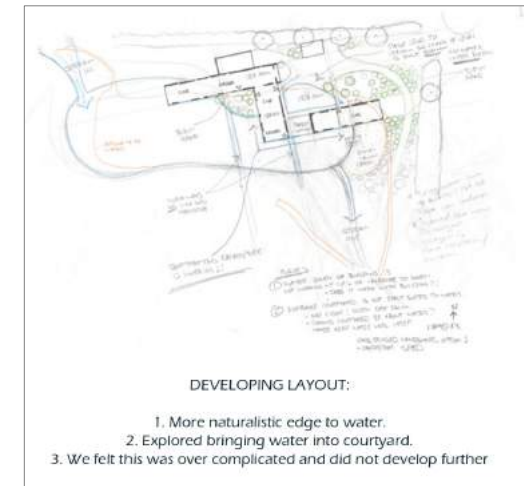
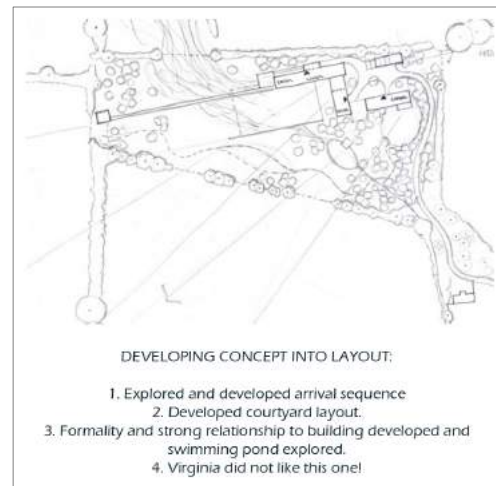
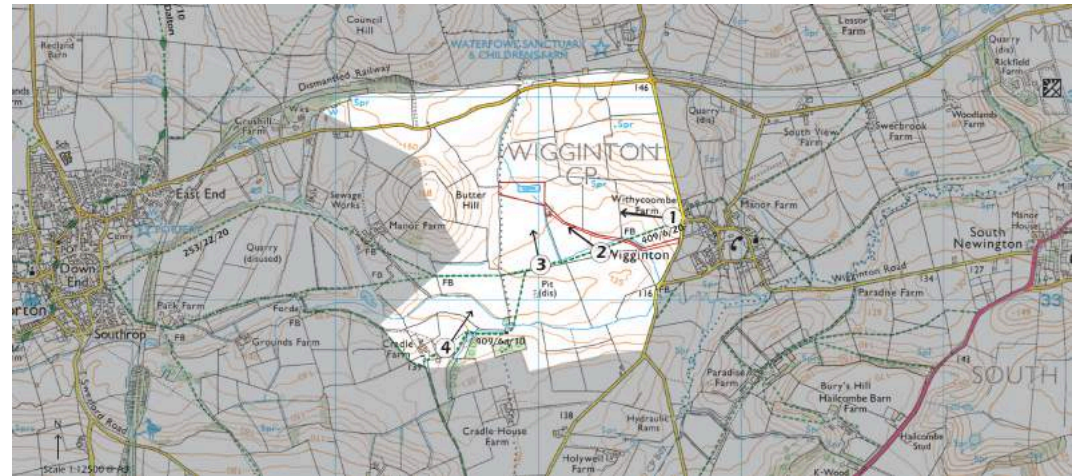
ANALYSIS OF THE SITE
2.6 EXISTING SITE & SURROUNDING AREA



6.18 The application is informed and accompanied by a Landscape Design Development Document, Visual Assessment and an Architectural Design Document which provide a detailed background to the evolution of the design proposals.

6.19 The Zone of Visual Influence (map right) reveals that much of the site is constrained within the site boundary and only very limited visual effects exist beyond that. A study of the site characteristics and views led to a design strategy based on restoring and replacing the ash plantation with more appropriate native species, reimagining the pond to enhance its visual and ecological value and protecting and enhancing the damp meadow. There is inherent logic in utilising the existing access track to serve the proposed dwelling and in re-using the existing barn to store landscape management machinery. These key components of the design have informed the location of the proposed dwelling within the restored and (in parts) replanted woodland, at the convergence with the reimagined pond.

6.20 Having tested several options for the precise siting of the new dwelling, the north-east corner of the site revealed itself to hold greatest potential for enhancement. The design development that led to this decision is set out in the accompanying Landscape Design Development Document. Once the location for the dwelling was established, the form of the building began to take shape. As explained above, the brief for the dwelling was the creation of a home for multi-generational living. The intention is for Virginia to live in the dwelling with her son, daughter and grandchildren. Overlain onto this brief was a desire for the house to provide flexible and adaptable accommodation, responsive to changing needs and circumstances over time. A genuine "lifetime home". This core objective for the scheme permeates through the dwelling and into the landscape. It is the golden thread that weaves itself through the scheme.



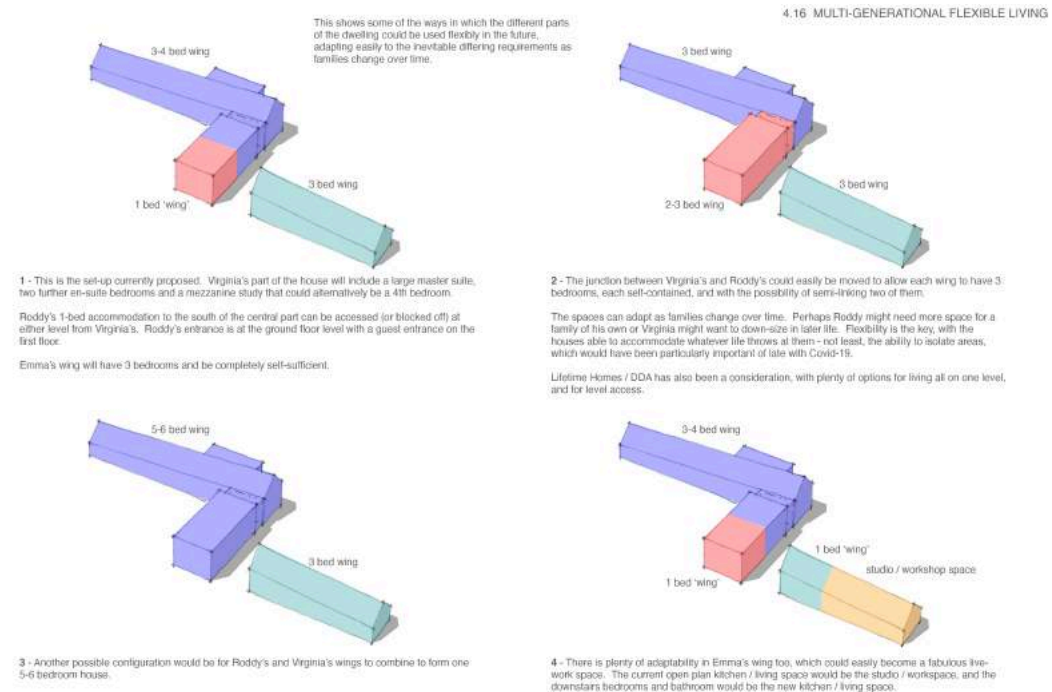
6.21 **Policy ESD 15 (The Character of the Built and Historic Environment)** requires new development to deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions.

6.22 The majority of houses that are built, both in the UK and elsewhere, are intended for single households living in prescribed rooms or spaces. There is little opportunity for flexible living or to adapt to changing needs. The result is that when circumstances change, people move house. The brief for the proposed dwelling is a Lifetime Home. A home that will change and adapt as the seasons pass and the needs of the family evolve.

6.23 Accommodation is required for what is effectively three households, in this flexible multi-generational approach. So, it made sense to break the volume up into constituent parts to enable the dwelling to remain more appropriate and domestic in scale. Looking at how the spaces needed to relate to each other, it became apparent that it would make sense for the massing of the house to comprise three main volumes. Two of these would be connected and one separate, allowing for maximum flexibility of different spaces that can be used in a variety of different ways, separately or together. Looking back at the typical groupings of agricultural buildings found in the area, they are generally arranged at right angles to one another, enclosing or semi-enclosing a natural courtyard space. Distributing the spaces so that all could be served from a communal entrance courtyard, but each had its own distinct outlook, was important.

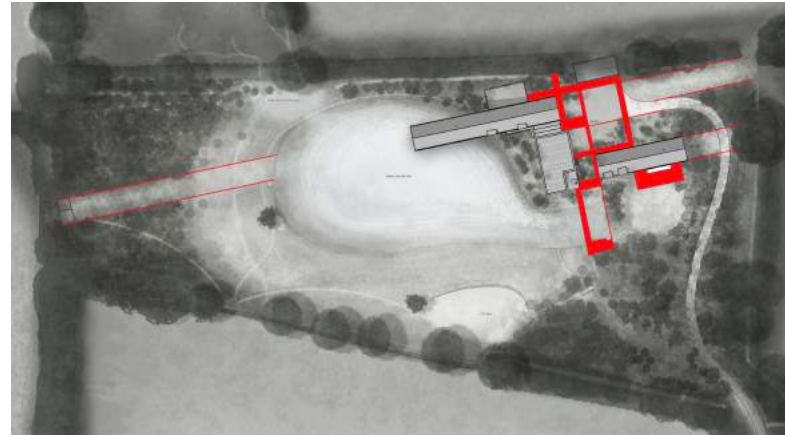
6.24 Overlain onto this composition for the house were considerations relating to elevational detailing, windows and doors, building and surfacing materials, mass, scale, colour palette, amenity, the impact of light pollution, views in and out, sustainable design and layout where building orientation and the impact of microclimate are integral to the layout, energy efficient design, integration and

enhancement of green and blue infrastructure, access, domestic outdoor space and use of locally sourced sustainable materials. These considerations are promoted within the **Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2018)**. They are embodied within the scheme.



6.25 The design process and evolution of the development proposals is described more fully in the accompanying Landscape Design Development Document and Architectural Design Document. It is important to note that the design has evolved in response to three design reviews by The Design Review Panel. Whilst the Panel ultimately endorsed the quality of the design, having regard to all of the 'tests' within criterion (e) of paragraph 79 of the NPPF, the design that emerged took on board the advice provided by the Panel throughout the design review process. It is a genuine collaboration of disciplines and the Proposed Development is the result of the involvement and passion of many design professionals.

