Land at Church Road, Quarndon
DE22 5JB

Supporting Planning Addendum

September 2026

Quality Control

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1.0 Introduction

1.1 This **Planning Addendum** has been prepared on behalf of the applicants, Mr & Mrs Beeson, in relation to a full planning application for the erection of a self-build dwelling at land off Church Road, Quarndon.

1.2 It is submitted in reference to some minor modifications to the proposed scheme, some clarifications including some already provided by the planning agent Worcester Lloyd, and in relation to:

- Certain responses and objections
- The new NPPF 2026.

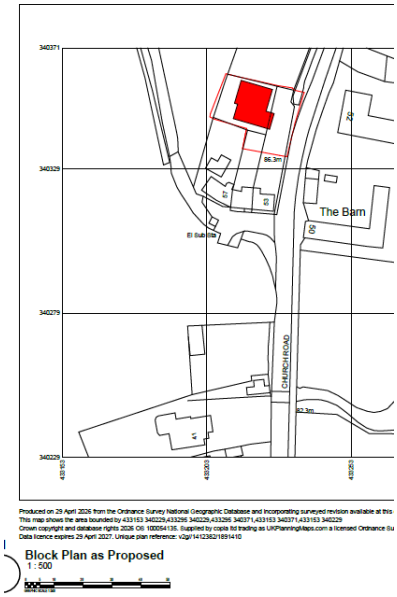
1.3 This document should be read alongside the original Supporting Planning Statement (SPS) by Planning and Design Group, the recent Consultation & Public Objections Report by Worcester Lloyd, the Heritage Statement and Heritage Addendum by Planning and Design Practice and the listed item below. However, 3 sections of the SPS are replaced by sections in this Planning Addendum, as set out at the start of the Planning Assessment Addendum herein:

- Location Plan
- All submitted plans including sections save where superseded by later versions
- Access Design plan by Rodgers Leask (Note: a parameter plan only)
- Vehicle Swept Path plan by Rodgers Leask
- Colour Visuals
- Design and Access Statement by Worcester Lloyd
- Sustainability and Climate Change Strategy by Worcester Lloyd
- Arboricultural Survey Report & Method Statement by John Booth Arboricultural Consultants Ltd
- Preliminary Ecology Assessment by Root 3

2.0 Key Clarifications

2.1 As evidenced in the Supporting Planning Statement (see Paragraphs 574-588 and Appendices 3 and 4) the Council is failing to meet its self-build and custom build duty. This is described as material consider in the SPS, which remains the case. However, such now also provides evidence of an accommodation need that is not being satisfied in terms of National decision-making policy (NDMP) HO7 of the new NPPF, in relation to NDNP HO1. The wording and stipulated 'substantial' weighting of this policy is provided in the Planning Policy section below regarding the NPPF. The two statutory duties on Councils regarding self-build and custom build dwellings are set out in Paragraphs 4.16 and 4.17 herein.

2.2 Worcester Lloyd has clarified that the application Site is confined to the area shown outlined in red on the submitted plan (extract below) rather than the adjoining field to the north, which appears to be a point of confusion in the responses of certain objectors and consultees. The adjoining parcel of land to the north is not owned by the applicants.



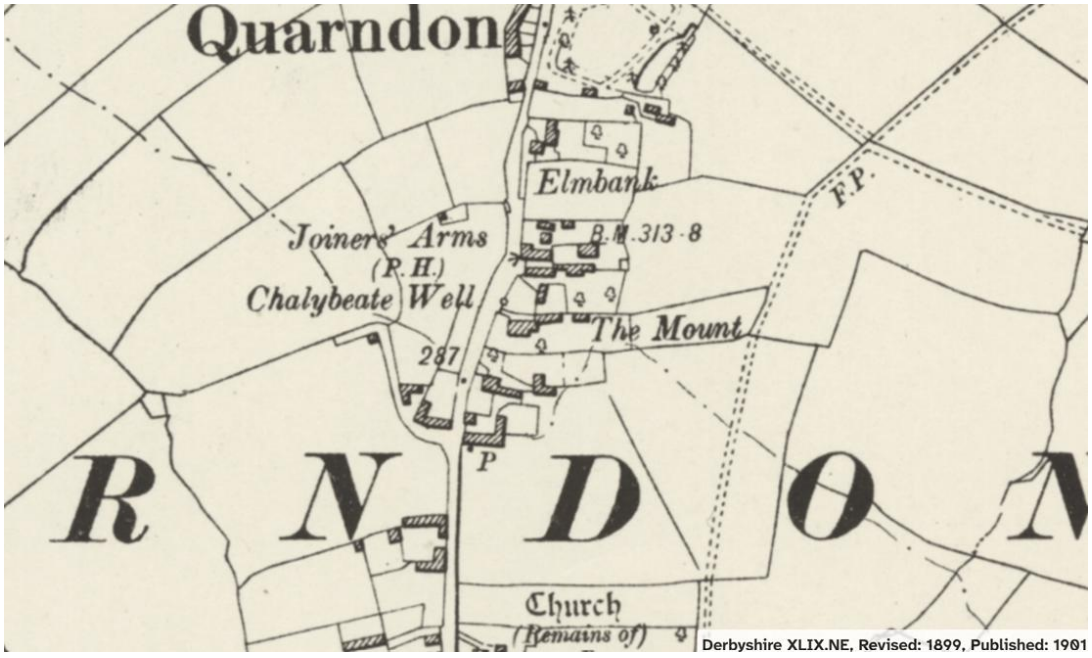
2.3 Given the above, contrary to the remarks of some objectors and incorrect assertations that the Site can accommodate 3 to 4 dwellings, the Site is not the same site that site that SHELAA entry that AVBC-2018-0031 refers to. The application Site is just the 0.057ha southern part of this,

which was formerly part of the rear gardens of Nos.53-57 Church Lane. It is only large enough for a single detached dwelling.

2.4 The SHELAA was assessed on the basis of the larger site. The current application relating to a much smaller site must be assessed on its own merits, including taking account of the new NPPF, the former garden land use of this vacant site and disused site and the pertinent self-build issue.

2.5 It has also been clarified that the access proposals and current cutting relate to an historic access point and the latter is the situation inherited by the applicants. Additionally, the second cutting to the north into the adjoining land is beyond the applicant's control. Only the left-hand cutting relates to the application Site.

2.6 Objectors have noted that the historic access shown on the historic map included in Worcester Lloyd's recent supporting document does not relate to the application Site. They are correct. The wrong plan was included in error i.e. a plan from 1863 rather than the stated 1901 plan. The correct plan extract from a plan revised in 1899 and published in 1901 is provided below and again in Appendix 1 with details of the source.



Historic Map – Revised in 1899 and published in 1901

2.7 On the 1901 plan there is a clear gap in the black boundary line between the land and Church Road that correlates with the location of current application Site. This is consistent with there being an historical field access of some type, and this correlates with the gap shown on the 2023 Streetview extract provided below. This was captured before the Site was acquired by the applicants in 2024. The current cutting is positioned in the same place and has not been altered since it the applicants purchased the site.



Google Streetview extract - 2023

2.8 The proposal seeks to create a formal residential access in the location of the gap shown on the above Streetview extract (i.e. where the current cutting is).

2.9 As a separate matter, and as stressed by Worcester Lloyd, the design parameters shown on the Site Access Design Plan (25401-RLL-25-XX-DR-D-5000) were prepared by Rodgers Leask as the project's transport advisors. These parameters have informed the proposed access as drawn by Worcester Lloyd (020 2025 003 Rev 1). However, the Site Access Design Plan by Rodgers Leask is not the access plan upon which the application should be determined. The access plans to be assessed, including cross sections, are only those prepared and submitted by Worcester Lloyd. The latter show the cross sections of the access and visibility splay.

2.10 Worcester Lloyd (WL) has supplied information to clarify that much of the front boundary wall has been taken down and stored as it was posing a risk to the highway in terms of potential

collapse. The landowners repeated emails to the Highway Authority regarding the impending risk were ignored. Copies of these are provided in WL's Consultation & Public Objections Report.

2.11 The proposal includes the careful rebuilding of the wall south of the necessary access point plus new boundary vegetation. Any removal of walling that has occurred beyond the application Site is a separate planning matter for the LPA and not something that the applicants would be party to as they do not own the adjoining land. However, the photo above shows that there was no walling immediately to the north of the application Site in 2023 where there is now a cutting.

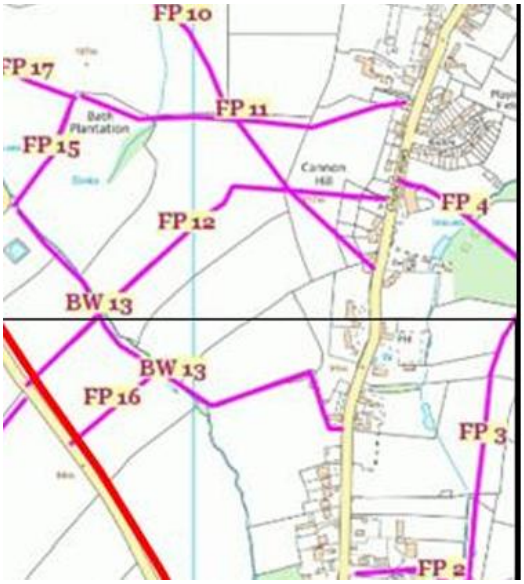
2.12 The Council's Heritage Officer refers to the application site as being part of the gardens of Nos.53 to 57 in the present tense, which is incorrect.

2.13 As set out in the Supporting Planning Statement (SPS), the Site is owned by the applicants. It was purchased in November 2024. The former garden outbuildings were removed in December 2024. The application will not result in the loss of part of the cottage's gardens, as the sale occurred in 2024, with the physical subdivision by way of high fencing occurring prior to this.

2.14 The land is now disused and is in an untidy state, including brambles and rubble as set out in the SPS and DAS. The debris and rubble were on Site when it was purchased in 2024.

2.15 The Site offers no views to the open countryside to the west given its elevated nature. It is noted that at least one objector suggests that the proposal will impact on views across the Site towards the countryside. This is incorrect, as the elevated nature of the Site prevents such views from Church Road.

2.16 Views from private land further to the east are already impeded by built form opposite the Site, which the development would not be higher than. The proposed dwelling will not impede views of the countryside from Public Footpath FP3 to the east given the elevated nature of the latter.



Source: Neighbourhood Plan

3.0 Amended Plans

3.1 The scheme has been amended to include an ensuite and dressing area serving the front bedroom with the resultant placement of the family bathroom in a room previously shown as a storage/wardrobe area. This change meets the needs of the applicants. There is a room on the first floor that the applicants will use as an office/study. However, it is accepted that any other future occupiers could opt to use it as a third bedroom. It is agreed, therefore, that it is appropriate to assess proposal, particularly in terms of the parking requirement, as a dwelling with the potential to have 3-bedrooms.

3.2 The revised scheme shows frontage parking and turning for 2 cars with the frontage planting positioned as required by the Highway Authority, so that when it grows/spreads it will not sit forward of the required southern visibility splay.

4.0 Planning Policy - Update Regarding NPPF 2026

4.1 There has been no change to the adopted Development Plan, consisting of the Local Plan and Neighbourhood Plan, since the application was submitted but national planning policy has significantly changed by way of the new National Planning Policy Framework (NPPF) coming into force on 17th August 2026.

4.2 The NPPF 2026 had immediate effect from 17th August 2026 with the NPPF of 2024 hence being superseded. Therefore, all references to the NPPF 2024 in the Supporting Planning Statement (SPS) and the Heritage Statement are now superseded.

4.3 The NPPF 2026 has both National plan-making (NPP) and National decision-making policies (NDMP), with the latter being relevant to the determination of the application, albeit some of these do refer to certain Plan making policies (e.g. NDMP HO7 refers to NPP HO1).

4.4 Annex A of the NPPF 2026 stipulates that policies of the Development Plan (or parts thereof) that are materially inconsistent with a National decision-making policy should be afforded very limited weight [in the assessment of planning applications], unless examined and adopted against the NPPF 2026. The latter does not apply as the Local Plan and Neighbourhood Plan were adopted before August 2026.

4.5 The National decision-making policies (NDMPs) most relevant to the assessment and determination of the application are:

Policy S3: Presumption in favour of sustainable development
Policy S5: Principle of development outside settlements
Policy GB6: Control of development in the Green Belt
Policy GB7: Development which is not inappropriate in the Green Belt
Policy H07: Meeting the need for homes
Policy L2: Making effective use of land
Policy L3: Achieving appropriate densities
Policy DP3: Key principles for well designed places
Policy TR3: Locating development in sustainable locations
Policy TR4: Street design, access and parking
Policy P3: Living conditions and pollution
Policy F8: Sustainable Drainage Systems and watercourses

Policy N2: Improving the Natural Environment
Policy N3: Trees in development
Policy HE4: Securing the conservation of Heritage Assets
Policy HE5: Assessing effects on heritage assets
Policy HE6: Proposals affecting designated heritage assets
Policy HE7: Decisions on Non designated Heritage Assets states
Policy HE9: Conservation area

4.6 **Policy S3: Presumption in favour of sustainable development** states that decisions on development proposals should apply a presumption in favour of sustainable development, '*which means*':

- Policy S4 of the NPPF should be applied when considering development within settlements.
- Policy S5 of the NPPF should be applied when considering development outside of settlements; and
- In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in the NPPF should be approved without delay.

4.7 Whilst **Policy S4** relates to development '***within a settlement'***, the glossary definition of a 'Settlement' in **Appendix B** the NPPF specifically excludes sites that are within a village but within the defined limits of the Green Belt. In such circumstances NPPF **Policy S5** applies.

4.8 However, the **first part of Paragraph 5** of **Policy S5** states that the proceeding paragraphs of Policy S5 do not apply to sites within Green Belt where the development must instead be assessed under Green Belt Policies **GB6, GB7** and/or **GB8**. However, this is heavily caveated by the **second part of Paragraph 5** which states that where a proposal would **not** be inappropriate development in the Green Belt under NPPF Policy GB7:

> *'It should be approved unless the benefits of doing so would be **substantially outweighed** by adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'* (Our emphasis added)

4.9 The above is such that where the development does not amount to inappropriate development in the Green Belt under **Policy GB7: Development which is not inappropriate in the Green Belt**

the site's Green Belt location completely falls away as a planning consideration in the determination of the application. In such circumstances, 'very special circumstances' (as defined in Policy GB6 of the NPPF) are not required to approve the proposed development in the Green Belt. Instead, the relevant test becomes the new 'tilted balance' test set out in the second part of Paragraph 5 of Policy 5 as quoted in blue above. For clarity, it is quoted in blue throughout this addendum.

