PB Planning

High Hoyland Lane, High Hoyland

PLANNING STATEMENT

June 2021

Strategy > Partnership > Delivery

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1.0 INTRODUCTION

1.1 This statement has been prepared in association with a full planning application for the development of one self-build dwelling at Land to the rear of The Greenland Cottage, High Hoyland Lane, Hoyland.

1.2 The following documents are those which the Council relied upon in the determination of the planning application: -

- Planning, Design & Access Statement
- Site Location Plan
- Proposed Site Plan
- Floor Plans
- Elevation & Street Scene Plans
- Section Plans
- Landscape & Visual Impact Statement
- Design Response
- Topographical Survey
- Coal Mining Stability Risk Assessment
- Arboricultural Report & Arboricultural Impact Assessment
- Preliminary Ecological Assessment

1.5 This statement puts forward the overall planning case in support of the proposals. In doing so it considers the compliance of the proposals with national planning guidance, the development plan and considers whether there are any other relevant material considerations.

2.0 SITE DESCRIPTION AND PROPOSED DEVELOPMENT

THE APPLICATION SITE

2.1 The application site is approximately 0.14 hectares in size and presently consists of a redundant back filled quarry that is in private ownership. The site has also historically contained buildings within it. The site's historical uses are detailed within the Coal Mining Stability Risk Assessment that was submitted alongside the planning application.

2.2 The site's topography is sloping from north to south, with a cliff face (associated with the former quarry use) that is located approximately 15m from the proposed site access. The land plateaus from the cliff face to the proposed site access on High Hoyland Lane. The site has strong defensible boundaries in the form of existing arboricultural features and existing residential development. The site is located in Flood Risk Zone 1.

2.3 The site is "infill" in nature on account of it being sandwiched between the private residential curtilage areas associated with The Mount to the east; The Greenland Cottage to the west; and The Perch and Hoyland Hill Cottage which are located to the north. The site has an existing access onto High Hoyland Lane located on the site's southern boundary.

2.4 In addition to the above, planning permission has been obtained for a "annex" building to The Greenland Cottage residential property (Ref. 2017/0333), which will be positioned directly to the south and in front of the proposed location of the residential dwelling.

PLANNING POLICY CONTEXT

2.5 High Hoyland is identified as a defined Village within Section 5.9 of the adopted Barnsley Local Plan. The site is located within the Green Belt, as is the Village in its entirety. Policy GB1 of the Local Plan identifies that the Green Belt will be protected from inappropriate development in accordance with national planning policy.

2.6 Whilst located in the Green Belt, Policy LG2 of the adopted Local Plan identifies that priority will be given to development within Villages. Accordingly, Policy H2 of the Local Plan identifies the delivery of new homes in the defined Villages as contributing to meeting the Borough's housing land needs. Policy H4 of the Local Plan states that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies in the Plan. Paragraph 5.4 of the Local Plan also identifies that development in villages will be encouraged where it meets local needs and supports vitality, the local village economy and viability of the local community.

2.7 Other relevant Local Plan policies include the following: -

- Policy D1 – Design
- Policy LC1 - Landscape Character
- Policy RE1 - Low Carbon and Renewable Energy
- Policy CC1 – Climate Change

2.8 Finally, Paragraph 9.27 of the Local Plan identifies that custom build and self-build projects will be supported where appropriate.

2.9 With regards to national planning policy, the key policy mechanism that would allow the development of the site is that provided in Paragraph 79(e) and Paragraph 131 of the Framework.

2.10 Paragraph 79(e) of the Framework states as follows: -

> ***Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: -***
> - ***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.***

2.11 With regard to the assessment of the design quality of development proposals, Paragraph 129 of the Framework identifies that local planning authorities should have regard to the recommendations made by design review panels.

2.12 Paragraph 131 of the Framework states that 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.

2.13 Compliance with Paragraph 79(e) and Paragraph 131 of the Framework would be considered to meet the Very Special Circumstances tests as set out within Paragraph 143 and 144 of the Framework.

2.14 This statement also considers the impact of the proposals on the openness of the Green Belt in consideration of the guidance presented in the Framework.

SUSTAINABILITY & ACCESSIBILITY

2.15 With regards to access to services, Manual for Streets highlights that walking offers the greatest potential to replace short car trips, particularly those under 2km. Thus, whilst within High Hoyland the availability of a wide range of services is lacking, there is within 2km, in the settlement areas of Kexbrough, Clayton West, Cawthorne and Scissett, a variety of facilities that

could provide for the day-to-day needs including primary schools, a dental practice, a pharmacy, convenience retail facilities, pubs and various other shops.

2.16 The site is therefore located in a suitably sustainable location in respect of access to services and facilities. The provision of residential development at the site would not have an adverse impact on the identified local context and land uses located within proximity to the site.

PLANNING HISTORY

2.17 A planning application at the site for one bespoke family home was recently refused by the Council (Ref. 2018/0380) and a subsequent appeal was dismissed (Ref. APP/R4408/W/20/3247092). This planning statement considers the site's planning history in detail and explains how the new proposals respond positively to the previous issues raised by these decisions.