6.26 The building composition is comprised of three disparate volumes - the central flat roofed one contrasting with the pitched roofs of the wings, and they are then all tied together, along with a shared garage and a utility space, by a series of connecting covered "walkways". These walkways perform the obvious function of access between the accommodation and to the garage without getting wet, as well as level access to each dwelling - but they also serve to visually tie these constituent parts together, unifying the composition and creating cloister-like spaces from which to enjoy the site's woodland setting. They also define and enclose the arrival courtyard. The vertical timber fins that support the walkway roof are a reflection of the very vertical feeling of the young ash plantation, and although this will be replaced over time (owing to its poor quality and the ash die-back that is already present), the new trees around the building will have the same striking verticality. The walkways also create strong axes, which draw you into and connect to the wider landscape.



- 6.27 The woodland immediately to the north of the barn is mixed, native and old. The mature trees are primarily oak which are the focal points. Hawthorn and hazel is the dominant shrub layer with the blue bells forming the spring ground story. Cow parsley populates the woodland edges. Overall this part of the woodland has an established, native feel, full of various greens and dappled pools of light. It will be retained. The trees however around the pond are almost exclusively ash. They have a striking but unnatural appearance and have little biodiversity. They are unlikely to survive ash dieback.
- 6.28 Having regard to the above, the design sought to bring the character of the mixed native woodland to the north of the barn into the site. Elements of the ash should be retained to provide shelter and support for the new native woodland. This concept of the old supporting the new ties the multi-generational living back into the landscape, which in turn protectively wraps around the house. The proposed landscape design reflects the cyclical nature of life and is symbiotic with the multi-generational aspiration of the architecture by allowing the existing landscape to nurture and protect the new planting as it is gradually and sympathetically introduced into the evolving site. We will bring the character of the mixed native woodland to the north of the Barn into the site, thus always respecting the 'old' by letting it inform and safeguard the 'new'. Nature's own circle of life.
- 6.29 It is clear that the house, barn and the landscape have been designed in tandem from the outset and the clear principles of good design have been followed. In this respect, the Proposed Development not only conforms to the provisions of paragraph 79e) of the NPPF, but it adopts the approach to design and the design objectives as promoted by the development plan and the Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2018).





THE FILTER WETLAND
 Any surface water run off will enter the lake via the wetland. The planting will be naturalistic and native.

THE BILL GARDEN
 A wide stone lined nil will take surface water run off into the lake. The garden will be planted with damp loving plants. During times of heavy rain water will be retained within the garden and slowly released into the lake.
 Access to Virginia's front door will be via a wide concrete bridge.

THE DAMP WOODLAND
 The building will emerge through a grove of birch and alder, through a lake margin of reeds and rushes. A simple, wide timber sitting step will wrap around the inner corner of the building and an informal, un-surfaced path leads to the timber bridge.

THE ENTRANCE COURTYARD
 The centre of the courtyard will be stone sets. The paths will be linear stone or concrete paving linking family front doors and garage.

EMMA'S FRONT WOODLAND GARDEN
 The building will emerge from a native woodland to the east into a more naturalistic woodland garden.
 A formal stone or concrete path will link the garage to the front door and define the threshold into the domestic courtyard.

Adjacent un-managed wetland

New shallow ditch taking flood run off into the floor pond

Closest parking for 2 cars on reinforced grass system

THE WOODLAND
 The existing ash plantation will be replaced with a mixed native woodland.

THE FOLLY
 A simple timber structure will retain the view from Virginia's side terrace.
 The hedge to the west of the folly will be laid to allow views out to the landscape beyond.

EMMA'S FAMILY GARDEN
 Stone paved terrace is accessed from the building via wide timber steps. The terrace overlooks the play lawn that will be seeded with a species rich lawn mix.

ACCESS TRACK
 3m wide spray tar and chip tyre access track. Gravel will be locally sourced and chosen to be recessive in the landscape.

Reinforced grass passing place

THE GATHERING TERRACE
 This timber terrace at the end of the timber bridge will be the communal focal point in the landscape.

THE WOODLAND
 The existing ash plantation will be replaced with a mixed native woodland.

Informal gathering area moved into the meadow with views out to the landscape and back to the house.

Laid existing hedge to open up views out.

Informal gathering area moved into the meadow with views out to the landscape and back to the house.

Timber bridge across the stream

ACCESS TRACK
 3m wide spray tar and chip tyre access track. Gravel will be locally sourced and chosen to be recessive in the landscape.

THE MEADOW
 Around the lake a new native meadow / grassland will be created. This will be an additional habitat to the site and add to the naturalistic setting of the building.
 Informal paths will be moved encouraging exploration to the different areas of the landscape.

THE LAKE
 The existing water body will be reshaped to create a more naturalistic setting for the building.
 The edges will be reprofiled to allow a much more diverse water's edge habitat.

THE OLD BARN
 The surrounding walls will be rebuilt, the entrance repositioned to the centre of the wall and a new sitting gate fixed.
 A new concrete yard will be laid with planned expansion joints.
 The barn will be repaired for landscape maintenance equipment and a barn owl box.



Be truly outstanding or innovative

- 6.31 Criterion (e) of paragraph 79 makes it clear that planning permission can be granted for new dwellings in the countryside in one of two circumstances - where they are truly outstanding or innovative in their nature of design. These two limbs are stated as alternatives and it should be noted that innovation is an iterative process. What was innovative at one time could become a mainstream expectation sometime later. It is not the same as "invention" and the term "ground breaking" has not formed part of the policy requirement since the NPPF was first introduced in 2012. Whilst proposals promulgated under this provision within the Framework do not have to meet both requirements, the proposed development is presented as being truly outstanding and, in many ways innovative.
- 6.32 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.¹¹ Planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.¹²
- 6.33 It is clear from our review of the development plan that there are a number of policies that encourage and support high quality design in the District, and in particular proposals that incorporate

measures to achieve energy efficiency, the use of sustainable construction techniques, the use of sustainable drainage systems, the generation of on-site renewable energy and the use of water efficiency measures. These aims and objectives are carried forward into the development plan, which reflects similar objectives as set out in the NPPF, principally in the form of policies ESD 1 (Mitigating and Adapting to Climate Change), ESD 2 (Energy Hierarchy and Allowable Solutions), ESD 3 (Sustainable Construction), ESD 5 (Renewable Energy), ESD 7 (Sustainable Drainage Systems (SuDS)) and ESD 15 (The Character of the Built and Historic Environment) of the Cherwell Local Plan 2015; and policies C28 (Layout, Design and External Appearance of New Development) and C30 (Design of New Residential Development) of the Cherwell Local Plan 1996.

- 6.34 Having been involved in Para 79 house proposals for over 15 years, we are familiar with the *notion* that design is subjective. This is not however correct. Whilst individual taste is subjective and will vary from one person to another, the principles embodied within good design (as set out in paragraph 4.7 above) are objective. It is for this reason that architectural and landscape professionals are able to review schemes and make objective assessments as to their design quality, and to praise and award schemes of the very highest quality.
- 6.35 It is for this same reason that the NPPF advises local planning authorities to have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include design advice and review arrangements. In assessing applications, local planning authorities are also advised to have regard to the outcome from these processes, including any recommendations made by design review panels.¹³

¹¹ Paragraph 124 of the Framework

¹² Paragraph 127 of the Framework

¹³ Para 129 of the Framework

- 6.36 We are also very familiar with the portrayal of the Para 79 'bar' as being set very high. This is correct and necessarily so. However, it is also important to be mindful that the policy provision for new isolated homes in the countryside has been in existence now for 23 years and it is a bar that is intended to be met. It is not the golden unicorn that lays the golden egg. It is a high bar, but it is one which has, and will continue to be, met. The end result being new dwellings that make a significant contribution to our centuries old tradition of building fabulous houses in the countryside, enhancing our landscapes and helping to raise the standards of design more generally in rural areas.
- 6.37 In this case, the development proposals evolved with the assistance of **The Design Review Panel**. As explained above, the Panel assessed the scheme on three separate occasions, initially on the 15th November 2019, then on the 13th February 2020 and finally on the 22nd April 2020. The involvement of the design review panel is promoted by the Government and Local Planning Authority and the design has improved as a result, embodying the spirit of the advice within the NPPF.
- 6.38 The approach to design is of itself outstanding. The proposed development is the result of a genuine collaboration of disciplines, including experts in the architecture, landscape, ecology, arboriculture, drainage and planning fields, who have considerable experience and expertise in formulating schemes of this nature. The resultant design is rooted to this site in this location and it is unique. The architectural and landscape proposals seek to enhance the site and the contribution it makes to the wider environment and every opportunity has been taken to design and deliver a proposal that will significantly enhance its immediate setting, in the short, medium and long-term.
- 6.39 In our experience, truly outstanding schemes embrace every possible facet of design and emanate from a thorough analysis of

the site and locality within which the house is to sit. This approach to design is embodied within the **Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2018)** which amplifies the objectives of **Policy ESD 15 (The Character of the Built and Historic Environment)** of the Cherwell Local Plan 2015.

- 6.40 Policy ESD 15 states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. New development should:
- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions;
 - Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions;
 - Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local typography and landscape features;
 - Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings;
 - Reflect or, in a contemporary design response, re-interpret local distinctives, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette;
 - Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space;

- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation;
- Consider sustainable design and layout at the master planning stage of design, where building orientation and the impact of microclimate can be considered within the layout. Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context;
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible. Well-designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the microclimate, and air pollution and provide attractive places that improve people's health and sense of vitality; and
- Use locally sourced sustainable materials where possible.

6.41 The clear objective is for integration with the site and its surroundings and all aspects of the design contribute to this overriding objective.

6.42 It is submitted that the truly outstanding quality of the proposal results from this holistic approach to design. The elements of the proposals that combine to create the whole cannot be separated or disaggregated, as each works with the others. The answer to the question "*is the design truly outstanding*" can only be made therefore once all of the elements of the proposals are understood. A building which is able to function sustainably, sit comfortably within its site and enhance its immediate setting whilst also contributing to high quality architecture remains rare. The proposals will secure the necessary conservation and enhancement of the landscape characteristics of the site and provide net gains in biodiversity to the benefit of the surrounding

area. The proposals will further assist in mitigating the impacts of climate change and it is hoped, will assist the Council in achieving its step change in sustainable building practices for new homes.