4.10 **Paragraph 2** of **Policy S5** states that:

> *'In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed adverse effects include, but are not limited to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposal should be refused in specific circumstances.'*

4.11 **Paragraph 1** of **Policy GB7: Development which is not inappropriate in the Green Belt** sets out which types of development are to be treated as not inappropriate development in the Green Belt. The stated categories include, amongst others:

> *'(c) Limited infilling in villages lying in the Green Belt; and …*
>
> *(e) The redevelopment of previously developed land (including a material change of use to residential or mixed residential), which would not cause substantial harm to the openness of the Green Belt.'*

4.12 **Paragraph 1** of **Policy GB6: Control of Development in the Green Belt** sets out that development that does **not** fall within a category of **Policy GB7** amounts to inappropriate development in the Green Belt

4.13 **Paragraph 2** of the **Policy GB6** states:

> *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting form the development, is clearly outweighed by other considerations. In making this assessment, substantial harm should be given to the harm to the Green Belt which would be caused, including harm to its openness.'*

4.14 In relation to the **'Delivering Homes and Supporting Growth'** (Section 6 of the NPPF) **Policy H07: Meeting the need for homes** states that:

> *'1. In applying the policies of this Framework,* ***substantial weight*** *should be given to the benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the LPA and* ***other relevant evidence****. This includes,* ***but is not limited to****, homes needed for different groups assessed under* ***Policy H01****.'* (Our emphasis added)

4.15 **Policy H01** is a plan making policy. At Paragraph 2 part (i) it includes people wishing to commission or build their own homes (i.e. self-build and custom build homes).

4.16 It terms of ***'other relevant evidence'*** under Policy HO7 and as a general material consideration, Councils have a **statutory duty** under the Self-Build and Custom Housebuilding Act 2015 to keep a register of individuals and associations who/that have expressed an interest in acquiring serviced plots for self-build and custom build dwellings.

4.17 Notwithstanding a Council's general housing land supply position, the Housing and Planning Act 2016 places an entirely separate **statutory duty** on LPAs to provide sufficient planning permissions to meet the identified demand on the Council's self-build and custom build register (within 3 years based on 'based periods' that run 31st October to 30th October). Guidance is provided within the Self-build and Custom Housebuilding Planning Practice Guidance (April 2016).

4.18 As detailed and evidenced within the SPS, this duty is not being met by the Council (See Paragraphs 574 - 588 and Appendices 3 and 4 of the SPS).

4.19 **Policy HO11**: **Isolated dwellings in the countryside** is not applicable to the application as the Site is adjacent to existing dwellings and not in the 'countryside' as defined in the Local Plan (see Planning Assessment Addendum herein).

4.20 **Section 12 'Making Effective Use of Land'** includes two National decision-making policies, these being **Policies L2** and **L3**.

4.21 **Policy L2: Making effective use of land** states:

> *'1. Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:*
>
> *a. Remediating despoiled, degraded, derelict, contaminated or unstable land;*
>
> *b. Making better use of vacant and underutilised land and buildings (such as …);*
>
> *c. Making effective use of previously developed land and buildings through temporary uses …; or*
>
> *d. Creating additional homes or floorspace within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots …'*

4.22 Paragraph 1(b) provides examples of the type of buildings and land that could be reused but the use of the terms 'such as' means the list is not exhaustive. Part b is, therefore, applicable to the application Site, as it is both vacant and underutilised former garden land.

4.23 Paragraph 1(c) of Policy L2 does not apply as the proposed development is permanent not temporary and Paragraph (d) does not apply as the Site, whilst within a village, is not classed as being within a 'settlement' using glossary definition in Annex B of the NPPF (i.e. excludes sites within a village that are also within the Green Belt).

4.24 **Policy L3: Achieving appropriate densities** states that:

> *'1. Development proposals should make efficient use of land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places.*
>
> *2. To contribute to making efficient use of land:*
> *…*

*b. **Outside settlements**, and on land at the edge of existing built-up areas which is allocated or has permission for development and so will form part of a settlement (as defined in the glossary at **Annex B**), development footprints should make the best use of a site's development potential, taking into account the policies in this Framework;*

…

4. Development proposals that do not make efficient use of land in accordance with paragraph 2 of this policy should be refused.' (Our emphasis added).

4.25 **Section 14** regarding '**Achieving Well Designed Places'** includes two National decision-making Policies, these being **Policies DP3** and **DP4.**

4.26 **Paragraph 1** of **Policy DP3: Key principles for well designed places** states that:

'Development proposals should respond to their context (history, character and features of their site and setting). So that they integrate with and enhance their surroundings; such as through the arrangement if development plots and buildings, the use of materials and architectural features , and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.'

4.27 **Paragraph 2** of **Policy DP3** states that to create well designed places, development proposals should also reflect relevant aspects of 7 listed principles, as appropriate to the nature of the development. These include liveability, climate, nature, movement, built form and identity principles. The latter refers to '*The creation of visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.'*

4.28 The 'nature' principle of Policy DP3 includes enhancing tree cover and the provision of sustainable drainage in accordance with **Policies N3** and **F8** (see below). It also promotes climate change resilience.

4.29 **Paragraph 3** of **Policy DP3** states that development proposals should be refused if, without clear justification, they conflict with Paragraph 1 of the policy or relevant aspects of the principles in Paragraph 2, or with any explicit design standards set out on the Development Plan (including codes etc). It further states that substantial weight should be given to

compliance with relevant Development Plan policies when assessing the design quality of proposals.

4.30 **Paragraph 5** of **Policy DP3** states that substantial weight should be given to innovative designs which promote high levels of sustainability provided such are consistent with the overall form and layout of their surroundings.

4.31 **Section 14**: **Promoting Sustainable Transport** includes two relevant National decision-making policies, these being **Policies TR3** and **TR4.**

4.32 **Policy TR3: Locating development in sustainable locations** sets out a number of principles to support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure taking account of the type of development and its location.

4.33 In relation to the latter, **Paragraph 1(a)** of **Policy TR3** sets out that the use of sustainable locations to limit travel and car use applies only to *'development proposals which could generate a **significant** amount of movement, in the context of the area within which they would be situated.'* It hence does not apply to proposals for single dwellings.

4.34 In terms of development in rural area, **Paragraph 1(e) of Policy TR3** states that:

> *'Opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.'*

4.35 **Paragraph 1(c)** of **Policy TR3** requires any significant adverse impacts on highway safety to be mitigated to an acceptable degree using a vision lead approach.

4.36 **Policy TR4**: **Street design, access and parking** is written primarily in terms of the larger developments including the design of streets. However, **Paragraph 1(e)** regarding parking provision is relevant to all developments. It seeks a suitable number of parking spaces for a range of transport modes (e.g. cars and bikes) taking account of the location and nature of the development and locally set standards in the Development Plan, including the provision of electric charging points.

4.37 **Section 17** regarding **Pollution, Public Protection and Security** includes **Policy P3: Living conditions and pollution**. **Paragraph 2** of **Policy P3** states that development proposals should, amongst other things:

- Achieve adequate access to light for occupiers;
- Avoid unacceptable levels of daylight and sunlight for neighbouring residents; and
- Limit artificial light.

4.38 **Paragraph 1** of **Policy F8: Sustainable Drainage Systems and watercourses** states that:

> '*Development proposals that could affect drainage on or around the development site should incorporate sustainable drainage systems to control flows and reduce volumes of run off, in ways which are proportionate to the nature and scale of the proposal.'*

4.39 **Paragraph 2** of **Policy F8** refers to sustainable drainage systems being designed in accordance with the National Standards for Sustainable Drainage Systems (as detailed in footnote 57 of the NPPF).

4.40 **Section 19** regarding **Conserving and Enhancing the Natural Environment** includes **Policy N2 Improving the natural environment**. Paragraph 1 of Policy N2 states that developments should contribute positively to the natural environment and support nature's recovery including:

- *'Conserve and enhance existing natural features such as trees and hedges where possible and use appropriate landscaping to help integrate the development into its surroundings …*
- *Minimise adverse impacts on biodiversity and include features which support threatened features such as swifts, bats and hedgehogs, including integrated swift bricks unless there are compelling technical reasons to avoid such'.* (Our emphasis added).'

4.41 **Paragraph 3 of Policy N2** stipulates in terms of BNG that:

> *'Decision-makers should not give any weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including where a policy requires gains for development proposals which are exempt.'*

4.42 **Policy N4: Trees in Developments** relates mainly to larger scale developments and the provision of street trees but the need to maintain newly planted trees in relevant to the proposed scheme.

4.43 **Section 20** covers **Conserving and Enhancing the Historic Environment.**

4.44 **Paragraphs 1** and **2** of **Policy HE4 Securing the Conservation of Heritage Assets** states:

> *'1. Heritage assets, are an irreplaceable resource, should be conserved in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:*
>
> *a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and*
>
> *b. Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.*
>
> *2. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.'* (our emphasis added)

4.45 **Paragraphs 1-4** of **Policy HE5: Assessing effects on heritage assets** states that:

> *'1. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance …'*

4.46 **Policy HE6: Proposals affecting designated heritage assets** states in **Paragraph 1** that when considering the potential effect of a development proposal on the significance of a designated heritage asset *'substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*, and in **Paragraph 3** *'Any harm to a*

designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.' (Our emphasis added)

4.47 **Paragraph 5** of **Policy HE6** states that '*Substantial harm'* to or total loss of a designated heritage asset should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits, or if 3 other tests are all met. *'Substantial harm'* is defined in **Policy HE5 Paragraph 3(c)** as a situation where a development proposal would '*seriously affect a key element of the asset's significance'.* This refusal stance of Paragraph 5 is not stated in relation to developments that cause 'harm' rather than 'substantial harm'.

4.48 In terms of 'harm' **Paragraphs 4** of **Policy HE6** instead states:

> *'4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.'*

4.49 **Paragraph 2** of **Policy HE7**: **Decisions on Non designated Heritage Assets** states

> *'Where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset.'*

4.50 **Policy HE9: Conservation Areas** states:

> *'1. Development proposals within or affecting the significance of conservation areas should:*
>
> *a. Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area **where possible**; and*
>
> *b. Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.*

2. *Not all elements of a conservation area will necessarily contribute to its significance. Where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to conserve, the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with policies HE5 and HE6.'* (our emphasis added)

3. *Proposals which conserve those elements of a conservation area that make a positive contribution to the area (or which better reveal its significance) should be supported.'*

5.0 Planning Assessment Addendum

5.1 This Planning Addendum must be read alongside the original Supporting Planning Statement (SPS), as not all issues are restated in full, and the description of the site and proposals and the relevant Development Plan policies are set out in full in the SPS only.

5.2 However, given the new NPPF the '*Development in the Green Belt and the Principle of the Development in this Location*' (Paragraphs 6.1 – 6.55) section of the SPS is hereby superseded and **replaced** by the section in this addendum of the same title (starting at Paragraph 5.7).

5.3 Similarly, the '*Design in relation to Context and other Design Policy Considerations'* (Paragraphs 679-693) of the SPS is hereby superseded by the section in this addendum titled '*Design in relation to Context and the Efficient Use of Land'*. This **replacement** section now focuses only on design in relation to context (including relevant innovative and sustainable design issues) and the efficient use of land. Other considerations within broad design policies (e.g. impacts on trees) are now instead covered in separate sections of this Planning Addendum, with references back to the main SPS as appropriate.

5.4 The '*Summary, Planning Balance and Conclusion'* section of this Planning Addendum **replaces** the Section of the original SPS with the same heading (Paragraphs 7.1 – 7.26).

5.5 As noted above, the full case regarding the Council's failure to meet the self-build and custom build duty **is within the SPS only**, including data in Appendices 3 and 4 of the SPS.

5.6 Similarly, full commentary regarding public transport options and the time and distance to services and facilities in Allestree by non-car modes is provided in the SPS only (Paragraphs 6.1.20 – 6.1.23). However, the associated data provided in Appendix 2 of the SPS is replicated in Appendix 2 of this Planning Addendum to assist the reader.

Development in the Green Belt and the Principle of the Development in this Location

5.7 The Site is within the Nottinghamshire and Derbyshire Green Belt, as per neighbouring dwellings and gardens.

5.8 As set out in the original Supporting Planning Statement (SPS) and below, the Site is within the village of Quarndon rather than within the 'countryside', as defined in the Development Plan.

5.9 However, being within the village of Quarndon does not amount to being '*Within a Settlement*' under Policy S4 of the NPPF 2026 given the NPPF's glossary definition of 'Settlements' in Annex B. This specifically excludes sites that are within a village but also within the Green Belt from being classed as being *'within in Settlement'* in terms of the application of NPPF National decision-making policies.

5.10 As the Site is within the Green Belt, the overarching relevant National decision-making policies (NDMP) are (1) the second part of Paragraph 5 of Policy S5 or (2) Policy GB6, depending on whether the proposed development amounts to '*not inappropriate development in the Green Belt'* under NDMP GB7 or not. This will be returned to below after first considering the principle of a dwelling in the proposed location against the adopted Development Plan. The latter consists of the Local Plan and the Neighbourhood Plan. Material inconsistencies between the relevant Development Plan policies and NDMPs of the NPPF will be noted.

The Local Plan

5.11 Local Plan Policy SS8 covers development in the Green Belt.

5.12 Policies SS2, SS3, H2 and H3 (plus Neighbourhood Plan Policy QH1) provide the adopted spatial strategy and related policies regarding the delivery of dwellings in different locations across the Council area.

5.13 Notwithstanding the continued primacy of the Development Plan, as noted above, Annex A of the NPPF stipulates that very limited weight should be afforded to Development Plan policies (or parts thereof) that are materially inconsistent with NDMPs of the NPPF.

5.14 Local Plan Policy SS8 states that within the Green Belt planning permission will only be granted for development in accordance with National Policy and '*other policies in the Local Plan'*.

5.15 The wording of LP Policy SS8 regarding the use of National [Green Belt] Policy is entirely consistent with the 2026 NPPF, as it is written in a way that relates to the prevailing National Policy at any time. How the development performs under Green Belt Policy SS8 in relation to the new NPPF, will be considered separately below (in the **National Planning Policy Framework** of this Section, starting at Paragraph 5.45).

5.16 The reference in LP Policy GB8 to '*other policies in the Local Plan'* will be inconsistent with the NPPF where such policies (or parts thereof) are inconsistent with NDMPs.

5.17 In a broad sense Local Plan Policies SS2, SS3, H2 and H3 (and indeed Neighbourhood Policy QH1) are not fully consistent with the NPPF in terms of the principle of where new dwellings should be located as they do not use the broad 'within a settlement', 'outside of a settlement' and separate 'within a Green Belt' approach of the NDMPs S4, S5 and GB6, nor embed an automatic 'tilted balance' where development is not inappropriate development in the Green Belt (i.e. as set out in the second part of Paragraph 5 of NDMP S5 of the NPPF).