THE PROPOSED DEVELOPMENT

2.18 The development proposals seek to deliver one new bespoke dwelling located within a former quarry "infill" site. The development would make a small, but important contribution to the housing needs of the District through the provision of a high-quality self-build home for a current resident of the Borough (the Applicant).

2.19 The development proposals are of exceptional design quality. The design of the development has been formulated through a comprehensive and iterative design process. The previously refused scheme was supported by the Senior Urban Design Officer of the Council and took on board comments from the Barnsley Urban Renaissance Design Advisory Panel (the Design Panel).

2.20 Since the dismissal of the appeal, the Applicant has worked closely with an independent member of the Design Panel to refine the scheme to respond positively to the Inspector's decision. The outcome of this work is discussed further in Section 4 of this statement.

2.21 A Landscape Architect has also been consulted with as part of the design process to ensure that the development proposals will not impact on the openness of the Green Belt. This work is discussed further in Section 5 of this statement.

2.22 The revised design of the development proposals is truly outstanding; innovative; will help to raise design standards in High Hoyland and Borough area; and will significantly enhance the immediate setting of the Application site.

TECHNICAL & ENVIRONMENTAL MATTERS

2.23 The planning application is supported by a number of technical documents, each of which confirms that there are no constraints that would preclude the development of the site for the proposed use. A synopsis of the conclusions outlined within each of the submitted technical documents is provided below.

Ecology

2.24 The submitted Ecology Report prepared Brooks Ecology, identifies that a Phase 1 Habitat Survey and Bat Assessment has been undertaken at the site. The report states that the site supports habitats of low ecological value, the presence of which will not pose any constraint to development. It identifies that precaution is recommended in relation to nesting birds and that any clearance of the vegetation should be carried out outside the nesting period.

Trees

2.25 The submitted Arboricultural Report & Impact Assessment undertaken by AWA Tree Consultants, identifies that the significant tree cover within the site consists of occasional larger individual trees situated along the site boundaries. The central areas of the site contain little of arboricultural significance, generally consisting of recently cleared scrubland.

2.26 The report identifies that the development of the site provides an excellent opportunity to undertake new tree planting throughout the site as part of a soft landscaping scheme.

2.27 Whilst the design of the proposed house will be of a high quality, the retention of the site's existing arboricultural features will help to maintain the existing green infrastructure and character of the area. Furthermore, the site also lends itself to possible further improvements of the tree stock within the locality.

Ground

2.28 The submitted Coal Mining Stability Risk Assessment, prepared by ARP Geotechnical Ltd identifies that the site is not affected by any known past, present, or future proposed, opencast coal mining. There are no known subsidence claims on or near the site.

2.29 The assessment identifies that a rotary drilling investigation should be carried out to confirm the depth and thickness of an existing coal seam beneath the site, and to confirm the presence of any potential workings present. Such borehole investigations are usually carried out following the grant of planning permission, but before commencement of development. The planning permission will usually include a condition relating to the investigation and possible future

treatment of mine workings. Should the application be approved, we would ask that a suitably worded condition be applied in respect of this matter.

2.30 The presence of underground workings is not a significant obstacle to development, and there are economical engineering solutions available, should they be required.

Highways

2.31 The proposed property will be served by a private driveway with a gated entrance to screen the appearance of cars on the site's frontage. Sufficient car parking spaces are provided to serve the development. The development seeks to utilise the existing access on High Hoyland Lane. Highway visibility standards can be achieved from the proposed site access and the development will result in an immaterial impact on the local highway network.

2.32 The access road to the site also serves other existing residential properties which front onto High Hoyland Lane. The access road has two access points onto High Hoyland Lane.

2.33 The Applicant has a legal right of access to the development site.

Drainage

2.34 The development proposals will be served by a new water treatment tank to be located in land controlled by the Appellant. Foul and surface water from the development proposals will discharge into the tank prior to draining to soakaways. In the same manner that existing properties located adjacent to the site currently do. 'Grey water' and rainwater will also be recovered and harvested as part of the development proposals. Should the application be approved, we would ask that a suitably worded condition be applied requiring the submission of the further necessary.

2.35 The documentation supporting the planning application establishes that there are no adverse environmental impacts associated with the site's development for the proposed residential use.

3.0 PLANNING HISTORY AND CONTEXT

3.1 This section of the statement discusses the application site's planning history. Whilst the previous application was supported by the Council's planning and design officers, it was refused by members of the Council's Planning Committee and dismissed at appeal.

3.2 The site's planning history has played an important role in the revision of the development proposals, which have sought to retain those elements of the previous scheme that were supported and enhance/improve those elements that led to the application being refused/dismissed.

THE PREVIOUS PLANNING APPLICATION

3.3 The Planning Application (Ref. 2018/0380) was submitted to the Council on the 27th March 2018 and validated on the 18th April 2018.