6.43 In the above connection, we are aware that Cherwell District Council is a forward thinking authority which encourages innovation in design and construction to deliver sustainable development. The Council recognise in the Design Guide SPD that innovative, non-traditional architecture can contribute positively to the character of an area. The district has been leading the field in sustainability through the eco-town exemplar project at North West Bicester and is promoting the UK's largest self-build project at Graven Hill. The development proposals have synergy with the Council's approach to design and there are elements of innovation embedded within the design proposals.

6.44 This is an extremely well-considered scheme which draws inspiration from the defining characteristics of the site and local area. The architecture is sophisticated and distinctive and will enhance the immediate setting of the site. The site chosen for the dwelling is appropriate, having regard to the defining characteristics of the local area, settlement pattern, historic field pattern and access, and the site presents opportunities for significant landscape and biodiversity enhancements. The rigorous approach to the site analysis and the requirements of the applicant has led to a singular building and its surrounding landscape that will restore, reimagine and enhance the overall character and appearance of the site. This approach results in a building that at the very least reflects the highest standards in architecture and in many aspects exceeds them.

6.45 When considered as a whole, the proposals exhibit the truly outstanding quality of design required of paragraph 79. The outstanding quality of the scheme, and the innovations relating to

its multi-generational use and future adaptability has been independently endorsed by a design review panel.

6.46 For all of the above reasons, the Proposed Development accords with the design aims and objectives of the NPPF, policies ESD 1 (Mitigating and Adapting to Climate Change), ESD 2 (Energy Hierarchy and Allowable Solutions), ESD 3 (Sustainable Construction), ESD 5 (Renewable Energy), ESD 7 (Sustainable Drainage Systems (SuDS)) and ESD 15 (The Character of the Built and Historic Environment) of the Cherwell Local Plan 2015; policies C28 (Layout, Design and External Appearance of New Development) and C30 (Design of New Residential Development) of the Cherwell Local Plan 1996; and the Council's Design Guide SPD 2018.



Reflect the highest standards in architecture

- 6.47 The proposed development would further the Government's policies that aim to encourage new dwellings of the highest standards as a today's contribution to the architectural heritage of the country. The requirement in the Framework to enhance is predicated on there being a new building placed where none existed. There are other paragraph 79 houses that have been approved and / or built and each would have displayed particular qualities. In addition, the United Kingdom has a wealth of examples of high quality architecture from all ages, and certainly some at the cutting edge of design that are widely celebrated.
- 6.48 The process of designing a Para 79 house is complex and protracted. Great architecture and superior landscape design is not created overnight and it requires a genuinely collaborative approach that relies on the respective expertise and experience of a host of architectural and environmental consultants to assist, influence and ultimately arrive at a design that is truly outstanding.
- 6.49 It is also the case that, by definition, a Para 79 house will not 'look' the same as any other house in the immediate or surrounding area. If it were to, it would have missed the point. It does however have to be the right design on the right site in the right location. In this way, one is able to bridge the potentially conflicting gap between the objectives of achieving a unique modern day design whilst being sensitive to the defining characteristics of the local area.
- 6.50 Whilst the evolution of the proposals is described in more detail in the Landscape Design Development Document and Architectural Design Document, understanding the design process is fundamental to answering the question of how the proposals reflect the highest standards in architecture. This is because the principles of good design are objective, not

subjective. There are a series of components of good design and the key to good design is not only to provide for the needs of the future occupants but also to respond sensitively to the characteristics of the site and its surroundings.

- 6.51 These characteristics will influence the siting of a building, its form, scale, appearance and the landscape within which it is set, having regard to the criteria set out in **Policy ESD 15 (The Character of the Built and Historic Environment)** of the Cherwell Local Plan 2015 and the **Cherwell Residential Design Guide Supplementary Planning Document (SPD) 2018**.
- 6.52 Planning for development should consider the landscape setting and design aspects from the outset and it is an essential part of the ongoing process. When developing a site, it is important to consider the context of its particular landscape character. This will result in an appropriate design solution which reflects local character and will help to tie a development to its setting.
- 6.53 The rigour of the design process employed is a result of an unparalleled level of experience of the design team.
- 6.54 A series of important architectural and landscape design considerations, informed by the site analysis and landscape and visual appraisal, provide the context within which the design proposals have been formulated. These are set out in the accompanying documents and distilled in this Statement (above).
- 6.55 Overlain onto these design considerations has been the objective to make the building as energy efficient as possible.
- 6.56 There are three main ways to make a building sustainable - 1) what it is built out of, 2) how it is designed, and 3) how its energy needs will be met. Regarding point 1), this house will be built from renewable, sustainable wood, for both the structure and the

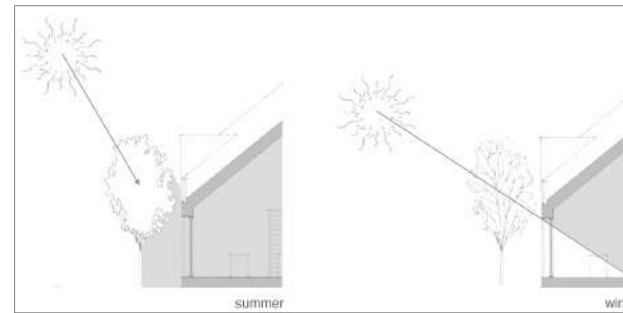
cladding, and it will also be insulated with breathable sustainable wood fibre insulation. Before considering point 3), how the building's energy will be supplied, it is first sensible to look at point 2) and minimise the amount of energy that it will need. For passive solar design, it makes sense to minimise windows to the north, and maximise windows to the south, so as to benefit from the heat provided by the solar gain in winter. However, that solar gain could lead to problematic overheating in the summer.

6.57 Preventing overheating in the summer is a really important consideration, and this will be dealt with in the proposed dwelling in three main ways: -

- I. New trees will be planted fairly close to the building to provide shade and prevent overheating for much of the building's glazing.
- II. However, for those windows that aren't shaded by trees, they will have automatically controlled external venetian blinds concealed in the window heads.
- III. Lastly, in order to minimise the amount that the blinds will need to be used, the glass specification will be very carefully designed.

6.58 Having minimised the requirements for energy in the design of the fabric and orientation of the building, the next step was to look at how this energy could be supplied in the most sustainable way.

6.59 The two key ingredients here are extensive flat roofs for PV and PV-T panels and the water body (pond) that the house projects out over. Having the building close to the water has meant that the benefits of this highly effective heat source can be maximised. We have worked with specialists in this field, Energy Zone, to come up for an energy strategy for this project which optimises these resources to contribute to this project being zero carbon and representing the very highest standards of architecture.

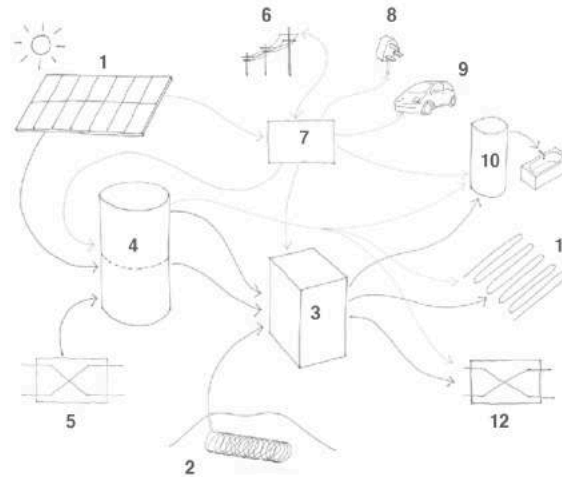


6.60 The detail of this approach is contained within the accompanying report entitled "Concepts for Heating, Power and Ventilation".

6.61 Although the proposed multi-source heat-pump will be the first of its kind, and so by definition, innovative, the primary focus has been on optimising the whole site energy strategy, combining existing technologies in a new way to improve their efficiency. The result is a zero-carbon solution, which will actually produce more clean carbon-free energy per year than it will consume.

6.62 The proposed design that has evolved is not the 'normal' established way of creating a house. It is a true inter-disciplinary collaboration of skills and expertise in the landscape, architectural and environmental sectors. Further, as described above, the rigorous design philosophy which has underpinned the approach to the scheme is representative of the highest standards in architecture and will undoubtedly assist in raising the standards of design more generally in all areas if and where adopted in other projects.

6.63 In that the requirement is to reflect those high standards, the development proposals succeed on a functional and aesthetic basis. When considered as a whole, the proposals exhibit the highest standards of architectural design required of paragraph 79 and accord with (and in a number of ways exceed) the objectives of **Policy ESD 15 (The Character of the Built and Historic Environment)** of the Cherwell Local Plan 2015 and the **Cherwell Residential Design Guide Supplementary Planning Document (SPD) 2018**.



- Energy generation:
- 1 - PV-T and PV panels
 - 2 - Water-source "slinkies" in lake
 - 3 - Multi-source heat-pump with desuperheater
 - 4 - Source Energy Thermal Battery
 - 5 - MVHR (heat recovered in summer to Thermal Battery)
 - 6 - National Grid (acting like a battery to even out electrical supply and demand)
 - 7 - Solar Edge battery & control system

- Energy usage:
- 8 - small power
 - 9 - electric vehicle charging
 - 10 - hot water cylinders
 - 11 - low temperature underfloor heating
 - 12 - MVHR (mechanical ventilation with heat recovery)



Helping to raise standards of design more generally in rural areas

- 6.64 The key requirement is the raising of standards of design more generally in rural areas. That said, the standards proposed in this case are equally as applicable to rural, as well as suburban or some urban sites.
- 6.65 The development proposals will help to raise standards of design more generally in a number of ways.
- 6.66 It is submitted that this element of criterion (e) of paragraph 79 of the Framework should not be considered a separate requirement but rather one that is axiomatically fulfilled by designs which are either truly outstanding or innovative (or, as in this case, both). Simply by virtue of the development proposals being exceptional, it will help raise standards of design. The construction of a dwelling of such high architectural quality, along with the proposed landscape and environmental enhancement measures to the site will have a marked benefit to the immediate setting.
- 6.67 The process of design employed within this scheme comprises a truly collaborative approach embracing a range of disciplines with the objective of creating something truly special, unique. The rigorous design philosophy which has underpinned the approach to the scheme is representative of the highest standards in architecture and will undoubtedly assist in raising the standards of design more generally in all areas if and where adopted in other projects.
- 6.68 The high quality design of the dwelling set within an enhanced landscape, referencing the special qualities of the site's character and historical use, will create a unique and exciting development that will generate interest and help raise the standard of design in the district as an authentic building of its time, seamlessly integrated into its setting.