5.18 Notwithstanding the above, Local Plan Policy SS2 provides the Spatial Strategy with Quarndon classed as an 'Other Village' in the Settlement Hierarchy of the Local Plan (Policy SS3) where:

> '*Development will be limited to a smaller scale of development, whilst any development 'in the countryside' will be restricted so as to be consistent with the type of development envisaged by national policy and the other policies in this plan.'*

5.19 Physically, the southern extent of the village terminates around 0.2 miles south of the Site where Nos. 1A and 8 Church Road meet with the open countryside that separates Quarndon from Allestree. As set out in the SPS, the Site falls within a part of the settlement and village of Quarndon that the Neighbourhood Plan describes as being that part of the village within the Green Belt to the south along Church Lane, including the Joiners Arms public house and housing.

5.20 Importantly, under Local Plan Policies SS3 and H3 being within the village is a separate matter as to whether a site is classed as being within or adjacent to the 'built framework' of the village or 'within the countryside'.

5.21 Local Plan Policy SS3 defines 'countryside' as '*Land beyond and not adjacent to the Urban Areas, Key Villages and Other Villages and Settlements as defined above'* i.e. a site that is neither within or adjacent to a defined village or settlement.

5.22 However, Local Plan Policy H3 tightens the definition of countryside to include sites that are '***not*** *within* or adjacent to *a* ***built framework*** of *an urban area, village or settlement'***.** Hence under Policy H3 a site that is not adjacent to a built framework is classed as countryside (and hence vice versa).

5.23 'Built framework' is defined in the glossary of the Local Plan as:

> ***'Built Framework:*** *the limits of continuous or contiguous development forming the existing built-up area of a settlement.'*

5.24 The definition states continuous **OR** contiguous development, which recognises that these are not the same. Indeed, various dictionary definitions clarify this difference:

> Continuous - Uninterrupted, ongoing, unbroken with no gaps.
>
> Contiguous - Physically touching or next to, typically describing physical objects, land borders, or events that share a common boundary or are positioned next to each other, with neighbouring dwellings and/or their plots given as an example of contiguous.

5.25 Nos.53 to 57 Church Road, which the Site adjoins, are contiguous dwellings/plots as they are a row of dwellings immediately adjacent to each other. Additionally, Holly Bank Farm and the associated barn conversions, which are immediately opposite the Site, are also contiguous plots/dwellings, as are Nos.73 and 75 Church to the north. The intervening land and road means that these dwellings are not unbroken continuous development, but they are nonetheless part of the *'contiguous development forming the existing built-up area of a settlement.'* These dwellings and their plots are hence part of the built framework of the village, as defined in the Local Plan glossary.

5.26 Given the above, the Site **is** adjacent to the built framework of the village under Local Plan as defined in the glossary of the Local Plan and hence excluded from the definition of 'countryside', as set out in Local Plan Policy H3.

5.27 Therefore, whether the site is an acceptable location in principle for a dwelling in terms of the spatial strategy of the adopted Development Plan falls to be assessed under Local Plan **Policy H2** (Dwellings within or adjacent to other villages and settlements) and also Neighbourhood Plan **Policy QH1**. The latter includes a section regarding dwellings within the Green Belt (see below).

5.28 Local Plan Policy H2 supports the principle of dwellings within and adjacent to the built framework of 'Other Villages' (such as Quarndon) in certain circumstances including:

> *'New dwellings providing the site is:*
>
> *(1) previously developed; or*

(2) the development is in the form of infilling of small gaps within existing groups of houses and where the land is not specifically allocated for any other purposes in the Local Plan (unless it can be demonstrated it is no longer required for that purpose).'

5.29 Where the site is adjacent to the built framework rather than within it, Policy H2 clarifies that the above 'in principle' support is subject to certain matters also being demonstrated i.e.

- *'The scale and character would be reflective and proportionate to the settlement it relates to, taking account of the cumulative impact of other proposals and the landscape setting;*

- *It would constitute sustainable development by being accessible to a range of services and facilities or improving the viability and accessibility of existing services and facilities in the settlement;*

- *There will be sufficient infrastructure capacity, either existing or proposed, to support the proposed level of development; and*

- *Accord with other policies in the plan.'*

5.30 The provision of a dwelling on previously developed land adjacent to the built framework meets a qualifying type of development supported by Local Policy H2. The site is **previously developed land** as it is former garden land in a rural setting beyond built-up area. It is also in a degraded state. The land is not allocated for any other use in the Development Plan.

5.31 This location is hence supported in principle by Local Plan Policy H2 as the Site is PDL as former garden land in a rural setting beyond the built-up area.

5.32 Under the alternative 'in principle' qualifying route of Local Plan Policy H2, the proposed single dwelling will fill a small gap next to and opposite an existing group of houses (Nos.53-57, Holly Bank Farm and 52 Church Road), and the land is not allocated for any other purpose. It will read as infill development within former garden land, alongside and opposite other dwellings, rather than encroaching westwards into the open countryside, or northwards onto undeveloped land. This aligns with supporting text of Local Plan Policy H2, which provides support for '*small scale [residential] development adjacent to and proportionate to the settlement'* that will enhance the viability of village service and facilities and services. This is

not stated as a distinct category in the policy itself. Occupiers will use village facilities and services such as the village hall and the bus service.

5.33 At 0.057ha it is a small site. It appears that some objectors may have misinterpreted the scale of the Site, as they incorrectly suggest it is large enough for 3-4 homes (as noted in the Key Clarifications section

5.34 As detailed elsewhere within the overall submission including this Addendum, the proposal will also meet other defined assessment criteria of Local Plan Policy H2 including:

- Being sustainably located in terms of opportunities to reach services and facilities by non-car modes as relevant to a single dwelling in a rural area (including compliance with NDMP TR3 of the NPPF);

- The proposed single dwelling is of a scale and character that is reflective and proportionate to the Quarndon settlement (village) and its wider landscape setting;

- Any harm to designated heritage assets being outweighed by public benefits, and

- The proposal's relationship with non-designated heritage assets (NDHA) not indicating a refusal under the heritage policies of the Development Plan (EN4 and QH1) when this is read and correctly weighted against the NDMP HE7 regarding NDHA (see Heritage Section herein and the separate Heritage Addendum by Planning and Design Practice).

5.35 It is hereby concluded that the provision of the proposed dwelling finds support in Policy H2 and its supporting text, which weighs in favour of the application. However, as noted above, there is some inconsistency with NDMP S5, Paragraph 5, which has Green Belt as the starting point and an automatic tilted balance in favour of a Green Belt proposal under the second part of Paragraph 5 where the proposal is *'not inappropriate development in the Green Belt'*.

5.36 In accordance with the above approach, any suggested conflict with Policy H2 in terms of the principle of a dwelling in this location (and indeed any other Spatial Strategy related policies of the Local Plan) should be afforded reduced weight given that this policy is not fully consistent with NDMP of the NPPF.

5.37 Notwithstanding the above, the fact that the Development Plan supports PDL and infill sites next to the built framework should be afforded some positive weight as material

considerations. Similarly, the proposal accords with the overarching aims of the Local Plan's adopted spatial strategy and settlement hierarchy regarding:

- Protect the open countryside from development to protect its intrinsic qualities.

- Limits growth within and protect the character of rural other villages and settlements.

- Resists unsustainably located development (as detailed in the Sustainable Transport Section of the SPS and herein).

The Neighbourhood Plan

5.38 Neighbourhood Policy QSS1 supports the delivery of new housing, economic growth and diversification within Quarndon *'… where these comply with the detailed policies set out in the subsequent sections of the Plan'.* By definition, Policy QSS1 will hence be materially inconsistent with NDMP of the NPPF where policies of the Neighbourhood Plan (are parts thereof) are materially inconsistent with the NDMP.

5.39 Without reference to the 'built framework' (i.e. a term used in the Local Plan only), NP Policy QH1 lends support to the principle of infill development <u>in the Green Belt</u> in a small gap <u>between</u> existing buildings and '*generally be no larger than 2 new dwellings'* and where various other listed criteria will be met:

> *'Appropriately designed new housing development will be supported within the area of the Village of Quarndon that is inset from Green Belt where it would:*
>
> *a) complement the character of existing housing; and*
> *b) address and respect the amenity of neighbours; and*
> *c) minimise loss of hedgerows and mature trees and replace any losses like-for like within the site; and*
> *d) in the case of infill, be integrated within an existing built frontage.*
>
> ***[AND]***
>
> ***In the area of the Village of Quarndon <u>within the Green Belt</u>*** *(that is the parts of the Village to the south along Church Road, including the old church and the Joiner's Arms*

pub, as well as the housing on The Common), limited infill will be supported, which meets the preceding requirements of this policy and additionally:

e) infills a small gap between existing buildings generally no larger than two new dwellings;
f) if within a Conservation Area, not diminish the natural features that contribute to its appearance and character;
g) retains the rural character by not removing the wildlife friendly green gaps where they span across both sides of the road; and
h) retain the openness of the Green Belt and respect the inter-visibility between the Village and the countryside that is characteristic of the rural setting.
i) Contribute to the National Forest Strategy where the site is within the National Forest.

5.40 Various objectors suggest that NP Policy QH1 is not satisfied in terms of its infill tests as the Site is next to rather than between existing buildings and also due to its 'size', with some even suggesting that it can accommodate up to 3-4 dwellings. It is hereby acknowledged that unlike Local Plan Policy H2, it uses the words 'between existing buildings' rather than 'within existing groups of houses'.

5.41 There is conflict with the infill wording of NP Policy QH1, but the scheme will nonetheless read as a natural extension to the existing pattern of development within a cluster of existing dwellings, including those opposite. It will front the road and, as noted in the clarifications section above, only large enough for a single detached dwelling.

5.42 Notwithstanding the above, any conflict with the 'infill' test of NP Policy QH1 regarding new dwellings in the village within Green Belt, should be given very limited weight. This is because Part (e) of Policy QH1 has site size ('small') and number of dwelling (max. 2) tests that do not appear in the 'infill in a village' test of Policy GB7 of the NPPF regarding Green Belt proposals. There is hence a material inconsistency with NDMP GB7.

5.43 In terms of new dwellings in the Green Belt, NP Policy QH1 is also materially inconsistent with:

- NDMP S5 as it does not account for all types of residential development that may be '*not inappropriate development in the Green Belt*' under NDMP GB7 e.g. on previously developed land. Nor does it contain the new tilted balance assessment of the second part of Paragraph 5 of NDMP 5 where a proposal is not inappropriate development in the Green Belt.

- NDMP GB6 because NP Policy QH1 does not include its very special circumstances test.

5.44 The design, heritage, wildlife gap and trees considerations NP Policy QH1 will be considered separately below. The case is made that these are suitably satisfied and/or the precise wording of the relevant tests of Policy QH1 are materially inconsistent with an NDMP of the NPPF (e.g. the conservation area part of QH1 is materially inconsistent with NDMP HE6 and HE9 – see the heritage section below).

National Planning Policy Framework

5.45 Turning specifically to the NPPF, as introduced above, the relevant National decision-making policy (NDMP) in relation to development in the Green Belt is either:

- The second part of Paragraph 5 of Policy S5 if the proposal is **not** '*inappropriate development in the Green Belt*' under Policy GB7;

OR

- Policy GB6 if the proposal **is** '*inappropriate development in the Green Belt*' (i.e. 'caught' by the first part of Paragraph 5 of Policy S5, which directs the use Policy GB6).

5.46 As set out in the Planning Policy section above, where a development is not inappropriate in the Green Belt under NDMP GB7, the second part of Paragraph 5 of NDMP S5 stipulates that:

> ***'It should be approved unless the benefits of doing so would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'***

5.47 The above assessment method under Paragraph 5 of NDMP S5 amounts to the automatic application of a new tilted balance assessment in favour of development in the Green Belt where the proposed development is not inappropriate development in the Green Belt under NDMP GB7.

5.48 On the flip side of the above, Paragraph 2 of Policy GB6 confirms that 'inappropriate' development (i.e. not a type within GB7) is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It continues that:

'Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.'

5.49 Paragraph 1 of Policy GB6 confirms that development in the Green Belt is inappropriate unless it falls within a type listed in Policy GB7.

Not Inappropriate Development in the Green Belt?

5.50 In considering the application against **Paragraph 5** of **NDMP S5**, the first question is whether the proposal amounts to '*not inappropriate development in the Green Belt'* under NDMP Policy GB7, Paragraph 1. In this case the two relevant development types listed in Policy GB7 are:

'(c) Limited infilling in villages lying within the Green Belt; and …

(e) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;

5.51 The proposed development meets type Paragraph 1(c) of NDMP GB7 because the development at this Green Belt site amounts to limited infilling within the village .

5.52 Importantly, Paragraph 1(c) of NDMP GB7 relates to the concept of a 'village' rather than a settlement boundary or 'built framework' as it may be defined by a Development Plan of the NPPF. Indeed, various appeal decision have clarified this distinction, with some referencing the Julian Wood v SSCLG and Gravesham Borough Council (2015) case. The judge was clear that when considering the '*limited infilling in villages'* exception, this does not specify what type or category of villages can have limited infill nor that infill must occur within defined settlement boundaries imposed through a development plan. Instead, an assessment which considers the Site and its context is required.

5.53 As described above, the Site is within the southern part of the village, as recognised by the Neighbourhood Plan and this is clearly apparent 'on the ground', with the southern part of the village along Church Road finishing around 0.2 miles further south of the Site.

5.54 The single dwelling will appear as a logical village infill plot using former garden land of 3 dwellings, which the new dwelling will have a physical and visual relationship with. The scheme can hence be confirmed as constituting 'limited infilling' within the village in accordance with Paragraph 1(c) of Policy GB7.

5.55 The proposal **also** amounts to '*not inappropriate development in the Green Belt*' under Paragraph 1(e) of Policy GB7 regarding previously developed land.

5.56 The land is former garden land in a rural setting beyond the built-up area and retains remnants and debris relating to its former garden use. It remains clearly distinct from the countryside landscape. It hence constitutes previously development land.

5.57 The proposed dwelling will not cause substantial harm to the openness of the Green Belt (part of GB7 (e), with this '*substantial harm'* test being a much higher bar than the previous '*have no greater impact on openness'* test (i.e. the wording in an older version of the NPPF). Additionally, unlike the former 'greater impact' test, the 'substantial harm' test is not at all reliant on comparing the volume of existing and proposed buildings at a site.