3.4 Following the submission of the application the Council's Senior Design Officer requested that the application be considered by the Barnsley Urban Renaissance Design Advisory Panel (the Design Panel) in order to assess whether the proposals were of sufficient design quality to comply with Paragraph 78(e) and Paragraph 131 of the Framework. The assessment of the scheme by the Design Panel would also identify whether amendments could be made in order to enhance its design quality.

3.5 The Design Panel's assessment of the development proposals took place on the 11th September 2018. The report includes the following summary: -

"Whilst the uniqueness of the site gives a great starting point, the proposal as presented needs a more fundamental re-think. Whilst the proposal has got potential it doesn't 'knock you back in your seat'; you expect reaction from an outstanding design. The panel strongly suggested getting a landscape architect on the design team. They can help develop a strong and extensive narrative so that the resulting design has a more extensive relationship with its surroundings."

3.6 The Design Panel report also provided the following recommendations to be considered when reviewing the scheme: -

- ***Get a landscape architect on the design team to develop the narrative of the design and to help ensure that the resulting design has a more extensive relationship with its surroundings.***
- ***Clearly demonstrate how the proposal is of benefit to the landscape.***
- ***Move away from the rigid edges of the retaining walls and the heavy looking roof, in order to help space flow out from the building.***

- ***Get the additional advice of an architect (or other professional) who specialises in energy efficiency, in order to use it as a driving tool for the overall design.***

- ***Test the proposals so that the accompanying written description is more definitive and firmer, (rather than stating 'this may be used'). Raise the standard of housing in the local area.***

3.7 The Applicant fully took on board the advice and recommendations of the Design Panel and committed to a comprehensive review and redesign of the development proposals. In accordance with the recommendations of the Design Panel this included the appointment of a Landscape Architect to undertake a comprehensive review of the application site and the development proposals.

3.8 Further meetings and discussions took place with the Council's Senior Urban Design Officer prior to the submission of amended plans in July 2019.

3.9 The planning application was initially heard at the Council's planning committee on the 22nd October 2019, at which members voted to defer reaching a decision so that a site visit could be undertaken. The committee site visit took place on the 19th November 2019 ahead of the planning committee on the same day.

3.10 On both occasions the application was recommended for **approval** by the Council's planning officers. The committee report prepared by the Council's planning officers was unchanged between both of the committees that the application was heard at.

3.11 With regards to design matters, the Council's Senior Urban Design Officer's, and Senior Planning Officer's assessment of the design of the previous development proposals set out within the committee report are quoted here in full for ease of review: -

The high quality, bespoke design and eco credentials of the proposal does weigh in its favour. Paragraph 131 of the NPPF states that 'great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help to raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings'. The application is assessed on this basis, taking account of Green Belt Policy (GB1), Design Policy (D1) and Landscape Character Policy (LC1) as well as Low Carbon and Renewable Energy (RE1) and Climate Change (CC1) and any other relevant policies as quoted.

The proposed plans were considered by the Barnsley Design Review Panel, who in assessing the site concluded it had characteristics capable of supporting an innovative and outstanding designed building. The panel made a number of recommendations regarding the design approach including the use of a Landscape Architect, which the applicant has taken on board in redesigning the proposed. Following this, the plans have been carefully scrutinised by the Council's Senior Urban Design Officer who attended the original Design Review Panel meeting and has sought to assess the plans taking on board the comments that were made by the members of the panel. In arriving at the conclusion that the proposed design is of an outstanding and innovative nature

the Senior Urban Design Officer has afforded weight to a number of aspects of the design.

The building is bold and confident in its architectural expression but firmly rooted in the narrative of the site as a former quarry and the character of its surroundings. There is an assurance in the composition of its elements, in its architectural arrangement and proportions, in its solid to void relationship and in the attention to detail in the appearance of the natural stone.

The single external facing material would be natural stone (including some from the quarry face), clearly showing a direct narrative with the former use of the site as a quarry and with the predominant facing material of buildings in the vicinity. The main face of the building will be crafted to appear as dry-stone walling and the front projection, which relies on a flatter profile to enable its architectural expression, would be in smooth facing ashlar. Clearly there is a commitment to making the best use of high quality, sustainable materials. In addition, large rocks (from the quarry face) will be used on the retaining bank on either side of the front elevation, further extending the narrative of the former use of the site.

There is a clear hierarchy of windows shown in the front elevation, with a strong contrast between two main expanses of glazing, (these being located on the top floor of the main building and in the picture window of the projection), and the more playful arrangement of the smaller windows. Combined with the very large expanses of natural stone on the elevations, this solid to void arrangement adds to the rugged appearance of the building and again the connection back to the former use of the site as a quarry. This ruggedness is further emphasised by the depth of the windows - they are considerably setback from the face of the stone adding further shadow and relief. Depth is also strongly expressed with the overhanging picture window and its 'frame'.

The front elevation of the building has a forward projection to break down the massing of the building. This projection forms a visual bookend to Greenland cottages, wrapping around the long and thin form of Greenland cottages. The overhanging flat roof of the proposed building has been designed to appear as light and floating as possible and gives a strong horizontal emphasis to the building, matching the long horizontals of the roof of Greenland Cottages. The bulk of the volume of the building will be set back into the quarry face, following excavation; with a sunken courtyard at the rear, bringing light into the middle of the house and allowing direct access from the bedrooms to outside.