- 6.69 The approach to multi-generational living will be disseminated to others through the documents submitted with this application and the articles and publications that undoubtedly follow a new grand design, and by those that visit and interact with the building.
- 6.70 The proposals will be a place where sustainable development can be seen in action and will be known for having been influential in the transformation to a low carbon society and sustainable living. It will play an important role in reducing emissions, key to which is renewable energy and the move to low carbon living, and an exemplar in renewable energy. The outstanding design of these proposals will help achieve these broader environmental objectives.
- 6.71 When considered as a whole, the proposals exhibit qualities that will assist in raising the standard of design required of paragraph 79.

Be sensitive to the defining characteristics of the local area

- 6.72 Paragraph 79 of the Framework requires proposals to significantly enhance the immediate setting *and* to be sensitive to the defining characteristics of the local area. For the purposes of this Statement, the last two limbs of the policy are reversed, since consideration of this one should inform the conclusion on the other.
- 6.73 We are advised that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live

and work and helps make development acceptable to communities.¹⁴

- 6.74 Planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change; and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.¹⁵
- 6.75 Design quality should be considered throughout the evolution and assessment of individual proposals.¹⁶ At paragraph 131, the Framework advises that in determining applications, “*great weight*” should be given to outstanding or innovative designs, which promote high levels of sustainability to help raise the standards of design more generally in the area. Local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscape to minimise energy consumption.¹⁷
- 6.76 It is clear there is no requirement in the national guidance to copy the existing built forms nearby. Indeed, within the context of paragraph 79 of the Framework, this would be misguided. There is however a requirement for proposals to be intrinsically right for the site, for the locality.
- 6.77 The requirement in paragraph 79 to be sensitive to the defining characteristics of the area is mirrored within the objectives of

¹⁴ Paragraph 124 of the Framework

¹⁵ Paragraph 127 of the Framework

policies ESD 13 (Local Landscape Protection and Enhancement) which requires development to respect and enhance local landscape character; ESD 15 (The Character of the Built and Historic Environment) in which new development is expected to complement and enhance the character of its context through sensitive siting, layout and high quality design; C28 (Layout, Design and External Appearance of New Development) which seeks to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the rural context of that development; and C30 (Design of New Residential Development) which seeks similar objectives.

- 6.78 Taking account of the above, it is necessary first to identify what the defining characteristics of the site and local area are.
- 6.79 The application site is characterised as being of modern and pre-modern agricultural form under the National Historic Landscape Characterisation. The wider site comprises of several adjoined fields to the south and east, connected by a newly laid hardcore access track and a tyre track access leading to an existing agricultural barn (with the benefit of conversion to a dwelling under Class Q) and a small ash plantation woodland and pond. A natural spring runs from the north and connects to the pond, eventually linking to the River Swere tributaries.
- 6.80 The site and landscape analysis revealed that the triangular shaped field situated immediately to the south of the existing barn is a lowland neutral grassland community characterised by a species-rich sward. The site analysis revealed that the damp meadow is nationally important but species poor, due to the change in winter flooding caused by the pond and ash plantation. The plantation woodland and pond is a relatively new landscape

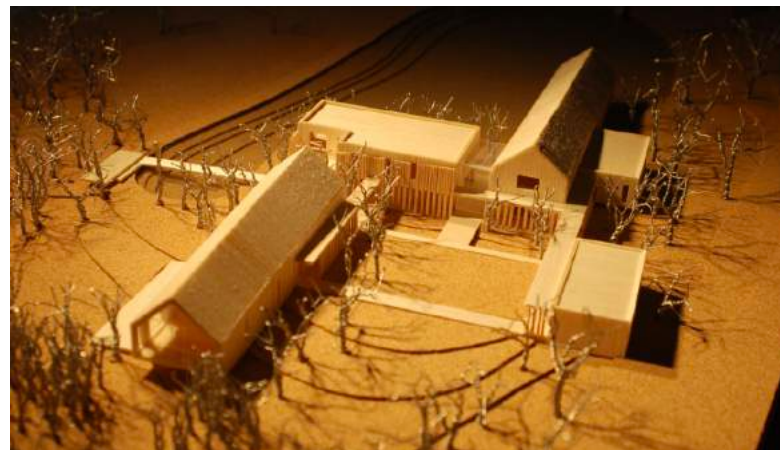
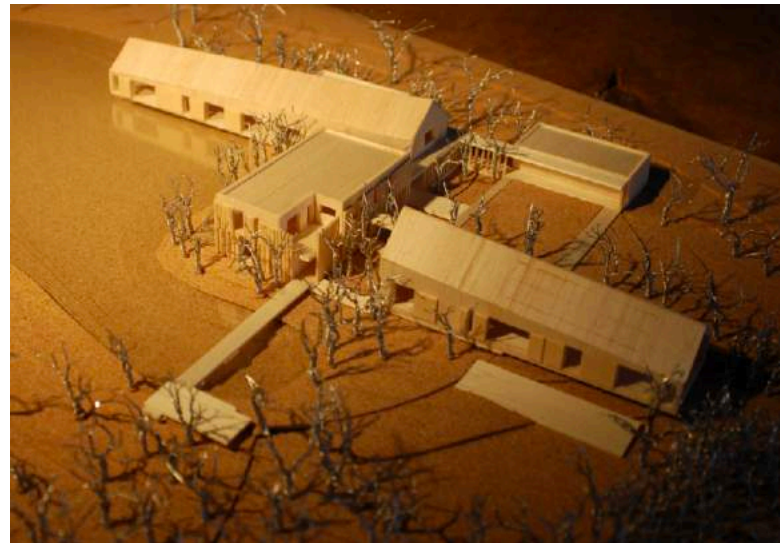
¹⁶ Paragraph 128 of the Framework

¹⁷ Paragraph 153 of the Framework

intervention, having been created by the previous landowner around twenty years ago. The pond is a rectangular shape and has little ecological value of itself due to its steep edge profiles and over-shading by the surrounding trees. The plantation woodland is predominantly ash and despite its young age, is already subject to ash die-back and decline. The woodland is a man-made intervention that is poorly designed but comprises an important landscape feature.

6.81 Having regard to these defining characteristics, the proposals seek to retain the existing field pattern and to restore, replace and enhance key components of the landscape, as appropriate. The proposed dwelling is sited within the woodland and adjacent to the reimagined pond where there is an opportunity to create a wonderful secluded setting for the house. The ash plantation will be replaced with a mixed native woodland. This could be gradual or may need to be immediate, depending on how ash die-back presents itself within the site in the coming months and years. The views along the southern boundary will be opened up, either by allowing the hedgerow to grow out or lay it. This will visually link the development into its surrounding landscape context. The views out to the south will be over a native meadow. A simple network of mown paths will wind through this meadow, linking various destinations and joining together the key areas of the wider landscape. There may be enough of a seed bank within the soil (prior to the ash plantation) to allow a meadow to establish through management. If not, then part or all of the meadow would be sown with meadow seed suitable for a clay soil.

6.82 The conceptual approach to design is three connected but self-contained wings, each providing a degree of isolation and privacy whilst simultaneously creating an integrated whole. The form and scale of the dwelling reflects the landscape scale of the site and surrounding area and in plan form the dwelling has the appearance of a grouping of agricultural buildings, by design.

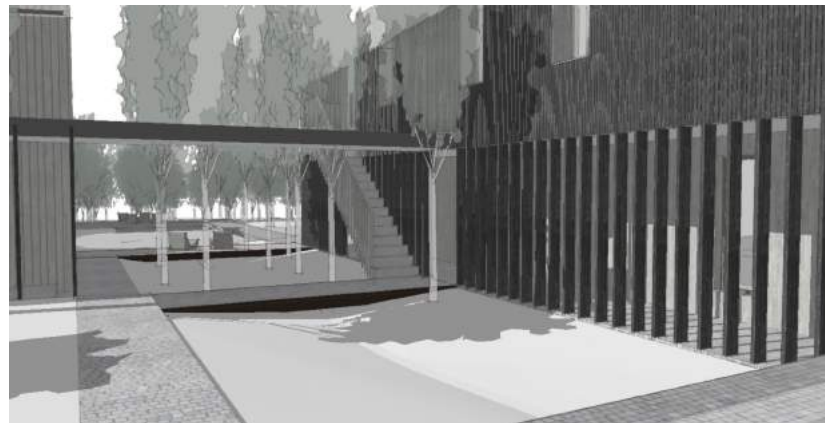


6.83 As explained above, the central flat roofed component contrasts with the pitched roofs of the wings, and they are then all tied together, along with a shared garage and a utility space, by a series of connecting covered walkways. These walkways perform the obvious function of access between the dwellings and to the garage without getting wet, as well as level access to each dwelling - but they also serve to visually tie these constituent parts together, unifying the composition and creating cloister-like spaces from which to enjoy the woodland setting. They also define and enclose the arrival courtyard.

6.84 The vertical timber fins that support the walkway roof are a reflection of the very vertical feeling young ash plantation - and although this will be replaced over time (owing to its poor quality and the ash die-back that is already present), the new trees around the building will have the same striking verticality.

6.85 The central section of the dwelling was particularly important because it is the link that connects the two wings and considerable time was spent on this element of the house. The scheme initially proposed a pitched roof for this part of the dwelling, but this was deemed not to be sufficiently distinct by The Design Review Panel and was re-worked as a result.