5.58 Spatially and visually the proposed dwelling will have a 'greater impact' on the openness of the Site than how it looks now and how it looked when the former garden outbuildings were in place. However, it will not cause '*substantial harm'* to the openness of the Green Belt because:

- The site is very small (just 0.057 ha) and clearly distinct from the open countryside/Green Belt to the west by virtue of its historical western boundary and the Site's physical appearance related to its former use.

- The development will sit adjacent to other two storey dwellings within the Green Belt and not sprawl beyond the former garden land plot onto the expansive open countryside/Green Belt beyond the plot nor onto the land to the north.

- The Site's current elevated nature is such that it does not provide intervisibility between the Church Road and the countryside (i.e. no such intervisibility to be protected under Neighbourhood Plan Policy QH1 in terms of the Green Belt despite objections to the contrary).

- The dwelling will be nestled into the Site by way of the proposed land levels and be of a scale and design which will not cause substantial harm to the openness of this small part of the Green Belt nor the wider Green Belt. As a subjective comparison, the former

outbuildings at the Site were smaller than the proposed dwelling but sited adjacent to the road in an elevated position and not screened by any roadside vegetation (See Streetview images in Appendix 1 of the SPS).

5.59 Given the above, the development is not inappropriate development in the Green Belt and hence falls to be assessed under the tilted balance of NDMP 5, Paragraph 5 (i.e. the second part of this paragraph).

5.60 Therefore, no weight can be placed on any residual Green Belt harm in the overall assessment of the application and no very special circumstances are required to allow this Green Belt development. This accords with recent case law (Mole Valley 2025), which clarified that development that is not inappropriate development in the Green Belt is to be treated as not harmful to the Green Belt by definition, and hence in such circumstances any residual Green Belt harm is to be afforded no weight in the overall planning balance exercise.

5.61 With the second part of Paragraph 5 of NDMP 5 engaged, the NPPF clearly stipulates that the application:

> *'… should be approved unless the benefits of doing so would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'*

5.62 This required tilted balance assessment will be carried out at the end of this Planning Addendum in the '*Summary, Planning Balance and Conclusion*' Section, taking account of relevant NDMPs of the NPPF, Development Plan policies and other material considerations (including limiting the weight applied to Development Plan policies, or part thereof, where material inconsistencies with the NDMP exist).

5.63 As part of the tilted balance assessment under Paragraph 5 of NDMP S5, the provision of a self-build dwelling attracts significant positive weight as a material consideration and also substantial weight as a benefit under NDMP HO7 relative to the Council's current failure to meet its statutory duty regarding permissions for self-build and custom build dwellings as defined in the 2015 Act (i.e. as evidenced in Paragraphs 5.74 - 5.88 and Appendices 3 and 4 of the Supporting Planning Statement). This is mentioned here, as such is also relevant to any very special circumstances case and the heritage 'harm' versus public benefits' cases, as covered below.

Alternative Very Special Circumstances Case

5.64 Notwithstanding the above, if the LPA does not accept that the development is '*not inappropriate development in the Green Belt*' as defined in NDMP GB7, Paragraph 2 of NDMP GB6 instead applies.

5.65 As noted above, in such circumstances '*very special circumstances*' (VSC) are required for inappropriate development to be permitted in the Green Belt and such will only exist where:

> *'… the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.'*

5.66 Case law is clear that in the applying the very special circumstances test of the NPPF '*other considerations*' can be a combination of considerations rather than one particular 'special' consideration.

5.67 In carrying out the very special circumstances assessment, the first step is to assess the level of Green Gelt harm arising from the proposed development in this particular part of the Green Belt.

5.68 As set out above in Paragraph 5.58, the Site makes a very limited contribution to Green Belt openness given its limited size, physical appearance, elevated nature and not forming part of the open countryside/Green Belt to the west. All development would be contained within former garden land rather than encroaching into the surrounding open countryside/Green Belt to the west and, as noted above, there is no existing intervisibility between the road and the wider open countryside to be undermined.

5.69 Although this application **is not advanced** on the basis of a full Grey Belt case under Paragraph 1(g) of Policy GB7 of the NPPF, the Site itself nonetheless amounts to 'Grey Belt' land as defined in the glossary of the NPPF i.e.

> *'**Grey belt**: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in **policy GB2**.'*

5.70 The above has been misunderstood by some objectors who state that a Grey Belt case is being misapplied. It is not. Only the definition of Grey Belt is being used to help assess the level of harm to the Green Belt as part of a VSC case under Policy GB6. There is no use of grey belt under Policy GB7 and hence no misapplication.

5.71 As assessed below, the Site does not strongly contribute to Green Belt purposes (a), (b) and (d) of Policy GB2, Paragraph 1 of the NPPF.

(a) Check the unrestricted sprawl of large built-up areas

The Planning Practice Guidance regarding the Green Belt (Feb.2025) expressly states that this purpose relates to the sprawl of large built-up areas, and villages should not be considered as such. Notwithstanding this, the site is very small in size and physically contained within the former garden areas of Nos.53-57. The development will not encroach beyond the western boundary that separates this land from the surrounding open countryside/Green Belt.

(b) Prevent neighbouring towns merging into one another

Comment: The PPG confirms that this relates to towns not villages. Quarndon is not a town.

(d) Preserve the setting and special character of historic towns

Comment: The PPG confirms that this relates to historic towns. Quarndon is not an historic town.

5.72 Additionally, the above findings regarding Green Belt purpose (a) demonstrate that the proposal will also not be contrary to Green Belt purpose (c) of NDMP GB2, Paragraph 1 i.e. '*Assist in safeguarding the countryside from encroachment*'. Purpose (e) regarding urban regeneration is not relevant.

5.73 The proposed development will <u>also</u> not harm the Green Belt aims/purposes of this part of the Green Belt as identified in the Green Belt technical assessment dated 2012 (as referred to in the Neighbourhood Plan) i.e.

'Constraining the northward sprawl of the city and the merging of the urban areas of Derby with Quarndon, Duffield and Belper.

Preventing the merging of Derby and Quarndon, and Quarndon and Duffield; the city and the National Trust's Kedleston Hall RPG; and Derby and Belper along the Derwent Valley.'

5.74 The above demonstrates that the proposal will cause no harm to identified Green Belt purposes and only limited harm to openness. The level of Green Belt harm, including harm to openness, will hence be limited and, therefore, should attract only limited rather than substantial weight under the very circumstances test of NDMP GB6.

5.75 The '*other considerations*' to take account of in the round in the VSC assessment are:

- Providing planning permission for a self-build dwelling at a time that the Council is failing to meet its statutory duty in this regard in terms of the definition of such dwellings in the 2015 Act (as evidenced in Paragraphs 5.74 - 5.88 and Appendices 3 and 4 of the SPS).

- As set out in the above Planning Policy Section, when applying policies of the NPPF [including Green Belt Policies] Policy H07 of the NPPF requires **substantial weight** to be placed on the '*benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community*' including, but not limited to, groups identified in NDMP H01. Policy H07 does not restrict evidence of need to local need assessments (i.e. other evidence is relevant) and Policy HO1 includes people wishing to build/commission their own homes (i.e. self-build and custom build homes).

- Meeting the self-build wishes of the applicants. In this regard, the applicants are on the self-build register and have been heavily involved with the design of the dwelling alongside the architect.

- The provision of a bespoke well-designed home that relates well and innovatively to its context, and will contribute positively to the character and appearance of the area.

- The dwelling will be on PDL land within or adjacent to the built framework, as supported by Local Plan Policy H2 in terms of new dwellings within this 'other village' (notwithstanding any NDMP material inconsistency issues as discussed herein).

- The dwelling will be sustainably located in relation to sustainable transport options to reach nearby services and facilities, including those in nearby Allestree, as detailed in the Supporting Planning Statement and referenced herein (See Sustainable Transport Section).

- The development will provide a highly sustainable/energy efficient dwelling, which should be given **substantial weight** under Paragraph 5 of NDMP DP3.

- The dwelling will provide an adaptable dwelling that meet M4(2), as supported by the Development Plan.

- The proposal will provide a dwelling with room sizes and storage space that meets Nationally Described Space Standards (NDSS).

- The efficient use of vacant land including maximising the use of previously developed land, as supported by Local Plan Policy En15 and making '*better use of vacant and underutilised land and buildings'* in accordance with Paragraph 1(b) of NDMP L2, which attracts **substantial weight** as a benefit.

- Enhancing on-site habitat and generally tidying up of the site that includes unmanaged vegetation and debris and rubble left by the previous owner. The latter accords with a stated aim of Local Plan Policy SS8 regarding improving damaged or derelict Green Belt land and Paragraph 1(a) of NDMP L2 in terms of degraded land. The habitat provision exceeds that required under NDMP N2, as the development is exempt from BNG and the wording of N2 'trumps' any greater requirement of the Development Plan.

- The new residents will provide additional patronage to services and facilities in this rural village, such as activities at the village hall and the local bus service, which will help support the viability of and access to services in this rural community, in accordance with a stated aim of Policy H2 of the Local Plan.

5.76 Some of the above relate to matters covered in more detail elsewhere in the SPS and this Planning Addendum.

5.77 In terms of the above self-build issue, the provision of permission for a self-build dwelling must be given substantial weight in any Green Belt very special circumstances assessment (and

indeed the overall planning balance) given the Council's negative self-build and custom build position relative to its statutory duty in this regard (i.e. a material consideration), and as such amounts to a benefit under Policy HO7 of the NPPF, which attracts 'substantial weight'.

5.78 Overall, the existing self-build and custom build permission deficit lends substantial support for self-build proposals, including a single dwelling scheme, as confirmed by various appeal decisions. Suitable positive weighting will also take suitable account of the short term and long-term delivery limitations of Local Plan Policy H7 regarding self-build and custom build plots, as detailed above in Paragraph 5.88 of the original SPS (this is relevant to an alternative tilted balance assessment under the second part of Paragraph 5 of NDMP S5 also).

5.79 The objectors who state that the provision of a self-build dwelling is not relevant to the VSC assessment are mistaken.

5.80 The above 'other considerations' in favour of the proposal clearly outweigh any potential harm by reason of inappropriateness (i.e. if the proposal is assessed as such), the identified level of Green Belt harm (i.e. no harm to Green Belt purposes and a very limited impact on openness) and a lack of any other material harms as set out elsewhere in the overall submission including the Heritage Statement and Heritage Addendum (e.g. highway safety, heritage harm versus public benefit etc). Therefore, there <u>are</u> very special circumstances to approve the proposed development in the Green Belt in accordance with Policy GB6, Paragraph 1 of the NPPF and Policy SS8 of the Local Plan (i.e. <u>if</u> the LPA does not agree that the development amounts to 'not inappropriate development in the Green Belt' under NPPF Policy GB7).

5.81 The above VSC case will not be repeated in the Planning Balance section of this Planning Addendum (6.), as this instead will apply the tilted balance test within NDMP S5, Paragraph 5 with Green Belt set aside as a consideration given that the development amounts to 'not inappropriate development in the Green Belt' under NDMP GB7, as set out above.

<u>House Size and Type Issue of the Neighbourhood Plan</u>

5.82 NP Policy QH3 states that proposals for new dwellings within the village of Quarndon will be expected to contribute to meeting the requirement for downsizing and starter homes of up to 3 bedrooms.

5.83 The proposed dwelling has 2 bedrooms and one first floor office/study, which could be used by any future occupiers as a 3rd bedroom. As such, the dwelling could be described as a 3-bedroom dwelling. However, some objectors dispute this with reference to the size of the

bathroom and/or whether the dwelling as proposed meets the 'starter home' category of NP Policy QH3.

5.84 Contrary to the various accusations, the dwelling's design simply suits the needs and preferences of the applicants as 'self-builders'. This includes their desire to have family and friends as guests and space for hobbies and relaxation as part of their planned retirement experience.

5.85 Notwithstanding this, the bedroom number and house type test of NP Policy QH3 is not replicated in the relevant NDMPs of the NPPF.

5.86 Also contrary to various objections, NDMP HO7 requires substantial weight to be placed on the provision of evidenced need for certain dwelling types, which includes self-build dwellings where the needs of those wishing to build or commission their own homes is not being met. There is no stated restriction in the NPPF (including NDMP HO7 and related NPP HO1) regarding how many bedrooms self-build dwellings can have nor their floor area more generally. Policy QH3 is materially inconsistent with these related NPPF policies in terms of self-build dwellings.

Heritage Impact

5.87 The SPS, Heritage Statement, recent Heritage Addendum and the Planning Addendum must be considered in the round, as such provide the overall heritage case. However, all references to heritage paragraphs of the NPPF 2024 in the SPS and Heritage Statement are now superseded.

5.88 The Heritage Addendum responds to the first set of comments provided by the Council's Heritage Officer and refers to the application of the relevant heritage NDMPs of the new NPPF.

5.89 Via the Heritage Addendum, the Heritage consultant accepts the Heritage Officer's assessment of 53-57 Church Road as non-designated heritage assets (NDHAs). However, he does not agree with the type and level of harm suggested by the Officer, with the Heritage Addendum stressing the new distinct assessment of NDHA under NDMP HE7. The consultant notes that this is a flat balance that does not embed the tilted weighting prescribed elsewhere in the NPPF for designated heritage assets and does not refer to setting [unlike NDMP HE4.2 in relation to designated heritage assets]. Additionally, NDMP HE7 does not refer to any need for harms to NDHAs be offset by '**public**' benefits'. It states:

'Where a development proposal would harm the significance of a non-designated heritage assets, this should be weighed against the benefits of the proposal and balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset.'

5.90 NDMP HE4 recognises that heritage assets, are an '*irreplaceable resource'* that should be conserved in '*a manner appropriate to their significance'* including:

'1(b) Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.'

and

'2. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.'

5.91 In terms of designated heritage assets, Paragraphs 1 and 3 of NDMP HE6 respectively state that '*substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'* and '*Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.'*

5.92 Like the previous NPPF, Paragraphs 4 and 5 of NDMP HE6 makes a very clear distinction between how '*harm*' to the significance of a designated heritage asset and '*substantial harm to or total loss of*' the significance of a designated heritage asset should be assessed. The word 'harm' replaces the former 'less than substantial harm' phrase.

5.93 Importantly, as noted in the Planning Policy section above, the word 'refusal' is only used in relation to substantial harm to or loss of a designated heritage asset (i.e. Policy HE6, Paragraph 5). It is not stated for the 'harm' category.

5.94 'Substantial harm' is clearly a high bar, which NDMP HE5, Paragraph 3 (c) defines as a situation where a development proposal would '*seriously affect a key element of the asset's significance'.* The project Heritage Consultant confirms that this is not met and the Council's Heritage Officer does not use the substantial harm phrase.