With regards to landscape character, the Barnsley Landscape Character Assessment places the site in E1: West Barnsley Settled Wooded Farmland and assesses the landscape as strong and in good condition. It has a high sensitivity to, and low capacity for, change. Local Plan Policy LC1 expects development to retain and enhance the landscape character area in which it is located. One of the recommendations of the design review panel was to involve a landscape architect in the scheme which the applicant has taken on board. A number of changes have been made including the use of the stone taken from the cliff face in the external elevations and landscaping and the careful regrading of land rather than utilising retaining structures. The building is now more closely tied to its location and landscape.

As stated, the previous use of the site as a quarry, does not qualify it as brownfield or previously developed land under the definitions as set out in Annex 2 of the NPPF and it is also accepted that this use is historic. Nevertheless, a review of aerial photos shows that the site was densely vegetated in 2002 but that by 2009 a significant amount of trees had been removed and the various porta cabins and vehicles currently present on the site had appeared. It is therefore evident that it has been in its current state (or

thereabouts) for circa 10 years. The tidying up of the site and addition of a well-designed building, which has taken its design ques from the site and surrounding landscape will enhance the current site. In addition, the proposed landscaping scheme adds to this through the use of quarried stone and appropriate planting. In this respect the proposed is an outstanding, innovative design and its overall form and layout is clearly tied to its surroundings in compliance with paragraph 131. In addition it complies with Local Plan Policy LC1 in that it retains and enhances the character and distinctiveness of the individual landscape character of the site and wider area.

In terms of the sustainability of the building, the applicant has employed Award Energy Consultancy and provided a designers response following the design panel, which confirms the following: -

- ***Stone from the quarry face would be excavated and re-used as walling material and in the formation of the retaining embankments. This approach is highly sustainable.***

In terms of a fabric first approach high levels of air tightness would be achieved throughout and potential thermal bridging details would be avoided.

- ***The building would utilise a fully externally insulated reinforced raft slab, preventing cold bridging issues and the walls would be constructed in a 350mm Neopor Block system, which provides a U value of 0.14W/m2K which supersedes Pasiv Haus requirements. It has a core of 150mm concrete with 150mm external sleeve of insulation and a 50mm internal sleeve. Plastic hard ties eliminate any thermal bridging. Upper floors would be constructed in an insulated 'Op- Dek' system using profiled metal sheet and concrete, achieving high levels of insulation.***

- ***The roof which is designed to have a minimum thickness with a 'floating thin edge' projecting overhang beyond the glass and stone walls would be constructed in timber and steel and incorporate an insulated 'cut to falls' warm roof with an 'Armourplan' single layer pvc membrane roof finish.***

- ***The main windows are located on the south and south-western elevations, where the advantages of passive solar design would come into play. The windows would achieve high U value standards. Roof overhangs would be created over most of these windows to allow shading in the height of summer.***

A number of sustainable technologies are also proposed:

- ***A mechanically vented heat recovery system would be introduced as part of a comprehensive programme of energy saving measures.***

- ***Heating and hot water would be provided by a specialist designed system incorporating an air source heat pump and bio-mass boiler.***

- ***'Grey water' and rainwater would be recovered and harvested.***

- ***A ground based photovoltaic array would take advantage of the wider screened garden area and this would be discretely located remote from the building. The site is large enough and the topography such that the panels can be successfully screened from view without reducing their efficiency.***

In this respect the proposed promotes a high level of sustainability in accordance with paragraph 131 of the NPPF and Local Plan Policies CC1, CC2, CC5 and RE1.

In conclusion regarding the matter of principle, the proposal is inappropriate development in the Green Belt which is by definition harmful and substantial weight is given to this harm in the planning balance. The character, location, and visibility of the site, alongside the design of the proposed dwelling are such that the impact on openness is limited. Further, the outstanding and innovative design alongside the high levels of sustainability which the proposed house can be said to achieve is afforded considerable weight. It has taken into account the land form and history the site and its surrounds, being cut into the rock face and utilising local stone it blends with and is grounded to, the previous quarrying that occurred in this area. In this respect is fits with the form and layout of its surrounds. The residential character in the area is mixed with no set style or specific standard of design and the introduction of the proposed would bring a modern design form that would add interest and could be said to raise standards. Finally, the proposed would improve the landscape of the site (as it currently stands) and make a positive contribution to landscape character in the area. Officers also take the view that it would be perverse to allow new isolated dwellings in the countryside which satisfy the outstanding or innovative design test under paragraph 79 of the NPPF, where the potential for harm to openness is much greater, but not proposals that satisfy this test on less isolated sites, as the case here taking into account that the site is positioned between existing dwellings. Taken as a whole these positive considerations can be said to constitute very special circumstances in favour of the proposed which are considered sufficient to outweigh the limited harm that would occur to the green belt in this particular case.