6.86 The elevational treatment of the central component is key to the success of the design. The fins extend upwards as part of a layer of cladding that wraps around the first floor. The line of the top of this cladding slopes as a continuation of the sloping roof line of the wings. The fins also extend up around Roddy's terrace, not only to support it, but also to give it a sense of enclosure. The fins to the east side of Roddy's terrace are angled to allow views out whilst blocking overlooking to and from Emma's terrace.



- 6.87 The central section's flat roof provides a greater contrast to the two wings as well as allowing extensive solar panels on it to be hidden from view. The design is dynamic and exciting, with the detailing serving to both contrast with and tie the whole composition together.
- 6.88 The plan also includes mezzanine spaces to make the most of the double height volumes. Roddy's living space is on the first floor, enjoying the roof terrace and the elevated view out through the tree canopy. This has followed from the desire to create unique outside spaces for Virginia, Roddy and Emma, each with their own aspect and not overlooking each other. Ensuring flexibility in how the various spaces could be used either separately or in various different combinations is also important, as well as making sure that opportunities for accessibility have been maximised.
- 6.89 The choice of materials further demonstrates a sensitivity to local distinctiveness. An important and dramatic feature of the design is Virginia's wing projecting out over the water and deciding how best to construct this was a key starting point. In order to keep the profile as elegant and slim as possible and not have supporting structure visible at the edges, choosing a system that could span in two directions and cantilever was logical. Cross laminated timber (CLT) is able to do this and is the perfect material from which to construct the slab, walls and roof (it will also help with the slightly unconventional roof shape). Much of the footprint of the building is over either the existing or the proposed lake, and so, piled foundations will probably be necessary. Not only would this be structurally sensible, it would also lead to minimal disruption on site. Lightweight, prefabricated construction is a logical next step, again, minimising groundwork and site disruption.

- 6.90 Having determined the materials for the structure of the building, it was then necessary to decide what the outer skin of the building will be. Lightweight cladding of some sort is the obvious choice – something that ties back to the CLT rather than a heavy outer skin like stone, which would need separate foundations. Although ironstone is the most prevalent material for houses locally, the isolated barn vernacular is more appropriate for the application site and these are mostly clad in timber. Timber therefore became the logical choice. It responds to and is reflective of the house's woodland setting and it is a renewable raw material.



- 6.91 The materials used and their design and detailing offer an exciting opportunity to express / manifest the multi-generational concept which forms such an important part of this scheme. The use of timber for the building's skin leads to the consideration of the lifecycle of a tree and how this is so clearly manifested in its cross-section with the layered rings representing each year of growth. The same concept can be applied to the facade, with distinct layers, each peeling back to reveal a different layer beneath.
- 6.92 A common concern with new houses in the countryside is the extent to which garden curtilages would change the landscape and erode countryside character. The garden spaces within the domestic curtilage have been designed to meet Virginia's brief for inter-generational living. However the domestic landscape needs to be able to evolve with the family. The illustration to the right shows which elements have been designed to evolve and which elements are integral to the function of the house.
- 6.93 The retention of the barn and its future use for the storage of landscape maintenance machinery would reinforce the character of this part of the site. Whilst it has been approved for conversion to residential use, it is preferable in landscape terms that its character and appearance remains as existing.
- 6.94 Further landscape and ecological enhancements are proposed across the whole site, having regard to landscape character and nature conservation interests. Combined with the SUDs strategy, the proposals demonstrate sensitivity to the defining characteristics of the local area. The proposed development accords with paragraph 79e) in this regard and the objectives of policies ESD 13 (Local Landscape Protection and Enhancement), ESD 15 (The Character of the Built and Historic Environment), C28 (Layout, Design and External Appearance of New Development) and C30 (Design of New Residential Development) in this respect.



Significantly enhance its immediate setting

- 6.95 The requirement of this element of paragraph 79e) to enhance goes beyond the requirements of development plan policies which are generally couched in terms of conserving and avoiding or mitigating harm. The overarching objective of sustainable development is to protect and enhance the natural, built and historic environment; helping to improve biodiversity; using natural resources prudently; minimising waste and pollution; and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.96 The requirement to significantly enhance is predicated on there being a new dwelling placed where none existed. In this connection, buildings can, and often do, enhance, and indeed define a landscape and the manner in which it is perceived. Buildings provide visual evidence of the way land has been used historically and continues to be.
- 6.97 The proposed dwelling has been designed to the highest architectural standards and would of itself enhance the landscape. However, the proposals also accrue other lasting benefits in the form of sensitive landscape and biodiversity enhancements.
- 6.98 With regard to the countryside, the NPPF advises that that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. These objectives are carried forward into the development plan principally in the form of policies ESD 6 (Sustainable Flood Risk Management), ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment), ESD 13 (Local Landscape Protection and Enhancement), ESD 15 (The

Character of the Built and Historic Environment) and ESD 17 (Green Infrastructure) of the Cherwell Local Plan 2015; and polices C4 (Creation of New Habitats), C7 (Landscape Conservation), C9 (Scale of development compatible with a rural location) and C30 (Design of New Residential Development) of the Cherwell Local Plan 1996.

- 6.99 **Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment** seeks to achieve the protection and enhancement of biodiversity and the natural environment. In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. The protection of trees will be encouraged, with an aim to increase the number of trees in the District. Development proposals will be expected to incorporate features to encourage biodiversity and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity. Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value.
- 6.100 **Policy C30 (Design of New Residential Development)** states that the Council wishes to secure environmental enhancement through new development. Proposals that would detract from the character of an area owing to obviously poor design will be resisted. Similarly proposals that would change the established character of an area, by, for example, introducing high-density housing development where low densities predominate, will normally be unacceptable.

- 6.101 Crucial to a successful design is the consideration of landscape. A house promoted under paragraph 79e) of the Framework could not stand on appearance alone. The interaction of the house and the landscape around it is a key part of the overall design considerations. A well-planned scheme will realise a positive impact immediately, and in time as the scheme matures the enhancement will become more apparent and if thoughtfully realised well the interventions will appear natural.
- 6.102 The proposal is informed by a series of landscape and ecological studies and surveys and is supported by a Visual Assessment. These empirical assessments have informed the site landscape strategy, including the building location, and in turn the Landscape Masterplan. The landscape strategy for the site incorporates a series of enhancements, as set out in the Landscape & Biodiversity Proposals (refer to the Plan on the following page).
- 6.103 As explained above, the young woodland is in decline, the ecological value of the ash plantation and pond is low, and their poor design has resulted in detrimental effects to the damp meadow. Allied with the existing (partially laid) access road up to the woodland, and the approved barn conversion, this is a site where opportunities to enhance are clearly present.
- 6.104 As with any and all Para 79 house proposals, the development would result in an intervention in the landscape comprising a new dwelling in a location where one does not currently exist. Depending on the landscape and design quality of the scheme, such interventions can either be positive or negative.
- 6.105 The proposals achieve a significant enhancement to the immediate setting of the site in a number of important ways. The ash plantation woodland is a positive landscape feature, notwithstanding its young age, and the proposals would reverse the decline of the woodland with a phased programme of replacing and replanting.
- 6.106 The woodland immediately to the north of the barn is mixed, native and old. The mature trees are primarily oak which are the focal points. Hawthorn and hazel is the dominant shrub layer with the blue bells forming the spring ground story. Cow parsley populates the woodland edges. Overall this part of the woodland has an established, native feel, full of various greens and dappled pools of light. It will be retained. The trees however around the pond are almost exclusively ash. They have a striking but unnatural appearance and have little biodiversity. They are unlikely to survive ash dieback.
- 6.107 Having regard to the above, the design sought to bring the character of the mixed native woodland to the north of the barn into the site. Elements of the ash should be retained to provide shelter and support for the new native woodland. This concept of the old supporting the new ties the multi-generational living back into the landscape, which in turn protectively wraps around the house. The proposed landscape design reflects the cyclical nature of life and is symbiotic with the multi-generational aspiration of the architecture by allowing the existing landscape to nurture and protect the new planting as it is gradually and sympathetically introduced into the evolving site. We will bring the character of the mixed native woodland to the north of the Barn into the site, thus always respecting the 'old' by letting it inform and safeguard the 'new'. Nature's own circle of life.
- 6.108 The Plan sets out the design intentions and long-term management objectives for the landscape, with programs for implementation along with how the various habitats and elements of the landscape will be maintained and managed. A procedure for monitoring and reviewing the Management Plan is set out to

ensure its successful implementation and identify any adjustments that need to be made.

Long Term Aims and Objectives

- 6.109 The over-riding aim of the Management Plan is to ensure the successful implementation and future management and maintenance of the landscape proposals so as to –
- Provide an integrated setting for the new house and associated buildings;
 - Increase the wildlife and ecological value of the landscape and protect any existing identified important habitats and species;
 - Incorporate a modest footprint of ornamental gardens, integrated into and adjacent to the new house;
 - Retain and enhance the character of the landscape and improve the visual quality of the site; and
 - Provide a sustainable management approach that understands and is sensitive to the aesthetics and long-term design objectives of the Landscape Proposals.
- 6.110 The management schedule has been divided into six sections to provide objectives and broad prescriptions for specific habitat types or landscape components as follows: -
- 1) Woodlands planting
 - 2) Existing mature trees and proposed feature trees
 - 3) Hedgerows
 - 4) Grasslands and meadows
 - 5) The lake and wetlands
 - 6) Ornamental gardens
- 6.111 The landscape and ecological enhancements are supplemented by a sustainable drainage scheme.