5.95 In terms of 'harm', Paragraph 4 of NDMP HE6 instead states:

> *'4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.'*

5.96 Regarding Conservation Areas as a specific type of designated heritage asset, NDMP HE9 states seeks the retention and conservation *'… of buildings and other features which make a positive contribution to the character or appearance of the conservation area* ***where possible****.'* Importantly, it also recognises that:

> *'4. Not all elements of a conservation area will necessarily contribute to its significance. Where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to conserve, the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with policies HE5 and HE6.'*

5.97 Policy HE9 stresses the need to consider the contribution that any affected element of heritage significance has on the whole conservation in addition to assessing relative significance of that element. This is 'whole conservation' issue is pertinent to a point made by the Heritage Consultant in the Heritage Addendum, as discussed below.

5.98 The main Development Plan Policies regarding the heritage impact remain as Local Plan Policy EN4 and Neighbourhood Plan Policy QEN2, as set out in the SPS. Certain other NP Policies make references to the Conservation Area, including Policy QH1 regarding protecting its features when assessing dwellings proposals that fall within the Conservation Area and the Green Belt.

5.99 LP Policy EN4 states that the Council will support development proposals which preserve or enhance the significance of the Borough's heritage assets and will assess them in accordance with case law, legislation and the National Planning Policy Framework in a manner that is appropriate to the significance of the heritage asset. It further states that:

> '*Proposals that would lead to less than substantial harm [harm] to the significance of a heritage asset will be refused unless it can be demonstrated by the applicant that there*

are clear and justified public benefits, including, where appropriate, securing its optimum viable use, that outweigh the harm.'

5.100 Given its specific reference to the NPPF (which hence engages the latest document) Policy EN4 can be considered generally consistent with the heritage policies of the NPPF 2026. However, whilst its specific reference to 'justified public benefits' is consistent with NDMP HE6 regarding designated heritage assets, such is materially inconsistent with the assessment method now set out in NDMP HE7 for non-designated heritage assets. On this basis NDMP HE7 should be used to assess impact on NDMP rather than EN4.

5.101 Neighbourhood Plan Policy QE2 states that heritage assets in the Quarndon Neighbourhood Plan Area will be '*conserved in a manner appropriate to their significance'*. It does not reference the NPPF or embed the tests in NDMP HE6 or HE7 regarding the different assessment of designated and non-designated assets. It also does not reference the harms versus public benefits test of HE6 in terms of designated heritage assets. There is hence material inconsistency between NP Policy QE2 with NDMPs HE6 and HE7. There is also no reference to the retention or conservation of buildings and features within a Conservation Area that contribute positively to a Conservation Area '*where possible'*, which is materially inconsistent with NDMP HE9.

5.102 The test in NP Policy QH1 regarding new dwellings in the Green Belt states '… *if within a Conservation Area, not diminish the natural features that contribute to its appearance and character'.* This is materially inconsistent with the NPPF, as it does not include the harm versus public benefit test of NDMP HE6. Also, like Policy QE2 above, there is no reference to the '*where possible'* element of NDMP HE9, again resulting in in material inconsistency.

5.103 Given the above, NP Policy QE2 and the relevant part of QH1 should be given very limited weight in the heritage assessment of the application in accordance with Annex A of the NPPF.

5.104 The Heritage Addendum responds to the first round of comments provided by the Council's Heritage Officer. In summary, these suggested that the site has intrinsic value as open garden land in the Conservation Area; the scheme will remove existing gardens that form part of the setting of 53-57 Church Road; it will remove the front wall; the scheme is out of keeping with nearby buildings; it will undermine a visual 'gateway' at this part of the village; and cause harm the setting of Nos.53-57 as non-designated heritage assets.

5.105 It is considered that the Heritage Officer is assigning greater significance to the undeveloped nature of the former garden land than is justified. Indeed, the Heritage Consultant notes that such is not referenced in a Conservation Area Character Appraisal. He sets out the limited contribution that the Site and the wall make to the Conservation Area as whole [as per the test in NDMP HE9]. He has alludes to the fact that change within a Conservation Area does not necessarily equate to harm.

5.106 It is also noted that the Heritage Officer has not acknowledged the overall mix of dwelling styles in this part of the Conservation Area nor how the proposed dwelling takes cues from both the nearby cottages and barn conversion to provide an agrarian aesthetic appropriate to this part of the village. It is concluded that the siting, scale, design and material palette are appropriate for the dwelling's setting, and lowering the level of land is an appropriate response [to secure the development of the Site] rather than 'unsustainable', as described by the Heritage Officer. It is hereby acknowledged that not mimicking the scale and style of the cottages is not unacceptable in the Site's context and lowering the land is necessary to use this unused land effectively.

5.107 Having taken account of the required access and other level changes, the Heritage Consultant concludes that the proposed scheme can provide a suitable walled and green frontage to this section of Church Road. Such will provide a green edge in keeping with other dwellings along Church Road, reaffirming the green character of this rural village.

5.108 With regard to concerns raised about the front wall, it is hereby stressed that most of it has bank been dismantled and stored for safety reasons (see Key Clarifications section above). The proposed rebuilding of the frontage walling south of the access plus landscaping rear of it will provide a raised verdant frontage, save the required access gap. The wall will hence be rebuilt where possible relative to the access needs of the proposed development.

5.109 The submitted access details also highlight that any alterations to highway land to the north to achieve the visibility splay will be minor. The embankment and vegetation on third party land will remain.

5.110 These necessary access and levels changes accord with the retain or conserve 'where possible' (and taking account of significance to the Conservation as a whole) ethos of NDMP HE9 regarding Conservation Areas. It is contended that the Site as a whole and the wall as a specific feature is of minimal heritage significance in terms of the contribution they make to the heritage significance of the Conservation Area as a whole. Notwithstanding this, the proposals

will reinstate the wall south of the access along with frontage vegetation on raised land. The open frontage rear of the wall and planting will indeed be similar to nearby frontages, which the Neighbourhood Plan indeed refers to (i.e. Policy QDBC1).

5.111 Regarding the front embankment and the associated raised land levels of the Site and the land to the north, it not considered that road is really experienced by most people as a 'medieval holloway' as it has been recently described by the Heritage Officer (2nd response). In any event, the required alterations will relate primarily to the narrow former garden land parcel only. The amended section will be read relative to the retained rear gardens of the cottages that sit at a lower level, with the remaining off-site embankment continuing northwards towards the Joiners Arms. The off-site section of embankment opposite the listed well will not be affected and its setting will not be harmed, contrary to the remarks of some objectors.

5.112 The Heritage Officer suggests these the cottages and the barn conversion opposite, which sit perpendicular the road buildings, provide a 'gateway' feel when approaching this part of the village from the south (i.e. after the existing dwellings south of 53-57), and the proposed dwelling will harm an important vista from the south in this respect. However, as demonstrated in Worcester Lloyd's recent document, there will be limited views of the new dwelling upon approach to the cottages and the barn conversion from the south.

5.113 Given the above, any such perception of a gateway at this point will not be materially disrupted by the new dwelling. Indeed, there is a gap of over 50m between the existing suggested 'gateway buildings' and where the dwelling will be sited, and the new dwelling will be set back and down within the plot, with its main ridge also perpendicular to the road. Its own agrarian aesthetic is akin to some barn conversions. Such will be appropriate at this location if it is indeed perceived by locals and passers by as such a gateway because it is commonplace to have a mix of old barns, former barns as conversions and other dwellings at the outer edge of rural villages.

6.1 The Heritage Statement and Heritage Addendum find no harm to views in and out of the Conservation Area and no impact on the setting of listed buildings (including Kedleston Hall and the listed well) nor the Kedleston Hall Registered Park and Garden (Conservation Area). This is the result of separation distances, topography and vegetation, including trees.

5.114 The same reports conclude that the proposal will cause no more than limited harm to the heritage significance of the Conservation Area, subject to various conditions regarding the wall, frontage planting and materials, **and** any limited 'harm' to the Conservation Area will be

outweighed by the public benefits of a providing a self-build and the re-use of the site (see below).

5.115 The Heritage Addendum also demonstrates that the scheme's benefits will outweigh any harm to the setting of No.53-57 which is judged to be minimal and indeed the heritage consultant notes that setting is not specifically referenced in NDMP HE7 regarding NDHAs.

5.116 In terms of public benefits under NDMP HE6:

- As per the VSC case above, the scheme will deliver a permission for a self-build dwelling when the Council's is failing to meet its statutory duty regarding self-build and custom build plots as set in the SPS. This amounts to a public benefit in planning terms given the self-build statutory duty and the NPPF's position regarding meeting the need for self-build dwellings (as defined in the 2015 Act).

- In terms of the NPPF's position, NDMP HO7 requires **substantial weight** to be placed on the '*benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community*' including, but not limited to, groups identified in NDMP H01, which includes people wishing to build or commission their own homes (i.e. self-build and custom build homes). This need is evidenced within the SPS.

- **Substantial weight** must also be placed on the benefit of '*Making better use of vacant and underutilised land*' in accordance with NPPF Policy L2, Paragraph 1(b). Again, this amounts to a public benefit in planning terms.

5.117 It is concluded that subject to conditions, the proposals comply with:

- Policy EN4 and the relevant heritage policies of the NPPF including NDMPs HE6 and HE9 in terms of the Conservation Area and the setting of the listed well (i.e. designated heritage assets). Any limited harm is outweighed by public benefit.

- The relevant heritage policies of the NPPF including NDMP HE7 in terms of the cottages as NDHA.

5.118 Any suggested conflict with Local Plan Policy EN4 and Neighbourhood Plan Policy QE2 in terms of the cottages should be given very limited weight as these policies are materially inconsistent with NDMP HE7 regarding NDAs as described above. Any suggested conflict with NP Polices

QE2 and/or QH1 regarding the Conservation Area and/or Listed Buildings should be also given very limited weight as these policies are materially inconsistent with NDMPs HE6 and HE9 in the ways described above.

Design in relation to Context and the Efficient Use of Land

5.119 As noted above, this section of this Planning Addendum replaces the '*Design in relation to Context and other Design Policy Considerations'* of the SPS (i.e. Paragraphs 679-693 the SPS).

5.120 Parts of the information in the above section regarding heritage impact overlaps with some of the design related policies of the Development Plan and the new NPPF.

5.121 The most relevant Design policy in the NPPF is now Policy DP3. NDMP DP4 is of less relevance currently in the absence of the Government's delayed updated design guidance relative to NDMP DP3.

5.122 NDMP DP3, Paragraph 1 states:

> *'Development proposals should respond to their context (history, character and features of their site and setting). So that they integrate with and enhance their surroundings; such as through the arrangement if development plots and buildings, the use of materials and architectural features , and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.'*

5.123 The most relevant parts of NDMP L2 regarding the effective use of land is part (b) of Paragraph 1, as quoted below, which the policy states should be afforded **substantial weight**.

> *b. Making better use of vacant and underutilised land and buildings …;*

5.124 Using 'degraded land' is covered by 1(a) of NDMP L2. However, this also covers despoiled or contaminated land, which the site is not.

5.125 The relevant part of Policy L3 in terms of this application is Part (b) of Paragraph 2:

*'Outside settlements … (as defined in the glossary at **Annex B**), development footprints should make the best use of a site's development potential, taking into account the policies in this Framework;* (our emphasis added)

5.126 Paragraph 2 of Policy DP3 states that to create well designed places, development proposals should reflect relevant aspects of 7 listed principles. The principle of 'identity' is particularly relevant to a consideration of how the proposed development relates to its context i.e.:

'(g) The creation of visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.'

5.127 Paragraph 3 of Policy DP3 states that substantial weight should be given to compliance with relevant Development Plan policies when assessing the design quality of proposals. Conversely it provides that development proposals should be refused if, without clear justification, they conflict with Paragraph 1 or relevant aspects of the principles in Paragraph 2, or with any explicit design standards in Development Plan. In terms of the latter 'codes etc' are cited.

5.128 Paragraph 5 of Policy DP3 states that substantial weight should be given to innovative designs which promote high levels of sustainability where such are consistent with the overall form and layout of their surroundings.

5.129 The most relevant Local Plan policy in terms of design relative to context, innovation/modern construction and the efficient use is EN15. It provides the following relevant principles to assess development against:

- Being of a height, scale, massing and layout, and use high quality materials, that reflect the character of the area.
- Contributing to the local sense of place.
- Having regard for distinctive landscape features and provide appropriate landscaping.
- Making the most efficient use of land including maximising the use of previously developed land, taking account of the character and appearance of the locality.
- Contributing to mitigation of and be adaptable to the effects of climate change, including the use of modern methods of construction.
- Recognising the importance of conserving heritage assets and their setting and be

designed to respect their significance and local context

5.130 Local Plan Policy H2 states that the scale and character of development adjacent to the Built Framework should be reflective of and proportionate to the settlement it relates to, taking account of the cumulative impact of other proposals and the landscape setting.

5.131 Neighbourhood Plan Policy QDBC1 states that new development shall be well designed and sustainable and meet various design principles including:

- Providing distinctive and site-specific design, based on an analysis of the site and context;
- Complementing the street scene in terms of building form, enclosure and boundary treatments;
- Set within the plot to reflect the surrounding character;
- Reflecting the scale, height and massing of neighbouring properties;
- Boundary and access treatment that retains open frontages characteristic of rural and village settings;
- Using high-quality, modern and/or traditional materials; and
- Using permeable surfaces and not increasing site run off.

5.132 It also supports:

'Innovative architectural and building design will be welcomed, especially where it involves superior environmental performance. New development shall complement and reinforce the local character of the area as defined in Appendix 1 to this Plan.'

5.133 In terms of dwellings Neighbourhood Policy QH1 also cover specific design/context aims i.e.:

- *Complement the character of existing housing*
- *In the case of infill, be integrated within an existing built frontage.*

5.134 The above parts of Policies EN15, H2 and QDBC1 are considered consistent with relevant NDMPs or parts thereof.

5.135 The Neighbourhood Plan and the Council's Residential Design Guide lend support for innovative designs:

- *'Innovative architectural and building design will be welcomed, especially where it involves superior environmental performance'* (Neighbourhood Plan)

- *'When designing a new building … the temptation may be to mimic the style of the neighbouring buildings. However, it is usually not possible to replicate successfully the materials and craftsmanship of earlier times. Nor does this approach help future generations 'read' the story of a new building and its context. One of the reasons that older buildings are so widely treasured is that their appearance so often tells us about their age and function, the lives of their inhabitants, and the evolution of their settlement. A well-designed 21st century home will likewise express something about the lifestyle, concerns and building methods of its time and locale … Many design decisions are not 'a matter of taste' but should be taken as a result of careful consideration of a number of factors.'* (Residential Design Guide).

5.136 The key issue is suitably taking account of a site's context, as set out in Point 6.4. of the Residential Design Guide.