3.12 Other key extracts from the committee report include: -

The Landscape Statement provided by with the applicant identifies the visual impact of the development as being limited to local views only from two public rights of way running through the field opposite the site from Margery Wood to the east and as pedestrians or vehicles travel along High Hoyland Lane. Other views would be from the adjacent cottages, albeit these are to the side with no windows looking direct at the site. The visual impact is therefore limited by this reduced visibility of the site itself. The visuals provided give an impression of what the building would look like when viewed up close (from the road) and the photomontage provides a distant view from the footpath; demonstrating how the existing landscape and trees will soften and screen the building.

The location, scale and design of the house would also have a limited impact on visual amenity being screened from view by the landform that surrounds it a existing trees; as well as the wider topography in terms of long distance views. It is also worth noting that permission has been granted for an annex to 1-2 Greenland which would be located in front of the proposed and further screen it.

The proposed is a well-designed scheme with a strong relationship to the landscape in which it is sited. In this respect, and taking account of the current status of the site, it will have a positive impact on visual amenity in accordance with Local Plan Policy D1 and LC1.

There are a number of residential properties around the site albeit there is very little in the way of visual connectivity between the various properties and therefore no real impact on amenity.

The proposed property is to be served by a private driveway with a gated entrance to hide the appearance of cars on the site's frontage. The approach to the access is from the existing access on High Hoyland Lane. Parking provision includes an integral

garage with a driveway in front to park 2 vehicles. This level of provision satisfies the existing and draft SPD and so there are no grounds to raise concern with the proposal on those grounds. Highways have confirmed no objections.

3.13 The committee report concludes by stating: -

In conclusion, the proposal is inappropriate development in the Green Belt which is by definition harmful and substantial weight is given to this harm in the planning balance. Nevertheless, it is accepted that very special circumstances have been demonstrated by virtue of the outstanding design and high levels of sustainability achieved, alongside the uniqueness of the development site. The Officer recommendation is therefore one of approval.

3.14 The committee report was unambiguous in identifying the Council's design and planning experts support for the previous development proposals. In particular it confirmed how the recommendations of the Design Panel were taken on board by the Applicant and that the Council's Senior Urban Design Officer has carefully scrutinised the proposals before "***arriving at the conclusion that the proposed design is of an outstanding and innovative nature".***

3.15 The Council Officer's previous recommendation to approve the application was therefore reached in accordance with the guidance presented in Paragraph 129 of the Framework, which states that in assessing applications, local planning authorities should have regard to the recommendations made by design review panels.

3.16 Accordingly, the Council concluded that very special circumstances had been demonstrated by virtue of the outstanding design and high levels of sustainability achieved, alongside the uniqueness of the development site. The previous proposals were therefore recommended for approval as they were considered to meet the policy tests outlined in Paragraphs 79, 131, 143 and 144 of the Framework. Alongside each of the relevant policies of the adopted Barnsley Local Plan.

3.17 The technical evidence submitted alongside the previous planning application and the recommendation for approval by the Council's planning officers also established that there are no technical or environmental constraints associated with the delivery of the development proposals.

3.18 Notwithstanding strong officer support, the application was refused by one vote (11:10) at planning committee on the 19th November 2019 and the Decision Notice was issued on the 22nd November 2019.

THE PREVIOUS PLANNING APPEAL

3.19 The Planning Appeal (Ref. APP/R4408/W/20/3247092) was dismissed on the 31st July 2020. The Inspector's conclusions included as follows: -

> ***"Consequently, when applying the Green Belt balance, despite the significant merits of the proposal, the advanced considerations in support of the appeal whether taken individually or cumulatively, do not, on balance clearly outweigh the conflict with planning policies that seek to protect the Green Belt. The Framework states that 'great weight' should be given to outstanding or innovative designs and 'substantial weight' must be given to any harm to the Green Belt. Although these terms are not quantified within the Framework, I am not satisfied that the proposal would clearly outweigh the harm even if the scheme was outstanding or innovative. However, for the reasons given, I find that is not the case. Therefore, the very special circumstances necessary to justify the development do not exist.***
>
> ***For the reasons given above the proposal would amount to 'inappropriate development' that would cause harm to the openness of the Green Belt and there are no very special circumstances to outweigh the harm caused in that respect. The development is contrary to the relevant policies of the development plan when read as a whole and there are no material considerations to indicate that a decision should be taken other than in accordance with that plan."***

3.20 Since the dismissal of the appeal the Applicant has instructed independent advice from a member of the Design Panel to undertake a review of the scheme with the intention of making suitable amendments to overcome the Inspector's concerns. The following sections of this statement outline the subsequent changes that have been made to the proposals.

3.21 It is clear from the site's planning history that the design of the proposals and their impact on the openness of the Green Belt are the key outstanding planning issues that need to be resolved in order for the application to be supported.

4.0 OUTSTANDING & INNOVATIVE DESIGN

4.1 As stated in the preceding sections of this statement, since the dismissal of the appeal, the Applicant has worked closely with an independent member of the Design Panel to refine the scheme to respond positively to the Inspector's decision.