- 6.112 The effects of the development on landscape character and visual amenity have been assessed as part of the proposals and are set out in the accompanying documents. Three core landscape elements have inspired the landscape and building design - the water on the site, the ash die-back on site and the views out from the site. The damp meadow enhancements provided a great opportunity to enhance and protect a MG4 lowland meadow habitat and enrich its surroundings.
- 6.113 The house responds to the particular site features that are present, in particular the linear nature of the woodland and the pond. The vertical timber fins that support the walkway roof are a reflection of the very vertical feeling of the young ash plantation, and although this will be replaced over time (owing to its poor quality and the ash die-back that is already present), the new trees around the building will have the same striking verticality. The walkways also create strong axes, which draw you out into and connect to the wider landscape. The close integration of the house design to the site will ensure that the house enhances the landscape and the landscape proposals will enhance the setting of the house.
- 6.114 Visual effects range from 'minor adverse' to 'neutral'. Viewpoint 3 is the only view that has an adverse impact. It is a short section of the public footpath and the change is small. However, this small change is important in enhancing the design and tying it into its context. In the context of the local area, including the implementation of suitable mitigation, compensation and enhancement measures, it is considered that the proposed development of the site is appropriate in visual terms.
- 6.115 The overall impression is a building that looks and feels instinctively right in this location, notwithstanding its contemporary design, and as with all great buildings the resultant design appears effortless. Having regard to the particular characteristics of the site and surrounding area, it is clear that the

proposed dwelling is wholly consistent with the defining characteristics of the local area. By virtue of its careful siting and design, the proposed development both reflects and respects the settlement pattern and grain of development in the locality and would significantly enhance its immediate setting, both in the short, medium and long term.

- 6.116 For these reasons, the proposal accords with the environmental objectives as set out in the NPPF and transposed into the development plan in the form of policies ESD 6 (Sustainable Flood Risk Management), ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment), ESD 13 (Local Landscape Protection and Enhancement), ESD 15 (The Character of the Built and Historic Environment) and ESD 17 (Green Infrastructure) of the Cherwell Local Plan 2015; and policies C4 (Creation of New Habitats), C7 (Landscape Conservation), C9 (Scale of development compatible with a rural location) and C30 (Design of New Residential Development) of the Cherwell Local Plan 1996.

Conclusions on Para 79 Compliance

- 6.117 This is an extremely well-considered scheme which draws inspiration from the defining characteristics of the site and local area. The architecture is distinctive and will enhance the immediate setting of the site. The site chosen for the dwelling is appropriate, having regard to landscape character, settlement pattern, the site's visual relationship to the wider landscape and the existing access, and the site presents opportunities for significant landscape and biodiversity enhancements.
- 6.118 Having regard to the above, it is submitted that the multi-faceted nature of the proposed development represents a truly outstanding and innovative design, reflecting the highest standards in architecture that will significantly enhance its

immediate setting, whilst being sensitive to the defining characteristics of the local area, thereby helping to raise consciousness of high quality sustainable design and construction and of standards of design more generally in rural areas.

- 6.119 The design team's submissions in respect of the design quality of the proposals is supported by independent analysis of The Design Review Panel. The Panel is supportive of the design approach and considers that the submitted proposals have responded to the suggestions and comments made in their initial feedback.
- 6.120 The Panel consider that the proposals meet the requirements of paragraph 79e) of the NPPF insofar as the proposals:
- have demonstrated that they are truly outstanding and innovative,
 - do reflect the highest standards in architecture,
 - do significantly enhance the immediate setting, and
 - are sensitive to the defining characteristics of the local area.
- 6.121 For the aforementioned reasons, it is submitted that the quality of the design, incorporation of sustainability concepts from the start, together with ecological benefits and a sensitivity to the defining characteristics of the site and local area are sufficient to justify the scheme when considered against criterion (e) of paragraph 79 of the Framework.
- 6.122 The proposals would further the Council's design, landscape and environmental objectives as set out in policies BSC 4 (Housing Mix), ESD 1 (Mitigating and Adapting to Climate Change), ESD 2 (Energy Hierarchy and Allowable Solutions), ESD 3 (Sustainable Construction), ESD 5 (Renewable Energy), ESD 6 (Sustainable Flood Risk Management), ESD 7 (Sustainable Drainage Systems), ESD 8 (Water Resources), ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment), ESD 13 (Local

Landscape Protection and Enhancement), ESD 15 (The Character of the Built and Historic Environment) and ESD 17 (Green Infrastructure) of the **Cherwell Local Plan 2015**; and policies C1 (Protection of Sites of Nature Conservation Value), C2 (Development Affecting Protected Species), C4 (Creation of New Habitats), C7 (Landscape Conservation), C9 (Scale of development compatible with a rural location), C28 (Layout, Design and External Appearance of New Development) and C30 (Design of New Residential Development) of the **Cherwell Local Plan 1996**.

- 6.123 Further support for architectural innovation and the creation of healthy and sustainable places is set out in the Council's **Cherwell Residential Design Guide Supplementary Planning Document (SPD)** July 2018.



Other Considerations

Trees

- 6.124 **Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment)** seeks to achieve the protection and enhancement of biodiversity and the natural environment. In considering proposals for development, the protection of trees will be encouraged, with an aim to increase the number of trees in the District. **Policy ESD 13 (Local Landscape Protection and Enhancement)** seeks opportunities to secure the enhancement of the character and appearance of the landscape, particularly through the restoration, management or enhancement of existing landscapes including the planting of woodlands, trees and hedgerows. **Policy ESD 15 (The Character of the Built and Historic Environment)** requires new development to contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting landscape features.
- 6.125 The planning application is informed and accompanied by a Tree Survey Assessment (June 2020) prepared by Cotswold Wildlife Surveys. The initial survey was conducted in July 2019 and an updated survey was undertaken in June 2020.
- 6.126 As explained above, the young ash plantation woodland is in decline and the onset of ash die-back has already begun to take hold of the woodland. The woodland site inspection undertaken by Mark Caswell of Canopy Landscaping & Arboricultural Services in June 2020 confirmed that the overall vitality within this group of young ash is poor. A high number of trees have signs and symptoms consistent with Chalara Fraxinea (Ash Dieback). This can easily spread as the fungus overwinters within the leaf litter. The recommendations of this survey are to fell the worst effected trees and mitigate the loss by planting a different native species.
- 6.127 The deterioration of the woodland is not preventable, but it is possible by way of the proposed development to replace the trees and enhance the woodland, over time.
- 6.128 The woodland immediately to the north of the barn is mixed, native and old. The mature trees are primarily oak which are the focal points. Hawthorn and hazel is the dominant shrub layer with the blue bells forming the spring ground story. Cow parsley populates the woodland edges. Overall this part of the woodland has an established, native feel, full of various greens and dappled pools of light. It will be retained.
- 6.129 Having regard to the above, the design has sought to bring the character of the mixed native woodland to the north of the barn into the site. Elements of the ash should be retained to provide shelter and support for the new native woodland. This concept of the old supporting the new ties the multi-generational living back into the landscape, which in turn protectively wraps around the house.
- 6.130 Through careful woodland management, the decline of the woodland will be reversed, and the proposal will secure the long-term protection of the woodland as a positive landscape feature. In this respect, the proposed development accords with the aims and objectives of policies ESD 10, ESD 13 and ESD 15 of the Cherwell Local Plan 2015 as it relates to the protection and enhancement of biodiversity and the natural environment, including trees and woodlands.

Ecology

- 6.131 **Policy ESD 7 (Sustainable Drainage Systems (SuDS))** states that where possible, SuDS should seek to provide landscape and wildlife benefits.
- 6.132 **Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment)** seeks to achieve the protection and enhancement of biodiversity and the natural environment. In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. Development proposals will be expected to incorporate features to encourage biodiversity and retain, and where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity. Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value.
- 6.133 **Policy ESD 13 (Local Landscape Protection and Enhancement)** seeks opportunities to secure the restoration, management or enhancement of habitats. **Policy ESD 15 (The Character of the Built and Historic Environment)** requires new development to integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible. Well-designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity. Development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.



- 6.134 **Policy C1 (Protection of Sites of Nature Conservation Value)** seeks to promote the interests of nature conservation. **Policy C2 (Development Affecting Protected Species)** seeks to avoid harm to protected species. **Policy C4 (Creation of New Habitats)** seeks to promote the creation of new habitats.
- 6.135 The application is informed and accompanied by a Preliminary Ecological Appraisal (August 2019), a Great Crested Newt eDNA test (April 2019), a National Vegetation Classification Survey (July 2019) and a Biodiversity Impact Calculator (March 2020).
- 6.136 The development proposals embrace all available opportunities to protect biodiversity where necessary and enhance where possible. These measures are explained more fully above and in the accompanying documents, and crucially they are incorporated into the design of the development to achieve maximum benefit. The proposed ecological enhancements are widespread, far-reaching and significant. The objectives contained within the policies listed in paragraphs 6.127 and 6.128 (above) are met and in many respects exceeded.
- 6.137 The biodiversity benefits arising from the proposals have been measured and the biodiversity impact calculator tool has been utilised to demonstrate how the proposed enhancements to the land will significantly increase biodiversity on site.
- 6.138 The site contains an MG4 lowland meadow, a fragment of semi-natural woodland, ash plantation woodland and a man-made pond. There is a stone barn on the edge of the meadow. The Biodiversity Impact Calculator returned a net biodiversity gain of 31.92 habitat units and 5192.26 hedgerow units. This calculation does not consider non-metric recommendations within the preliminary ecological appraisal (Ecology by Design 2019). The clients plans for the installation of bat, bird and insect boxes across the site and provisions for nesting barn owl to be made within the existing barn, will all have a further benefit to

biodiversity but are not accounted for in the biodiversity impact calculator.

- 6.139 Having regard to all of the above, the proposals would avoid harm to protected species and would result in an overall enhancement to the biodiversity and wildlife value of the site and its contribution to the surrounding area. There would be no conflict with policies ESD 7, ESD 10, ESD 13 and ESD 15 of the Cherwell Local Plan 2015; or policies C1, C2 and C4 of the Cherwell Local Plan 1996 in this respect.

Flood Risk & Drainage

- 6.140 **Policy ESD 6 (Sustainable Flood Risk Management)** states that the Council will manage and reduce flood risk in the District. In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Site specific flood risk assessments will be required to accompany development proposals of 1 hectare or more located in flood zone 1. Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.
- 6.141 **Policy ESD 7 (Sustainable Drainage Systems (SuDS))** states that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS

should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits.

6.142 **Policy ESD 8 (Water Resources)** states that the Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use. Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals which would adversely affect the water quality of surface or underground water bodies, including rivers, canals, lakes and reservoirs, as a result of directly attributable factors, will not be permitted.