5.137 The scheme is an attractive bespoke design that responds directly and positively to its context including the nearby barn conversions and neighbouring cottages but without seeking to mimic them.

5.138 In accordance with the Residential Design Guide and design policies, the proposed dwelling is an appropriate scale, form and aesthetic for this part of the village and its rural village setting more generally, including:

- Being clearly of a domestic scale and having a horizontal emphasis, as per nearby dwellings, including windows with vertical proportions.

- Having a restrained building height to reflect the height of neighbouring dwellings with the overall bulk broken into smaller components parts to reduce the dwelling's perceived scale (including a variation in the storey heights and materials).

- Adopting vernacular proportions.

- Setting the dwelling set down into the site to further reduce its apparent scale to protect the amenity of neighbours and the streetscene, plus front boundary vegetation, to assimilate the built form into the streetscene.

- Roof pitches akin the neighbouring cottages but also a wider front gable akin to a barn alongside a mix of materials including mainly brick and tile to create an agricultural aesthetic drawing upon the nearby barn conversions alongside appropriate references to the neighbouring cottages.

- The use of some modern materials and design features, including the eaves detailing, but in a restrained way, resulting in some modernity to the appearance of the building but sensitively and using a coherent material palette.

- The use of areas of glazing to good effect.

5.139 This sensitive mixing modern and traditional materials is supported by Point 6.8 of the Residential Design Guide: *'Appropriate, high quality modern materials can often be used successfully with traditional materials.'*

5.140 Under Policy DP3, Paragraph 1 of the NPPF, lowering the land as proposed is needed and **justified** to utilise this vacant and underutilised land effectively for a dwelling without impacting negatively on neighbours' amenity or having a dwelling set at a height that looks out of keeping with nearby dwellings. Similarly, the access gap in the frontage is **justified** to secure a vehicle access to the site to support required on site parking and turning facilities. As set out in the Heritage Impact section above, the proposed frontage levels, walling and vegetation will appropriate for the setting, reflecting the lower land of the cottages, and not affecting the main embankment north of the Site. Indeed, as noted by the Design and Access Statement the proposed frontage landscaping:

> *'… reinforces the prevailing sense of greenness and enclosure that defines Church Road.'*

5.141 Amending the land levels is not inherently 'unsustainable' as suggested by the Council's Heritage Officer.

5.142 Point 6.3. of the RDG states that established patterns of development should be respected in terms of where new dwellings are sited within a plot. The dwelling is designed and sited to make the best use of the plot's development potential, including allowing access and parking, in accordance with NDMP L3.

5.143 As noted in the above Heritage Impact section, siting the dwelling so that it fronts the road rear of enhanced roadside vegetation, is a characteristic seen along other parts of Church Road and supported by Neighbourhood Policy QDBC1. The dwelling is not between dwellings, as preferred by Policy QH1 but will be read as being part of the existing cluster, as set out in the Heritage Impact section above.

5.144 The scheme takes careful account of the Site's transitional edge of countryside location, where a mix of barns and dwellings, including conversions is not uncommon. It will add to local distinctiveness, in accordance with Paragraph 56 of the National Design Guide. As a single dwelling set down within the plot, it will be proportionate to the scale of the village and not harm distant landscape views as demonstrated in the Heritage Statement.

5.145 As detailed in the Sustainable Construction section below, the innovatively designed dwelling will be energy efficient and adopt modern methods of construction, as supported by Local Plan Policies EN1 and EN15, Neighbourhood Plan Policy QDBC1 and Paragraph 5 of NDMP DP3. The latter requires such to be **substantial weight** provided such are consistent with the overall form and layout of their surroundings, which is suitably complied with as demonstrated herein.

5.146 Overall, the innovative and sustainable design and levels suitably respect the site's context, whilst taking account of and suitably responding to constraints to allow the effective use of the land, in accordance with NDMP DP3 (and L2 and L3) in a justified way. The finished scheme makes an effective and positive use of what is an underutilised and neglected plot as one moves through the village at present. The new frontage planting south of the access will reaffirm the green character of this rural village and make a positive contribution to the Conservation Area

5.147 In conclusion, the scheme will suitably comply with the relevant design aims of Local Plan Policies H2 and EN15 of the Local Plan, Neighbourhood Plan Policies QDBC1, QRE1, QH1 and QEN1, the relevant parts of NDMP DP3 (and associated L2 and L3) of the NPPF and the Residential Design Guide. It will be respectful of context at the same time as taking account of and responding to the Site's constraints and not seeking to mimic the neighbouring cottages.

5.148 In accordance with NDMP DP3, substantial positive weight should be applied as the design respects national and local design policy and guidance provides a highly sustainable dwelling whilst suitably respecting context.

Biodiversity Net Gain, General Habitat Creation/Enhancement and Ecology

5.149 The overall BNG, habitat creation and enhancement and ecology case remain as set out in the SPS, save the amendments to the NPPF policies regarding BNG and the now proposed provision of an integrated swift brick response, as set out herein.

5.150 Local Plan Policy EN8 regarding biodiversity states that all development should protect, manage, enhance and extend the ecological network of habitats, species, and sites of international, national and local importance; minimise impacts on biodiversity and features of geodiversity value; and deliver measurable and proportionate net gains in biodiversity. This is consistent with Policy N2, other than the matter of enhancing habitat. In terms of the latter Paragraph 3 of NDMP N2 is absolutely clear that no weight shall be placed on Development Plan Policies that require BNG when the development proposal is exempt.

5.151 The application proposal is exempt from Statutory BNG as a self-build scheme submitted in April this year. It would also be exempt under the replacement 0.2ha category. Notwithstanding this, improved habitat will be created (see below).

5.152 The Site is not subject to any statutory or non-statutory nature conservation designations.

5.153 The submitted Preliminary Ecology Appraisal (PEA) provides full details regarding protected species, which are summarised and discussed within the original SPS.

5.154 In terms of preservation of habitat, objectors claim that the Site has high habitat value including scrub. However, the submitted PEA carried out by a qualified ecologist notes habitat of low ecological, consisting of primarily bramble scrub plus sparsely vegetated land, self-set ruderal plants and a single individual holly tree. The PEA states:

> *'The habitats present on site are of site-level ecological importance and the removal of bramble scrub and a single tree is not anticipated to give rise to significant adverse ecological effects. The ruderal vegetation and sparsely vegetated land are considered to be of low ecological value.*

It is recommended that the proposed development incorporates native planting within garden areas, such as native hedgerow establishment and flowering species, to provide foraging opportunities for small mammals, invertebrates and birds.'

5.155 Despite of various objections; the limited habitat at the site; and the pertinent BNG exemption, the case remains that biodiversity at this small site will be increased by replacing a single poor holly tree and largely disturbed ground cover and debris that has limited habitat value with a range of native trees, shrubs, plants and hedgerows designed to create opportunities for wildlife. This native planting will be supplemented by measures that will assist birds and threatened species i.e. a bird box, bat box and an integrated swift brick, in accordance with or exceedance of Local Plan Policy EN8, NDMP DP3 (in terms of 'nature') and NDMP N2. Such should be afforded positive weight. Suitable native landscaping, the boxes and the integrated swift brick can all be secured by planning conditions.

5.156 By minimising tree loss and providing enhanced landscaping for nature, the proposal also accords with certain aims of NP Policies QEN1 and QDBC1.

5.157 Contrary to the comments of various objectors, the Site does not remove a wildlife gap that spans both sides of the road (wall opposite) and, in any event, the open site to the north will remain as a suitable wildlife corridor in addition to new habitat at the Site itself. Hence no breach of part (g) of NP Policy QH1 will occur.

5.158 In conclusion, the proposed development will comply with wildlife legislation and policy, and relevant planning policy and guidance, and exceed habitat enhancement requirements of NDMP N2. This alongside any lack of any significant adverse ecological impacts weighs firmly in favour of the proposal.

Trees

5.159 As set out in the SPS, a small holly tree at the Site must be removed to facilitate the development but new native trees will be planted. This is hence justified under HDMP DP3 regarding good design. This strategy also meets the overall aims LP Policy EN15 and NP Policies QDBC1, QH1 and QEN1 and NDMP N2 regarding the retention of trees where possible and the suitable offsetting of losses.

'Conserve and enhance existing natural features such as trees and hedges where possible and use appropriate landscaping to help integrate the development into its surroundings.' (Part of NDMP N2)

5.160 A planning condition can secure not only the planting of suitable native species but also their retention/maintenance over the initial growth period so they become established (i.e. 5 years as standard or longer if considered reasonably and necessary by the LPA). In this regard NDMP N3 will also be suitably complied with. A condition can also secure the tree protection measures for neighbouring trees during the construction phase.

Network Capacity and Highway Safety including Parking Provision

5.161 The highway and network capacity case remains largely as per that set out in the SPS save:

(1) The changes to the NPPF regarding highway safety and parking (now contained Policies TR3.1(c) and TR4.1(e); and

(2) Additional commentary herein about the parking provision and visibility splays.

5.162 In terms of highway safety, parking and network capacity, Local Plan Policy IN1 - Transport states that:

'….development will be permitted where it can demonstrate satisfactory access and parking arrangements (including meeting parking standards) and that any additional traffic generated by the development can be accommodated on the existing network.'

5.163 Neighbourhood Plan Policy QH5 states that new housing development shall incorporate balanced and well-designed transport infrastructure, including:

- Safe vehicle access;
- Avoiding significant adverse impacts on capacity and safety of the existing highway network;
- Ensures parking provision within the curtilage of a dwelling that is proportionate to its size and likely occupancy; and
- Provides the provision of facilities for charging electric vehicles.

5.164 Local Plan Policy IN1 and Neighbourhood Plan Policy QH5 broadly accord with NDMP T4, Paragraph 1(e) of the NPPF in terms of parking provision, including how the latter refers to locally set parking standards.

5.165 LP Policy IN1 and NP Policy QH5 also broadly accords with NDMP T3, Paragraph 1(c) of the NPPF regarding highway safety and network capacity:

> *'(c) Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach.'*

5.166 Local roads can readily accommodate the traffic generated by a single dwelling at the Site.

5.167 The dwelling will have parking and turning for 2 cars, which meets the local standard for a 2 or 3 bedroom dwelling. Covered cycle storage will also be provided. This accords with LP Policy IN1 and NDMP TR4.1. An electric charging point will be required under Building Regulations such that it is not required as a planning matter to avoid the inappropriate duplication of regimes.

5.168 On site space for the parking and turning of a 3.5T delivery van is not shown. Temporary parking to make a delivery is generally tolerated for a short period where double yellow lines prevail and in this particular location there is also nearby space to pull off the road briefly and walk a short distance. The provision of on-site parking and turning for a delivery van at a dwelling is also not an adopted parking standard, and it is not considered that the provision and retention of such an on-site facility would be reasonable or necessary in highway safety terms. A condition to secure such would, therefore, not meet the test for planning conditions. Furthermore, it is not considered that a refusal could be substantiated under the 'significant adverse impact' threshold of NDMP TR3.1(c) in highway safety terms.

5.169 Also, in terms of highway safety, the access will be of a suitable gradient in accordance with the parameters set by Rodgers Leask's plan, as shown on the submitted site plan and associated cross sections. This can be conditioned as can the surfacing of the access and car parking/turning area alongside drainage details ensure no surface water run off onto the public highway.

5.170 The plans have been revised to clearly show the visibility splay and how the southern splay will not be impacted by frontage vegetation. As noted above, the submitted plans also highlight

that any alteration to highway land to the north will be very modest. This splay would not impact on third party land and the associated embankment.

5.171 A planning condition can secure a Construction and Environmental Plan in relation to highway safety.

5.172 In conclusion, the proposed development accords with the relevant parts of NDMP TR3 and TR4, Local Plan Policy IN1 and Neighbourhood Plan Policy QE5 regarding parking, network capacity and highway safety subject to planning conditions regarding the provision and retentions of the visibility splay, parking and turning facilities (cars and bikes), a CEMP, and suitable surfacing and drainage relative to the public highway.

Sustainable Transport - Access to Services and Facilities

5.173 The Highway Authority and Parish Council suggest that the site is not sustainably located in relation to sustainable access to services and facilities. This is not accepted taking account of the nature of the development (single dwelling), its rural location, access to a rural bus service alongside the Site's proximity to services and facilities in Allestree on foot or bike, and indeed NDMP TR3.

5.174 Importantly, it must be noted that the more central area of the village (outside of the Green Belt) where the principle of new dwellings is readily supported by the Development Plan is further on foot and bike from services and facilities in Allestree than the Site, and served by the same bus service (114) as the application Site. Some central sites will also be further from a bus stop than the application Site. The Site is hence more sustainably located than the central area.

5.175 The SPS (and its Appendix 2) provides detailed evidence regarding:

- The proximity of the bus stops which connects the Site with Derby i.e. the stop is next to Holly Bank Farm, just 65m and a 1-minute walk from the Site
- The nature of the bus service to and from Derby i.e. Monday to Saturday between around 7am and 7pm to Derby and 8am to 6pm to Quarndon (Service 114)
- The limited walking and cycling times and distance to plentiful services and facilities in Quarndon with such being accessible along lit routes with footways
- Access to a limited range of other services and facilities in Quarndon itself

5.176 As already noted, Appendix 2 of the SPS is reproduced herein to assist the reader, but for completeness the related text in the SPS (Paragraphs 6.120-6122) should be referred to also.

5.177 Local Plan Policy EN15 states that proposals will be assessed against various issues including being located in '*sustainable locations which maximise or improve opportunities for active travel*'. Local Plan Policy EN1 seeks a '*Design and location to minimise travel distances and incorporate opportunities for sustainable modes of travel, such as walking and cycling.'*

5.178 In terms of sustainable transport options, Local Plan Policy IN1 states that developments will be permitted where such will have access to sustainable and inclusive transport options.

5.179 The above are parts of Local Plan Policies EN1, En15 and IN1 apply to all developments including single dwellings. They are, therefore, materially inconsistent with NDMP TR3.1(a) of the NPPF, as the latter states that only '*development proposals which could generate a **significant** amount of movement, in the context of the area within which they would be situated*' should be in locations that are or will be sustainable. A single dwelling will not trigger TR3.1(a). Any suggested conflict with the stated parts of Local Plan Policies En1, En15 and IN1 should, therefore, be afforded very limited weight.

5.180 However, the submitted evidence demonstrates that the proposal actually suitably complies with Policy IN1 and the aim of Policy EN1 stated above, as occupiers will have access to sustainable transport options to reach services and facilities, and cycling as a sustainable transport mode will be encouraged through the provision of an integral bike store.