4.2 A statement in support of the proposed development has been prepared by Claire Jamieson of Phi Architecture. Claire is a highly experienced architect who is also a member of the Yorkshire Design Panel Review (Integreatplus).

4.3 The statement is structured as a direct response to comments made within the Inspector's decision and thus this section of the Planning Statement will summarise key points for brevity. The proposed home has been named "*Ithaca*" and this name is referred to throughout the report.

4.4 Whilst significant design alterations have been made, one key "physical" change has involved moving the building further into the quarry face, enabling it to be more subterranean in nature and hidden by the site's existing topography. Including the highest point of the building, which the Council will recall previously sat at the top of the quarry face. This amendment is clearly shown on the Comparative Sight Line drawing that is submitted with the application. Indeed, the roof will be a warm roof with a waterproof membrane finish and incorporate a 100% recycled growing medium over which will be planted a 'wild flower' green roof. Enabling the development to integrate fully with the existing topography and visual appearance of the site.

4.5 This amendment makes the proposals more innovative and outstanding in nature, however, with regards to the impact on the openness of the Green Belt the Design Statement identifies: -

> ***The revised proposal, as presented, is extremely discreet and the viewpoints comprehensively demonstrated by Peter Dimberline indicate that Ithaca will not project above the current lay of the land and is predominately concealed behind the original and re-instated quarry face. This minimal visual presence is substantiated through the supporting LVA.***

4.6 In a direct comparison to the previously proposed upper floor of the development, the Design Statement identifies that the amended proposals render the upper floor to be "*minimal and transparent, draped with a green roof to emphasise the folding over of the land from the brow of the site".*

4.7 With regards to visual impact, the Design Statement further identifies that the revised proposal now offers "*a solution which is far less noticeable than any 'paraphernalia' currently occupying the yard frontage of the site. In addition, it is important to note that there is an existing stone*

outbuilding to the south of the quarry face. This will remain and this, together with the replicated quarry wall as the southern facade of the house, maintains the site in its original visual form, without the negative impact of the container and machinery."

4.8 With regards to the policy requirement of Paragraph 131 of the Framework, the Design Statement identifies that the outstanding design and sustainability of the proposals has been considered and consolidated further in this proposal. It further states that the outstanding nature of the scheme in terms of architecture, is in its discreet and earthy form, with the parallel ability to offer an exceptional place to live with far reaching panoramic views. There is nominal visual impact, as demonstrated in the LVA and individually checked by each of us as we have walked the footpaths and explored the terrain from far reaching aspects.

4.9 With regards to technological innovation, the Design Statement provides more detail on what is being proposed and how this can be considered outstanding and innovative in respect of the subterranean nature of the development. More specifically it states: -

> ***Although not novel, it is apparent that actual application of Passivhaus to innovative architecture in the UK is not yet a regular occurrence and the understanding of the whole ethos of constructing passively, with minimal active drain on energy resources is perhaps not as widely appreciated as we would hope.***
>
> ***I have been operating in the Passivhaus sector for over ten years and it is only now that the country is opening its eyes more widely to the drastic implications of climate change and the vast scale of the actions needed to alleviate the crisis.***
>
> ***Should Passivhaus, as a standard of construction be applied to a greater extent, there would be substantial benefits to future generations and our environment by the significant reductions in the need for energy to heat our homes, let alone the associated health and comfort benefits. The technologies that our Inspector refers to are indeed well acknowledged, but not regularly applied.***
>
> ***In our view any aspiration to attain these standards of construction, with reductions in the energy demands of 90%, should be embraced and acknowledged wholeheartedly.***
>
> ***The very fact that this house, of outstanding design may be a leading example of passive construction can only be seen as a credit to the local area and will indeed drive local interest to attain the same in whatever type of construction one is aspiring to complete.***
>
> ***One only has to step inside a Passivhaus to appreciate the exceptional quality of living available to us with minimal energy demand and costs and thus may conclude that it is desirable and beneficial in every way. The opportunity to advertise this locally, through leading by example, must not be underestimated. With this in mind I do believe this proposal will act as a leading example and will drive up local standards.***

4.10 The ability of the development to advertise and drive up local standards can be found in the fact that only 122 new build Passivhaus homes have been delivered over the course of the last 12 years. This is on average 10 new Passivhaus homes per annum. The development therefore

provides an opportunity to raise awareness and lead by example in standards of construction which reduce energy consumption and offer more comfortable homes which will cope with possible global warming.

4.11 The Design Statement and Passivhaus Design Stage Assessment provide full details of how the standard will be achieved by the development. Providing a further layer of analysis and description that was missing with the original planning application. Additional information will be added as the detailed design progresses to enable the full verification to be determined through the Passivhaus Institut with a view to certifying the project on completion and registering it on the Passivhaus database.

4.12 With regards to the proposed technological innovation of the proposed development the Design Statement surmises that *although not uniquely sustainable by this factor in isolation it is indeed eloquent that such a subservient structure can perform sustainably by adopting the world's leading standards of building science*.