6.143 The site is situated within Flood Zone 1. However, the proposed site is approximately 1 hectare in size and the proposals embrace changes to the site's water environment and specialist advice was therefore provided in relation to hydrology by Clive Onions Consulting Civil Engineer (see report dated June 2020). The existing hydrology has been investigated in the area and there are many minor watercourses draining the higher ground and the surrounding farmland. The area has been investigated to clarify the various historical features and the routes plotted within the Landscape Design Development Document by prepared by SEED.

6.144 Based on the above assessment, it is proposed to introduce improvements in the management of the surface water and water quality conditions in the pond, without changing the routes of the watercourses and ditches. The following works will be introduced:

- The cut off ditches along the north of the site will be retained and maintained.
- These and the main channel will lead to an inlet area with native water plants, which will operate as a filter/sediment collection area from upstream runoff.

- A traditional stone entry will be formed into the pond to allow easy inspection and maintenance and to convey the design flows (up to 575 l/s).
- On overflow will be formed leading to the southern boundary ditch to manage exceedance events (as occurs at present).
- The pond bed will be cleaned to remove leaves, etc and improve water quality.
- The pond shape will be changed to remove the 'still' area and improve flow characteristics through the pond, and hence improve water quality. The island will also be removed.
- The top water level of the pond will be retained at 128.1m AOD.
- A traditional stone outlet will be formed to manage normal flows and high flows and return these to the historic channel (ie a traditional overflow). It will include a low level drain to allow lowering the pond level by gravity for inspection and maintenance.
- The banks of the pond will be wide for safety and to aid maintenance and robustness and will have shallow planted slopes.
- The historic watercourse downstream of the pond through the plantation will be retained and maintained.

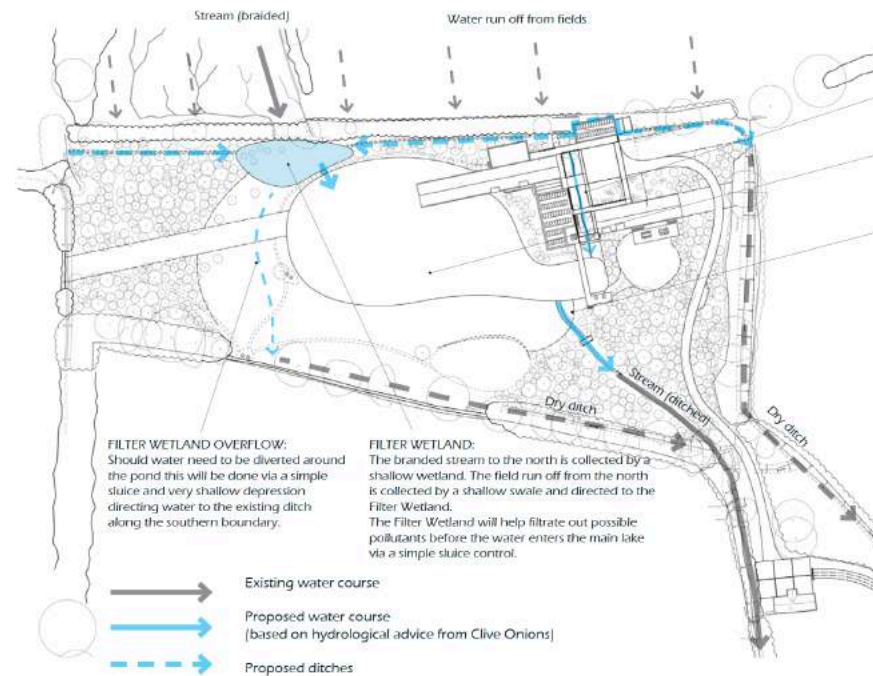
6.145 The above measures will improve the quality of the water entering the pond, improve the water quality in the pond and create details to allow proper safe inspection and maintenance. The landscaping and operational features will be integrated to create a sustainable and attractive design, which will ensure the safe operation of the pond for the lifetime of the development. It will enhance biodiversity. The watercourse channels in and around the meadow will not be changed. For planting proposals and maintenance of the meadow area see the landscaping information by SEED. One crossing of the watercourse is proposed to reach

the informal gathering areas, and this will be in the form of a bridge to avoid causing a restriction to flow. The watercourse and ditches are non-main watercourses and consultations will be held with the Lead Local Flood Authority (LLFA) to agree the scope of the Land Drainage Consent application form(s) to cover the changes to the pond and new bridge crossing and any other relevant works.

Surface Water Drainage Design

6.146 The proposal includes features to manage the increased runoff from the impermeable areas using features which are integrated with the landscaping and use the water for the safe enjoyment of the residents. It is noted that the site is not in a sensitive area with regard to flood risk and an assessment of the route of the River Swere shows that the nearest potential property flooding is some 10km downstream in Deddington. However, the impermeable runoff will be managed to reduce the risk of increasing flood risk downstream.

6.147 The layout has been designed with a vegetated swale/rill running between the buildings, which is 5.5m wide and 28m long, with a bed level of 128.1m AOD, making the depth 600mm maximum (for safety at the bridges). A stone low flow channel will be formed with a nominal longitudinal fall of about 1 in 250 from north to south, giving an average shallow depth of 545mm. A silt trap and grill/filter will be formed in the rill prior to the flow control device to allow easy inspection and removal of debris, with an exceedance overflow into the pond. To provide 39m³ the swale needs to provide 1.4m³/m, and with a 100mm freeboard (in this sheltered and safe area) the swale will provide the required 1.4m³/m. It is recommended that the swale is surveyed on completion to ensure that the design volume and freeboard are achieved.



Foul Drainage Design

- 6.148 There is no existing foul drainage on site, and no foul sewers in the vicinity of the site. It is noted that the site is within a Drinking Water Safeguarded Zone. Foul water from the dwelling will therefore be conveyed to a proprietary package treatment works designed for the flow and located at a suitable point on the site which can be accessed by a tanker, and compliant with Building Regulations (it is likely to be much more than the minimum 7m from the properties allowed in Building Regulations). The discharge from the treatment works will be less than 5m³/day and therefore would not normally require a permit. However, given the safeguarded zone a discharge will be provided which meets the General Binding Rules and has the required consent from the Environment Agency. This might be a discharge to the water course (which does not run seasonally dry) or a partial drainage field, as described in the Binding Rules.

Management and Maintenance

- 6.149 The Homeowner will be responsible for maintaining all the landscaping, water features and other infrastructure. They will comply with their Riparian duties with respect to managing the watercourses/ditches. Silt traps will be installed on all downpipes (apart from the two which discharge into the pond), to allow for easy inspection and clearance. The pond has an inlet which allows silt inspection and management. The swale/rill will incorporate features at the proprietary inlets to manage silt, and at the outlet. The flow control device will be readily maintainable as will the pond inlets and outlets. The landscaping will have a formal inspection in Spring and Autumn and matched against a schedule prepared by the Landscape Designer in consultation with the Drainage Designer.

- 6.150 It is recommended that this schedule and associated programme is prepared on completion of the works to ensure it is appropriate and sufficiently detailed. It should be reviewed after the first and second years, and thereafter every 5 years. It should include the service contract for the foul water drainage system. The design and maintenance inspections and associated works will ensure that the whole infrastructure supporting the dwelling is maintained for the lifetime of the project.

Conclusions and Recommendations

- The site is in Flood Zone 1, so development is appropriate in terms of flood risk, and the site is at low risk of surface water flooding.
- The site of the dwelling (ie the plantation) has been modified in the last 15 years by the previous owners to form a pond and plantation. The watercourse entering the pond is unmanaged, the pond includes still areas and the surrounding trees have caused the pond to become stagnant.
- The proposal is to clean out the pond, adjust its shape and improve the management of the watercourses and ditches through maintenance of the existing features. There are no proposals to divert the watercourses or ditches.
- The catchment runoff has been considered such that the improved system will safely convey the predicted flows, and the outlet from the pond will reduce the risk of still water in the pond.
- The proposal includes very high quality landscaping which has been integrated with the drainage design to create a sustainable drainage scheme which meets the highest target of the SuDS hierarchy for this site.
- The design has been developed to provide access to the key features and provide easy inspection and safe maintenance. A schedule and programme for the

maintenance will be prepared on completion, such that it integrates the hydrological requirements with the landscaping and ecological requirements.

- A foul drainage system is proposed which will include a package treatment works in a suitable location, and which will meet the General Binding Rules. A service contract will be entered into such that it continues to operate as intended.

6.151 The proposal is therefore based on a site-specific assessment, meets the highest target in the SuDS hierarchy for this site and will be safe for its lifetime, and therefore complies with the guidance in the NPPF and associated Sustainable Drainage guidance.

6.152 Having regard to the submitted information, the proposal would not give rise to harm in relation to flood risk or drainage and there would be no conflict with policies ESD 6, ESD 7 and ESD 8 of the Cherwell Local Plan 2015 as it relates to the management and reduction of flood risk; the safeguarding of floodplains from development; opportunities to restore natural river flows and floodplains, increasing the amenity and biodiversity value of the site; the management of surface water run-off; and the maintenance of water quality and ensuring adequate water resources and sustainability in water use.