5.181 Notwithstanding the above, with regards to development in rural areas NDMP Policy TR3.1(e) of the NPPF states that:

> *'Opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.'*

5.182 Like the previous NPPF, the above recognises that connectivity in rural areas will differ to that in urban areas. Moreover, it only requires opportunities to improve sustainable transport options to be taken where such can be supported by the proposed development, which suggests that off-site improvements will likely require a greater quantum of development than a single dwelling.

5.183 The above is relevant to Part 2 of Policy TR3 which states that '*The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development'.*

5.184 Overall, as evidenced within the overall submission (including the SPS text and Appendix 2 herein), whilst the applicants are likely to have a car, there will clearly be genuine options to reach services and facilities in Allestree and Derby by sustainable transport modes, with bike usage supported by the on-site storage facility. Times and distances are not unreasonable and will be quicker still with an e-bike, and there is a lit footway between the Site and services and facilities in Allestree. The proposal, therefore, suitably complies with Local Plan Policies IN1 and EN1 and NDMP TR3.1(a) and TR3.1(e) of the NPPF when read together.

5.185 As an important aside, a recent appeal decision (Buntingdon 24/09/26) noted that the reference to an 800m walking distance in the NPPF is in terms of a very specific policy context (i.e. high density residential development near to railway stations) and, whilst Manual for Streets refers to 800m as being typical of a walkable neighbourhood, this is not an upper limit. Indeed, it is hereby noted that the relatively recent concept of 20-minute neighbourhoods highlights that a 20-minute walk times to services and facilities, including secondary schools as required, are considered a realistic. Additionally, the NHS encourages at least 30 minutes of walking a day for health purposes. In this rural context, and in terms of a single dwelling, the key issue is whether there are realistic opportunities that allow occupiers to make certain [not all] trips by non-car modes including bikes, which is proven in this case.

5.186 In conclusion, the evidence demonstrates that the proposed dwelling in this rural village is sustainably located in terms of reasonable access to services and facilities by non-car modes, which weighs firmly in favour of the proposal. Indeed, as noted above, it is better served than the part of the village inset from the Green Belt where new dwellings are supported in principle by the Development Plan.

5.187 A refusal in terms of the Site not being sustainably location in transport terms cannot be substantiated.

Flood Risk and Drainage

5.188 The case remains that subject to a drainage condition, there will be no adverse impacts in flood risk or drainage terms, in accordance with the relevant parts and aims of Local Plan Policies EN1 and EN3, Neighbourhood Plan Policy QDBC1, the Residential Design Guide and NDMP of

the NPPF, including compliance NDMP FP8.1 of the NPPF where required. The latter states that:

> '1. *Development proposals that could affect drainage on or around the development site should incorporate sustainable drainage systems to control flows and reduce volumes of run off, in ways which are proportionate to the nature and scale of the proposal.'*

5.189 Planning conditions can secure suitable drainage scheme taking account of ground conditions and also suitable measures to prevent the discharge of surface water onto the public highway, as noted in the Highway Safety section above.

Residential Amenity

5.190 The amenity case remains as that set out in the SPS save (1) the revised relevant NPPF policy (NDMP P3), which focuses on natural light ingress, daylight and sunlight and (2) the additional comments below regarding the outdoor spaces and outlook.

5.191 The proposed separation distance, levels and fenestration comply with the Council's relevant design guidance ensures no harm to neighbours' amenity. A CEMP can suitably mitigate amenity impacts during the construction phase.

5.192 The dwelling will not have a 10m long rear garden to secure 20m between it and a facing dwelling to protect privacy, as there is no dwelling to the rear. In terms of outlook, in addition to the rear ground floor outdoor area, the dwelling will have a first-floor balcony providing a wonderful outlook over the countryside. All rooms will also benefit from plentiful natural daylight and NDSS will be met. The home will also be adaptable and meet the M4(2) accessibility standard.

5.193 The applicants have been heavily involved in shaping the siting and design of the dwelling including the outdoor spaces.

Sustainable Construction/Climate Change

5.194 The Sustainable Construction and Climate Change case remain as per the SPS, the DAS and Sustainability and Climate Change Strategy by Worcester Lloyd, save the superseded NPPF policies.

5.195 The application proposes a highly sustainable dwelling that meets the relevant aspects of Policy EN1 of the Local Plan.

5.196 As noted in the 'Design in Relation to Context' section above, The Neighbourhood Plan Policy QDBC1 supports the principle of new innovative dwellings, whilst NP Policy QRE1 lends support to domestic roof-mounted solar photovoltaic or water-heating panels, including within the Conservation Area, subject to the design and colour of the panels minimising their visual impact. Such can be secured by condition.

5.197 Paragraph 5 of NDMP DP3 states that **substantial weight** should be given to innovative designs which promote high levels of sustainability provided such are consistent with the overall form and layout of their surroundings. Suitable compliance with the latter is covered in the Design and Heritage sections of this addendum. The dwelling's high level of sustainability should hence be given substantial weight in the planning balance (or the VSC Green belt case if required).

6.0 Summary, Planning Balance and Conclusion

6.1 The scheme will provide a single self-build dwelling of a bespoke design on a 0.057ha plot to the rear of 53-57 Church Road, which are dwellings that sit perpendicular to the road with other dwellings including barn conversions opposite. The proposal addresses the site-specific context and opportunities to ensure a sustainable and sensitive self-development, taking account of the sensitivities of its Green Belt and Conservation Area setting, and also the site's relationship with its wider setting, including other heritage assets.

6.2 As set out in **Paragraphs 5.74 - 5.88** of the SPS with reference to data in Appendix 3 and 4, the Council is failing to meet its statutory duty under the Housing and Planning Act 2016 to provide sufficient permissions self-build and custom build homes/plots (as defined in the Self-Build and Custom Housebuilding Act 2015) to meet entries onto the self-build register. The existing backlog plus new entries onto the register will not be satisfied by the application of Policy H7 of the Local Plan alone. Nor will the current backlog be satisfied promptly.

6.3 The proposed dwelling will be located in southern part of the village as described in the Neighbourhood Plan and observed when visiting the site. It is adjacent to existing cottages (53-57 Church Road) and opposite other dwellings. Until 2023 it formed part of the rear gardens of the cottages. The Site and these existing dwellings are within the Quarndon Conservation Area.

6.4 As per the surrounding dwellings, the Site is within the Green Belt but does not extend beyond the western boundary into the surrounding open countryside and Green Belt.

6.5 As a village site within the Green Belt, the Site is classed as not being with a 'settlement' as defined in Annex B of the NPPF. It hence falls under Paragraph 5 of NDMP S5 in terms development in the Green Belt when considering the proposal against the NPPF as a material consideration.

6.6 The proposal is not inappropriate development in the Green Belt as it falls within part (c) of NDMP GB7 as it amounts to infilling within part of the village that is within the Green Belt, and also because the development will be on previously developed land and not cause 'substantial harm' to Green Belt openness (i.e. part (e) of GB7). Details in regard of these findings are set out in full within the main Planning Assessment section of this addendum (Paragraphs 5.50 – 5.60).

6.7 As the development is a type that amounts to '*not inappropriate development in the Green Belt'* under NDMP GB7:

- There is no harm to the Green Belt by definition under NDMP GB6. Therefore, the Green Belt, including any residual harm to openness under types (c) and (e) of NDMP GB7, is not material to the determination of the application, in accordance with case law (e.g. Mole Valley 2025) and the relevant part of NDMP S5;

- There is hence no conflict with the main Green Belt test of Local Plan Policy SS8; and

- Paragraph 5 of NDMP S5 dictates that the application ***'… should be approved unless the benefits of doing so would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'***

6.8 The above assessment method under Paragraph 5 of NDMP S5 amounts to the automatic application of a new tilted balance assessment in favour of development where the proposed Green Belt development is '*not inappropriate development in the Green Belt'* under NDMP GB7.

6.9 The required tilted balance assessment below must take account of relevant Development Plan policies given the continued primacy of the Development Plan but limiting the weight applied to Development Policies, or part thereof, where material inconsistencies with the NDMP exist, in accordance with Annex A of the NPPF.

6.10 The Site is with the Green Belt such that Policy SS8 of the Local Plan applies. This directs the main assessment back to the application of national policy, such that full weight can be applied to this part of Policy SS8. It leads to Paragraph 5 of NDMP S5 and hence the application of the above tilted balance of Paragraph 5 for the reasons set out above.

6.11 In terms of the settlement hierarchy of the Local Plan, the Site is adjacent to the built framework of the village as defined in Local Plan Policy H3. It is hence not 'countryside' as defined in the Policy H3.

6.12 The provision of a dwelling on previously developed land adjacent to the built framework meets a qualifying type of development supported by Local Policy H2. This location is hence supported

in principle by Local Plan Policy H2 as the Site is PDL as former garden land in a rural setting beyond the built-up area.

6.13 Additionally, under Policy H2, the provision of a single dwelling on this former garden land plot, will appear as infill development alongside and near the existing cluster of dwellings rather than encroaching westwards into the open countryside, or northwards onto undeveloped land. It will also meet the '*small scale [residential] development adjacent to and proportionate to the settlement*' of the supporting text of Policy H2, including occupiers providing patronage to village services and facilities. The other tests of Local Plan Policy H2 that are applicable where sites are adjacent to the built framework are suitably complied with.

6.14 The above weighs in favour of the development under Policy H2 (including meeting the PDL criteria). However, there is some inconsistency with the NPPF which likely reduces the positive weight. This is because Policy H2 (and indeed the Local Plan spatial strategy in general) does not follow the 'within a settlement', 'outside of a settlement' and separate 'within a Green Belt' approach of the NDMPs S4, S5 and GB6. Moreover, it does not embed NDMP S5 Paragraph 5's automatic tilted balance in favour of a Green Belt proposal where such is *'not inappropriate development in the Green Belt.'*

6.15 In accordance with the above approach, any suggested conflict with Policy H2 in terms of the principle of a dwelling in this location (and indeed any other Spatial Strategy related policies of the Local Plan) should be afforded reduced weight given that this policy is not fully consistent with NDMPs of the NPPF.

6.16 Notwithstanding this, the fact that the Development Plan supports PDL and infill sites next to the built framework should be afforded some positive weight as material considerations. Similarly, the proposal accords with the overarching aims of the Local Plan's adopted spatial strategy and settlement hierarchy regarding protecting the countryside from development as there will be no encroachment, supporting only limited growth in rural villages and resisting unsustainably located development (the latter as detailed below). This also weighs in favour of the application as a material consideration.

6.17 The proposal conflicts with Neighbourhood Plan Policy QH1 regarding the principle of new dwellings in the Green Belt, as the proposal does not fully meet how it defines infill. However, this policy must be afforded very limited weight as its approach to infill development within the Green Belt is wholly inconsistent with the how infill within villages in described in of NDMP GB7 (i.e. no site size and dwelling number limit). Also, it does not embed any tests regarding

other forms of development in the Green Belt that are not inappropriate (e.g. PDL sites where there is no substantial harm to openness) nor the tilted balance test of Paragraph 5 of NDMP 5 when assessing such development.

6.18 The scheme provides a 2 bedroom dwelling capable of being used as a 3 bedroom dwelling, which accords with Neighbourhood Plan Policy QH3. However, this policy is inconsistent with NDMP H07 (and related policy H1), as these place no restriction on the size of self-build dwellings.

6.19 The scheme will not harm views in and out of the Conservation Area and have no impact on the setting of listed buildings (including Kedleston Hall and the listed well) nor the Kedleston Hall Registered Park and Garden (Conservation Area). This is the result of separation distances, topography and vegetation, including trees. This all weighs firmly in favour of the application.

6.20 The current appearance of the site as former garden land, alongside the proposed siting, slab level, dwelling design including the massing and detailing, material palette, rebuilt front wall (save the access position) and proposed landscaping is such that the proposal will not cause substantial harm to the significance of the Quarndon Conservation Area. This includes the restricted use of some modern materials and detailing, an agrarian aesthetic taking influences from the nearby cottages and barn conversion and the proposed frontage landscaping, which will provide a new green edge in keeping with this part of Church Road. The latter will also reaffirm the green character of this rural village. This greening of the front boundary south of the access will a positive contribution to the Conservation Area.

6.21 The Site does not offer view out towards the countryside at present given its elevated nature and proposed lowering of the levels is necessary and in keeping with the cottages. The wall will be reinstated where possible (i.e. not the access), which accords with the wording of NDMP HE9, and the third party embankment to the north will remain.

6.22 Any harm to the significance of the Conservation Area as a designated heritage asset will be very limited subject to various planning conditions, including those related to materials, the front wall and landscaping. This very limited heritage harm will be firmly outweighed by public benefits relating to the provision of a self-build dwelling at a time that the Council is not meeting its statutory duty in this respect and general tiding of the site as part of the re-use of this 'vacant and underutilised land' (including applying **substantial weight** to both of these benefits, as required by NDMP H07 and L2). There is hence no conflict with Policy EN4 or NDMP HE6 in terms of designated heritage assets (DHA) including compliance with harm versus public

benefit test of NDMP HE6. Any limited harm to the heritage significance of the Conservation Area, should, therefore be assigned no or only limited weigh and positive weight regarding the new frontage planting.

6.23 NP Policies QE2 and QH1 does not include the relevant tests of NDMP HE6 and HE9 regarding DHA and Conservation Areas such that any conflict with their wording should be assigned very limited weight.

6.24 Any harm to the setting of the cottages as non-designated heritage assets will be minimal and offset by the proposal's benefits and hence in compliance with NDMP HE7 regarding NDHA. Any suggested harm should hence be afforded no or limited weight. Any suggested conflict with Local Plan Policy EN4 or Neighbourhood Plan Policy QE2 in terms of the cottages must be given very limited weight. This is because these policies are not consistent with the assessment methods for impacts on NDHA as set out in NDMP HE7.

6.25 The innovative, highly energy efficient and bespoke design, including its massing and scale, slab level, architecture, material and landscaping, takes account of and responds positively to context, design policies and design guidance (including the Residential Design Guide). As noted above, agrarian aesthetic and materials take references from the nearby barn conversion and neighbouring cottages but without seeking to mimic them, as supported by the Residential Design Guide. Indeed, it takes careful account of the Site's transitional edge of countryside location, where barns and barn conversions are often located near dwellings. The scheme also has a coherent material palette that sensitively mixes modern and traditional materials and detailing, as also supported by the RDG. Modern references are suitably restrained.

6.26 Whilst the dwelling is not between dwellings, as preferred by Policy QH1 (i.e. some conflict with this policy aim) it will be read as being part of the existing cluster and appropriately front the road as per other nearby Church Road dwellings to make the best use of the plot's development potential as supported by NDMP L3 in terms of such locations.

6.27 The frontage landscaping rear of the low boundary wall will positively reinforce the prevailing sense of greenness and enclosure that defines parts of Church Road, which should secure positive weight.