4.13 With regards to proposed construction materials, a similar design approach has been taken to that which was supported by the Council when assessing the original proposals.

4.14 During the engineering works necessary to complete the excavations for the development, the stone from the former quarry will be inspected and set aside for re-use where the material is deemed suitable. The stone will be prepared for use as walling material or alternatively, if not considered suitable for this purpose, will be salvaged for use in the formation of the retaining embankments created as part of the external / engineering re-grading works and will be introduced in a carefully integrated way, creating 'natural rock supported transitions' between the various changes in ground levels. At the very least, the excavated stone will be crushed and graded for re-use in ground works and external works.

4.15 The majority of the building will be below ground and will benefit from the energy saving benefits of thermal mass. The ground floor foundation/floor construction will be a fully externally insulated reinforced raft slab, preventing cold bridging issues. The retaining/substructure walls will be constructed in 'Insulated concrete formwork' (ICF). Where exposed above ground, the ICF walls will have an external skin of natural 'dry-stone walling' with a recessed back pointing detail.

4.16 As stated above, the roof will be a warm roof with a waterproof membrane finish and incorporate a 100% recycled growing medium over which will be planted a 'wild flower' green roof laid on a filter membrane over water retention and drainage board. 'Grey water' and rainwater will be recovered and harvested.

4.17 A ground based photovoltaic array will take advantage of the wider screened garden area and this will be discretely located remote from the building. The site is large enough and the topography such that the panels can be successfully screened from view without reducing their efficiency.

4.18 The Design Statement concludes that: -

> ***The factors addressed in this report lead to the conclusion, in our independent opinion, that the impact on openness is not greater than the existing use. The development of the design and the resulting presentation of Ithaca in the proposed application is considered to be appropriate development which would not cause "harm" to the Green Belt.***
>
> ***The design of Ithaca is outstanding in its uniqueness, We ask for the skilful understated beauty of space and its direct ownership of sustainable living to be recognised. Ithaca accounts effortlessly for its presence by working with the land and immediate forms to create a beautiful and unrepeatable place to live. In turn, the innovative solution presented herewith is comprehensively articulate and could not be hoped to fit in more with the overall form of the site and its surroundings.***

4.19 On account of the comments included within the supporting Design Statement, the revised design of the development proposals can be considered truly outstanding; innovative; will help to raise design standards in High Hoyland and Borough area; and will significantly enhance the immediate setting of the application site.

4.20 The revised proposal has been carefully designed to evaluate and address all aspects of potential harm to the Green Belt and its openness. The scheme was subject to a finely balanced decision in the Inspector's opinion when taken to Appeal. The design has been advanced greatly since then and we consider that this has ironed out any possible doubt or wavering of thought as to the fine balance of whether or not the proposals can be considered to meet the requirements of Paragraph 131 of the Framework.

4.21 The development proposals are truly outstanding and innovate. They will deliver a high level of sustainable design which will help to raise the standards of design locally, and they fit in with the overall form and layout of its surroundings.

4.22 The design of the development proposals would constitute Very Special Circumstances in the context of the guidance presented in Paragraph 144 of the Framework.

5.0 IMPACT ON THE GREEN BELT

5.1 A Landscape & Visual Appraisal (LVA) prepared by Smeeden Foreman is submitted alongside the planning application. The LVA has been prepared to directly respond to the concerns raised by the Appeal Inspector in respect of the impact of the proposals on the openness of the Green Belt. The LVA has been used to tailor the design, scale, and location of the development in order ensure that it's visual impact on local landscape receptors is negligible.

5.2 The LVA identifies that the proposed development comprises a new dwelling set into the quarry face. The top tier green roof is the highest point of the proposed dwelling and would be flush into the existing lawn. A recreated quarry face is proposed as a screen to levels one and two. Existing trees would be retained as part of the proposed development.

5.3 The LVA has been undertaken following current good practice guidance. This has comprised a desk top study, including relevant planning policy, published landscape character assessments, identification of the study area and has been supplemented with field survey work.

5.4 With regards to Landscape Effects, the LVA concludes as follows:

- There are no landscape related conservation interests or important cultural associations relating to the site. The sites setting affords views of the broad key characteristics of the local character area such as gently rolling landform with hills and broad valleys.
- The application site is assessed to have a as **community** landscape value as within the methodology.
- The susceptibility of the site is assessed to be **medium**, having the ability to accommodate the proposed change without changing the overall character. The overall sensitivity of the site is therefore assessed to be **low/medium.**
- In terms of magnitude of change, the size or scale of change is assessed to be **moderate** as the dwelling is proposed to be set within the former quarry face and the proposed tiered level design would reflect the topography of the site.
- The geographical extent is assessed to be **small,** the duration **permanent**, and reversibility **nil**. The overall magnitude of change is assessed to be **moderate.**
- The sensitivity to change is assessed to be **low/medium** and the magnitude of change is assessed to be **moderate**. The assessment of overall landscape effects on the site and its immediate setting landscape receptor is therefore assessed to be **moderate**.
- The nature of the landscape effects is assessed to be **beneficial** due to the replacement of extensive domestic paraphernalia with a site-specific designed and earth-sheltered building. In summary, the overall landscape effects of the proposed development on the site and its immediate setting are assessed to be **moderate beneficial**.