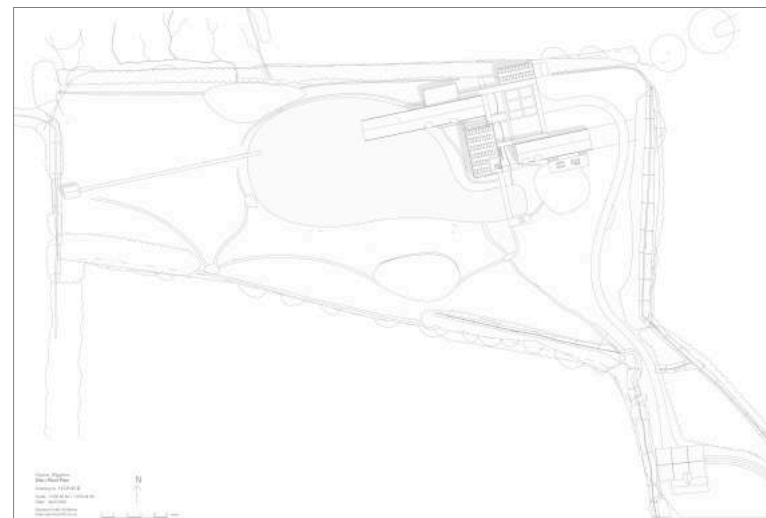
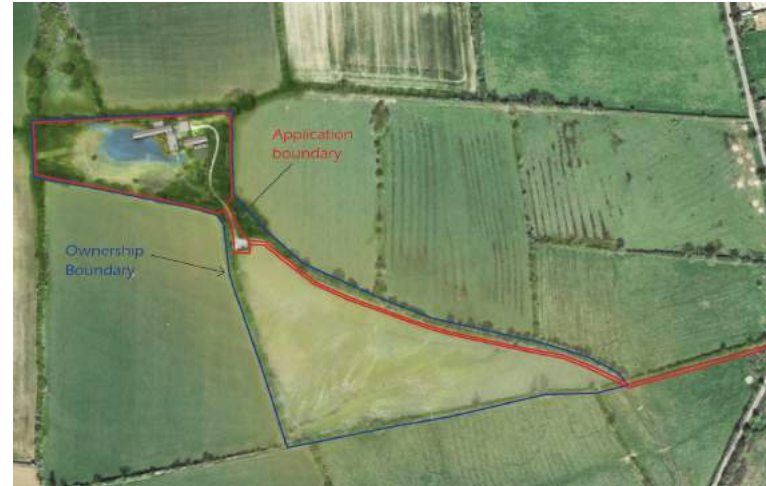
Residential Amenity

- 6.153 **Policy ESD 15 (The Character of the Built and Historic Environment)** requires new development to consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.
- 6.154 In terms of residential amenity, given the distance of the site to the nearest residential properties allied with the siting and orientation of the proposed dwelling and its intervening landscaping, the development would not result in any detriment to neighbouring residential amenity. The development would comply with generally accepted residential space standards, far exceeding the essential minimum requirements and advocated standards, and by virtue of its design and inherent sustainability, the proposed dwelling would provide an exceptional level of accommodation for its future occupiers to meet both their current and future needs.
- 6.155 The proposed dwelling is for multi-generational living and the proposals have therefore gone to great lengths to create private amenity spaces and outlooks for the three wings of accommodation, as demonstrated on the plan above.
- 6.156 Accordingly, the proposals would not give rise to any concerns in relation to residential amenity and there would be no conflict with Policy ESD 15 of the Cherwell Local Plan 2015 in this respect.



Access, Parking and Highway Safety

- 6.157 The NPPF at paragraph 108 advises that safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (Para 109).
- 6.158 The proposal seeks to utilise the existing access and track from the public highway up to the existing barn (with approval for conversion to a dwelling). It is not considered that the development would create a significant increase in traffic using the local highway network and the existing access is deemed to be appropriate. Further details of the construction of the track could be secured by way of a planning condition, if deemed necessary. Whilst the existing access track crosses over a public footpath, visibility is clear and the footpath would remain unimpeded.
- 6.159 There is sufficient space within the site to accommodate several vehicles and bicycles, and there is ample turning area to allow cars to enter and exit the site in a forward gear. There is also opportunity to install electric charging points in the garage and within the development, to encourage the purchase and use of electric vehicles.
- 6.160 For these reasons, the proposal provides adequate access to the site, parking provision and manoeuvring space.



7.0 SUMMARY

- 7.1 The design team is delighted to present to Cherwell District Council our proposals for the erection of a single dwelling for multi-generational living + landscape enhancements and associated works specifically formulated under the policy provisions of criterion (e) of paragraph 79 of the NPPF 2019.
- 7.2 The proposal is for a new dwelling in the countryside. Paragraph 79 of the Framework sets out the circumstances in which isolated new homes can be permitted. The fourth bullet point is the relevant one to this proposal and this requires an exceptional quality or innovative nature of design of the dwelling. The passage continues, such a design should *"be truly outstanding or innovative, helping to raise standards of design more generally in rural areas; reflect the highest standards in architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area."*
- 7.3 The application site is located within the open countryside, approximately 0.7km to the west of the small village of Wiggington.
- 7.4 The design of the dwelling derives from its immediate and surrounding context and has evolved from a thorough understanding of the environmental aspects of the site and the defining characteristics of the local area, informed by published data and empirical research.

- 7.5 The proposals are multi-faceted. The central plank of the development proposal is the creation of a highly sustainable house of truly outstanding quality of design and innovation that will further the Government's design and sustainability objectives by assisting in meeting the challenge of climate change through high quality sustainable design and construction, and landscape and ecological enhancements, thereby helping to raise the standards of design more generally. Underpinning the proposals are important landscape and ecological enhancement works that seek to restore, protect and improve the landscape and ecological value of the site and surrounding area through the long-term restoration and protection of important existing landscape features and the creation of new landscape features and natural habitats.
- 7.6 The Government recognises that climate change is one of the greatest challenges to modern day society and that planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change. This objective is central to the economic, social and environmental dimensions of sustainable development.¹⁸
- 7.7 Another important facet of sustainable development is high quality design. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.¹⁹ Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. It is however proper to seek to promote or reinforce local distinctiveness, respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging innovation.²⁰

¹⁸ Paragraph 93 of the Framework

¹⁹ Paragraph 56 of the Framework

²⁰ Paragraphs 58 & 60 of the Framework

- 7.8 Whilst visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations to include connections between people and places and the integration of new development into the natural, built and historic environment.²¹
- 7.9 In determining applications, “great weight” should be given to outstanding or innovative designs, which help to raise the standard of design more generally in the area.²²
- 7.10 These national planning policy objectives are embodied in paragraph 79e) of the Framework. Whilst the bar set by paragraph 79 is necessarily high, it is clear the support for houses of exceptional quality or of innovative nature of design goes to the heart of sustainable development and the Government’s objectives for climate change, high quality sustainable design and construction and environmental improvements that is the golden thread running through plan-making and decision-taking.²³
- 7.11 Indeed, paragraph 79 exists within a section of the Framework whose stated aim is to deliver a wide choice of high quality homes.
- 7.12 The proposals emanate from a detailed analysis and understanding of the site and its context with the surrounding area, including the key features and attributes of the landscape character area of which it forms a part. The site appraisal was informed by landscape, arboricultural, drainage and ecological surveys to provide a rich and in depth understanding of the site and locality. The design approach adopts good practice guidance in achieving high quality sustainable design, having specific regard to the Council’s Cherwell Residential Design Guide Supplementary Planning Document (SPD) July 2018.

²¹ Paragraph 61 of the Framework

²² Paragraph 63 of the Framework

- 7.13 The detailed analysis of the site highlighted a series of design considerations afforded by the specific landscape characteristics of the site and surrounding area.
- 7.14 The conceptual approach to the design of the house that evolved from the site analysis process was the creation of a new house which would enhance its immediate setting, arrest the decline of the ash plantation woodland and deliver a multi-generational house which is flexible and adaptable to future needs and changing circumstances.
- 7.15 However, it is not only the environmental benefits accruing from the proposals that warrant praise but the architectural approach to its sustainable design and construction and how this is linked to a holistic approach to integrated on-site energy generation, energy conservation and water and waste management for the entire development. In this case, the exceptional quality of the proposals cannot be narrowed down to one or two aspects of the development, although the design elements of the house alone are outstanding. The exceptional quality is more far-reaching as it results from a holistic approach to design whereby the interrelationship of design, materials, siting, orientation, energy demands, energy generation, functional use of spaces, location and landscape when taken together would significantly further the aims and objectives of the Government’s core principles for climate change, design and the natural environment.
- 7.16 The proposals will secure the necessary conservation and enhancement of the landscape characteristics of the site and provide (calculated) net gains in biodiversity to the benefit of the surrounding area. The proposals will assist in mitigating the impacts of climate change and it is hoped, will assist the Council

²³ Paragraph 14 of the Framework

in achieving its step change in sustainable building practices for new homes.

- 7.17 The requirement in the Framework to significantly enhance is predicated on there being a new building placed where none existed. The immediate setting in this case is limited and the proposed dwelling, along with its landscaping as an essential component to be secured by condition, would be a significant enhancement. The proposed development accords with the Government's policies that aim to encourage new dwellings of the highest architectural standards as a today's contribution to the architectural heritage of the country.
- 7.18 Taking into account all the above, the construction of a dwelling of such high architectural quality, along with the proposed landscape and biodiversity enhancement measures to the site as a whole, will have a marked benefit to the immediate setting. This is an extremely well-considered scheme which draws inspiration from the defining characteristics of the local area. The architecture is locally distinctive and will enhance the immediate setting of the site. The site chosen for the dwelling is appropriate being on land which presents opportunities for landscape and biodiversity enhancements. The approved conversion of the barn to one dwelling would not take place.
- 7.19 Whilst views of the proposed dwelling will be limited, to the extent that the development will be seen, rather than being a detracting feature, these glimpses will provide limited views of a unique development, of exceptional architectural and landscape quality.
- 7.20 The design team's submissions in respect of the design quality of the proposals is supported by independent analysis by The Design Review Panel. The Panel is supportive of the design approach and considers that the submitted proposals have responded to the suggestions and comments made in their initial feedback.

7.21 The Panel consider that the proposals meet the requirements of paragraph 79e) of the NPPF insofar as the proposals:

- have demonstrated that they are truly outstanding and innovative,
- do reflect the highest standards in architecture,
- do significantly enhance the immediate setting, and
- are sensitive to the defining characteristics of the local area.

7.22 Having regard to the above, it is submitted to the Council that the multi-faceted nature of the proposed development represents a truly outstanding and innovative design, reflecting the highest standards in architecture that will significantly enhance its immediate setting, whilst being sensitive to the defining characteristics of the local area, thereby helping to raise consciousness of high quality sustainable design and construction and of standards of design more generally in rural areas.

7.23 For the aforementioned reasons, it is submitted that the quality of the design, incorporation of sustainability concepts from the start, together with ecological benefits and a sensitivity to the defining characteristics of the local area meet, and in many respects surpass, the 'tests' set out in paragraph 79e) of the Framework, the objectives of the relevant policies of the development plan, and the aims of the Cherwell Residential Design Guide Supplementary Planning Document (SPD) July 2018 which seek to achieve the highest standards of design.

Robert Hughes MTCP MRTPI
Director, Hughes Town Planning Consultancy Limited
July 2020