5.5 With regards to Visual Effects, the base line study identified five viewpoints of the site, which formed the basis of the assessment of visual effects. A Study Area of 1 km was selected as this encompasses areas near to the site from where it is theoretically possible to view the site

and where greater levels of effect would be expected. Views of the application site are limited due to topography and vegetation. The key findings of the assessment are identified as follows:

- The visual sensitivity of receptors ranges between **medium** and **medium/high**, following consideration of the value of the view and susceptibility of the receptor.
- The magnitude of visual change ranges between **negligible** and **moderate**, depending on the size or scale of change, the geographical extent, the duration, and reversibility.
- The overall visual effects range between **negligible** and **moderate.**
- All five viewpoints are assessed as having **beneficial** or **neutral** effects due to new development having an established landscape context, and the removal of detracting elements from the landscape.
- Viewpoints 1 and 3 are assessed as **moderate beneficial**. Viewpoints 1 & 3 are both from the access drive to the application site/public footpath 11 and represent the clearest views of the site for walkers and residents accessing the rear of Greenland Cottages.
- Viewpoint 2 is assessed as **minor/moderate neutral**, it is the clearest view of the site in the direction of travel from High Hoyland Lane. The view of the proposed dwelling would be experienced intermittently with a minor magnitude of change.
- Viewpoints 4 and 5 are assessed as **negligible neutral,** the proposals resulting in a negligible magnitude of change due to distance and screening from existing trees.

5.6 The development finally appraises the development proposals in respect of the potential effect on the Green Belt. In this respect the LVA states that the application site is nestled between existing mature trees and neighbouring properties thus the proposals would have minimal impact on the perception of the Green Belt experienced within the wider landscape, as illustrated in views to the south-east (view 4) and the south (View 5).

5.7 Whilst the site is discreet within the wider landscape, the perception for walkers on the adjacent footpath is not one consistent with a Green Belt association with 'countryside'. The creation of a dwelling within an existing domestic curtilage which would replace extensive detracting landscape elements would reinforce the perception of the 'countryside' in the immediate site area to the benefit of the quality of the Green Belt landscape. The landscape context of the site within the pattern of surrounding buildings and gardens would mean that there could be no loss of the landscape perception of openness. The proposals sit within the landform and would have no landscape impacts in the wider landscape. On this assessment, there are no landscape conflicts with the purpose of the Green Belt designation.

5.8 The conclusions of the LVA corroborate those of the independent Design Statement, the impact of the development on the openness of the Green Belt is not greater than the existing use and the amended design of the scheme and resulting presentation can be considered appropriate development which would not cause "harm" to the Green Belt.

5.9 With regards to the guidance presented in Paragraph 144 of the Framework, it is considered that the outstanding and innovate nature of the development proposals would outweigh the negligible harm of the proposals to the Green Belt.

6.0 CONCLUSION

6.1 This statement has provided robust evidence to demonstrate that the development proposals will deliver sustainable development.

6.2 This statement has reviewed relevant planning policy at the national and local levels. It demonstrates considerable support for the proposed development of the Application site.

6.3 A summary of the key arguments in favour of the development proposals are as follows: -

- The development proposals seek to deliver one new bespoke dwelling located within a former quarry.
- The site is located in a suitably sustainable location in respect of access to services and facilities.
- The provision of residential development at the site would not have an adverse impact on the identified local context and land uses located within proximity to the site.
- The adopted The Local Plan identifies that custom build and self-build projects will be supported where appropriate.
- The site's planning history dictates that the planning matters to be deliberated through this application relate solely to those associated with design and landscape impact.
- The technical evidence submitted alongside the planning application and the site's planning history establishes that there are no technical or environmental constraints associated with the delivery of the development proposals.
- The development proposals are truly outstanding and innovate. They will deliver a high level of sustainable design which will help to raise the standards of design locally, and they fit in with the overall form and layout of its surroundings.
- The revised proposal has been carefully designed to evaluate and address all aspects of potential harm to the Green Belt and its openness. The scheme was subject to a finely balanced decision in the Inspector's opinion when taken to Appeal. The design has been advanced greatly since then and we consider that this has ironed out any possible doubt or wavering of thought as to the fine balance of whether or not the proposals can be considered to meet the requirements of Paragraph 131 of the Framework.
- With regards to the guidance presented in Paragraph 144 of the Framework, it is considered that the outstanding and innovate nature of the development proposals would outweigh the negligible harm of the proposals to the Green Belt.
- The design of the development proposals would constitute Very Special Circumstances in the context of the guidance presented in Paragraph 144 of the Framework.

6.4 The revised application has therefore responded comprehensively to the concerns previously raised by the Council's Planning Committee and the Appeal Inspector.

6.5 The proposals comply with the identified national and local planning policy guidance and planning permission should therefore be granted in respect of this planning application without delay.