6.28 The lowering of the land and the provision of an access point is necessary to utilise vacant and underutilised land effectively for a dwelling without impacting negatively on neighbours' amenity or having a dwelling set at a height that would be out of keeping with nearby dwellings.

Such is hence **justified** under NDMP DP3 and should not, therefore, be afforded negative weight. Indeed, rather than cause harm to the streetscene, the levels will be in keeping with the cottages and not undermine the appearance of the embankment north of the Site.

6.29 Overall, the scheme will suitably comply with the relevant design aims of Local Plan Policies H2 and EN15 of the Local Plan, Neighbourhood Plan Policies QDBC1, QRE1, QH1 and QEN1, the relevant parts of NDMP DP3 (and associated L2 and L3) of the NPPF and the Residential Design Guide.

6.30 In accordance with NDMP DP3, **substantial weight** should also be applied, to the how the design respects national and local design policy and guidance and provides an innovative design which promote high levels of sustainability whilst respecting the overall form and layout of their surroundings. The latter also complies with Local Plan Policies EN1 and EN15 and Neighbourhood Plan Policy QDBC1.

6.31 The proposal will also make an effective and positive use of what is a vacant and underutilised, which attracts **substantial weight** under NDMP L2.

6.32 The scheme will cause no harm to protected species such that there is no negative weight to assign in this regard. Commuting routes will remain available across the undeveloped land to the north and across the site. This accords with Local Plan Policy EN4 and NDMP N2.

6.33 A single poor holly tree and largely disturbed ground cover and debris that has limited habitat value with a range of native trees, shrubs, plants and hedgerows designed to create opportunities for wildlife. This benefit alongside the provision of a bat and bird box and an integrated swift brick to support birds and threatened species is in accordance with, and in part exceeds the requirements of NDMP N2, and hence attract positive weight. Any conflict with Policy EN8 in terms of the measurable and proportionate net gains in biodiversity must be given very limited weight, as such is entirely inconsistent with Paragraph 3 of NDMP N2 regarding development proposal is exempt.

6.34 The parking provision meets local standards, and subject to various planning conditions the proposal will not result in any significant harm to highway safety or network capacity (including the access design and not having a dedicated on site delivery van area), in accordance with the Development Plan and the relevant parts of NDMPs TR3 and TR4. This attracts neutral weight.

6.35 Submitted evidence demonstrates that the proposed dwelling in this rural village is sustainably located in terms of reasonable access to services and facilities in by non-car modes and cycling

will be supported by a good-sized on-site cycle store, including access to services and facilities in nearby Allestree. This complies with Local Plan Policy IN2 and the relevant parts of NDMP TR3 and should attract neutral to positive weight. Any conflict with Local Plan Policies En1, En15 and IN1 in terms of sustainable options and/or the improvement of such must be afforded very limited weight as such are materially inconsistent with NDMP TR3 i.e. this policy confirms those developments that will generate 'significant amount of movement' as the threshold for ensuring sustainable locations, and recognises that connectivity in rural areas will differ to that in urban areas. The scheme appropriately provides access to reasonable non-car options to reach services and facilities rather than seeking to prevent car ownership and all car trips.

6.36 The fact that the Development Plan supports the principle of dwellings within the centre of Quarndon, which are at a greater distance on foot or bike from services and facilities in Allestree and no better served by public transport (still just service 114) is also a material consideration which weighs in favour of the proposal in terms of its sustainable location credentials.

6.37 Subject to a CEMP there will be no adverse impacts in terms of the amenity of neighbours. The dwelling will also provide a high level of residential amenity for the occupiers. This will include good sized rooms and storage (NDSS compliant), adaptable space meeting M4(2), plentiful natural light and good quality outdoor amenity space options including far reaching views from the rear first floor balcony. This suitably complies with the Development Plan and NDMP P3, including some positive exceedance, which should attract neutral or positive weight. A lack of a 10m rear garden under guidance not policy is acceptable and justified and should not be afforded any significant negative weight.

6.38 Subject to planning conditions there will be no flood or drainage issues, including no discharge of surface water onto the public highway. This will meet normal requirements and attracts neutral weight.

6.39 The provision of a permission for a self-build dwelling attracts positive weight as a material consideration relative to the Council's current failure to meet its statutory duty regarding permissions for self-build and custom build dwellings (as defined by the 2015 Act), as evidenced in Paragraphs 5.74 - 5.88 and Appendices 3 and 4 of the Supporting Planning Statement.

6.40 Additionally, given the new NPPF, the provision of a permission self-build dwelling relative to evidence that demonstrates a failure to meet the relevant statutory duty attracts **substantial [positive] weight** as a benefit under NDMP HO7, as this states:

'1. In applying the policies of this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the LPA and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under Policy H01.'

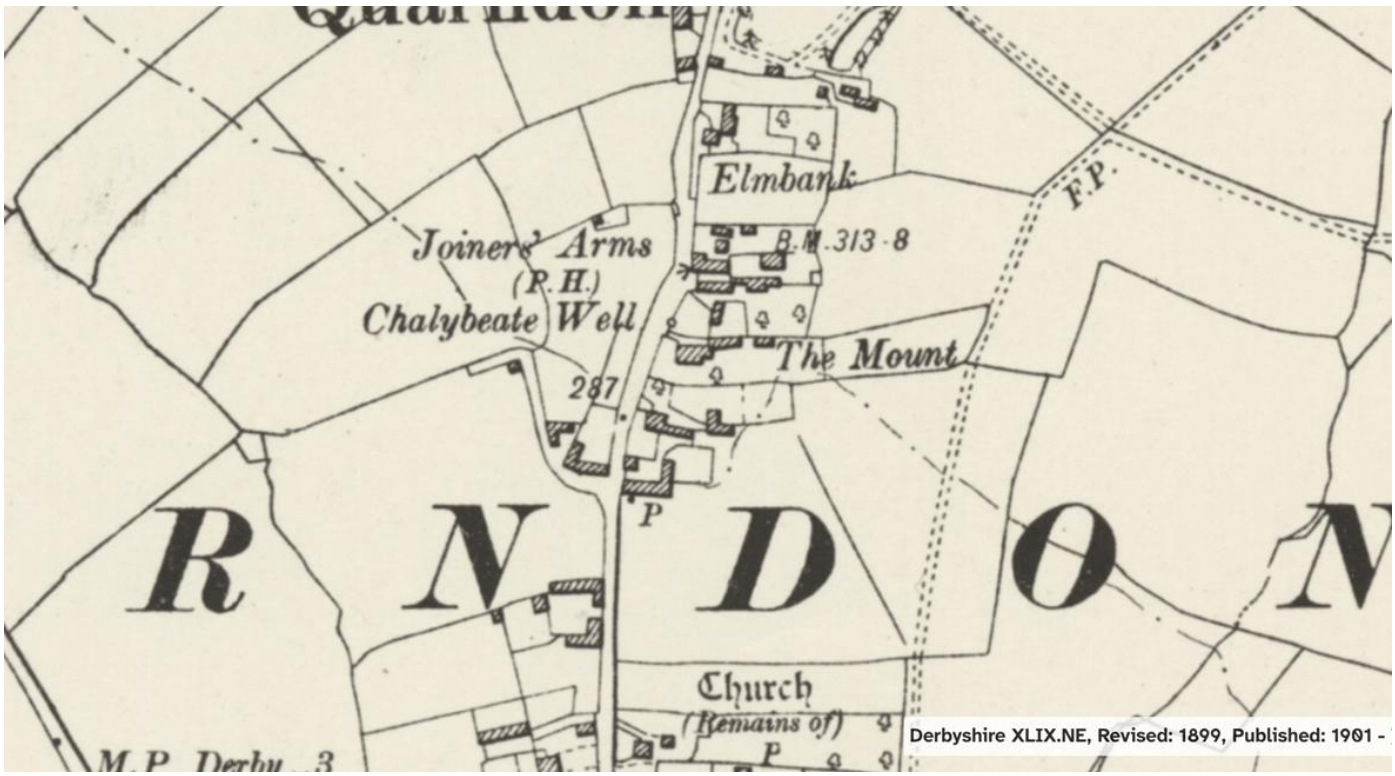
6.41 This refers to the use other relevant evidence, and Policy H01 includes people wishing to commission or build their own homes (i.e. self-build and custom build homes).

6.42 In terms of the tilted balance under Paragraph 5 of NDMP S5, the application does not trigger any policies where NDMPS state that development proposal should be refused in specific circumstances as referred to in Paragraph 2 of NDMP S5. This includes the proposal not causing any substantial harm to any designated heritage assets, as defined by NDMP HE5.

6.43 In conclusion the application should be approved in accordance with part 2 of Paragraph 5 of NDMP S5 as '*the benefits of the doing so will not be substantially outweighed by adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'* The development hence amounts to Sustainable Development under NDMP S3. Importantly, in undertaking the balance of NDMP S5, Paragraph 5, **substantial weight** must be placed on all matters highlighted above as attracting such weight under various National decision-making policies. There are no adverse effects (harms) that outweigh such, and definitely none that substantially outweigh such.

6.44 If the LPA considers that the proposal not a type listed in NDMP GB7, the alternative position is that the development in the Green Belt is supported under the very special circumstances (VSC) test with NDMP GB6. This is set out in full within the main planning assessment of this Planning Addendum (Paragraphs 5.64 – 5.81) and hence will not be repeated here.

Appendix 1 – Extract of Historic Map Published in 1901



Sourced from:
https://maps.nls.uk/view-full/101601504#zoom=3.1&lat=3422&lon=4536&layers=BT

Appendix 2 - Sustainable transport options to reach services and facilities in Allestree and Derby

Bus service between Site and Derby

114 Ashbourne - Derby

A bus service operated by High Peak

Monday to Friday Service - northbound and southbound showing including breakdown for Quarndon stops (including stop at Holly Bank Farm 1 minute walk from the Site)

Timetable | Map | Vehicles

Monday 18 May 2026

Ashbourne to Derby

Timing points | All stops

Ashbourne Bus Station (Stand 2)	06:40	09:00	11:00	13:30	15:25	18:34
Ashbourne, adj Queen Elizabeth's School					15:35	
Ashbourne, opp Dovedale Avenue Top	06:42	09:02	11:02	13:32	15:45	18:36
Bradley, opp Smithy	06:47	09:07	11:07	13:37	15:51	18:41
Hulland Ward, opp Nags Head	06:52	09:12	11:12	13:42	15:57	18:45
Cross o' th' Hands, opp Ashbourne Road	06:56	09:16	11:16	13:46	16:01	18:48
Weston Underwood, opp Green Lane	07:03	09:23	11:23	13:53	16:08	18:54
Kedleston, opp The Smithy	07:06	09:26	11:26	13:56	16:11	18:56
Quarndon, adj St Pauls Church	07:14	09:34	11:34	14:04	16:19	19:03
Allestree, adj Lane End	07:17	09:37	11:37	14:07	16:22	19:05
Derby Morledge (Stop C8)	07:25	09:50	11:46	14:16	16:37	19:12
Derby Railway Station (Stop S1)	07:30	09:55	11:50	14:20	16:41	

Derby to Ashbourne

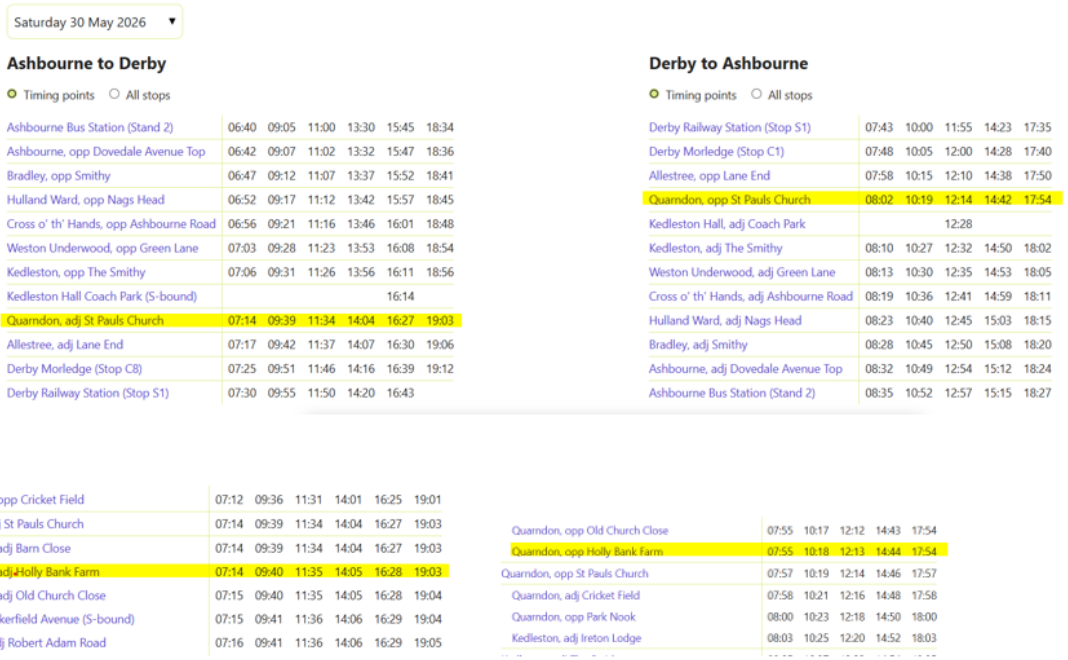
Timing points | All stops

Derby Railway Station (Stop S1)	07:38	10:00	11:55	14:23	17:35	
Derby Morledge (Stop C1)	07:43	10:05	12:00	14:30	17:40	
Allestree, opp Lane End	07:53	10:15	12:10	14:41	17:52	
Quarndon, opp St Pauls Church	07:57	10:19	12:14	14:46	17:57	
Kedleston, adj The Smithy	08:05	10:27	12:22	14:54	18:05	
Weston Underwood, adj Green Lane	08:08	10:30	12:25	14:57	18:08	
Cross o' th' Hands, adj Ashbourne Road	08:14	10:36	12:31	15:03	18:14	
Hulland Ward, adj Nags Head	08:18	10:40	12:35	15:07	18:18	
Bradley, adj Smithy	08:23	10:45	12:40	15:12	18:22	
Ashbourne, adj Dovedale Avenue Top	08:28	10:49	12:44	15:16	18:26	
Ashbourne Bus Station (Stand 2)	08:32	10:52	12:47	15:19	18:29	
Ashbourne, adj Queen Elizabeth's School	08:37					

Quarndon, adj St Pauls Church	07:14	09:34	11:34	14:04	16:19	19:0
Quarndon, adj Barn Close	07:14	09:34	11:34	14:04	16:19	19:0
Quarndon, adj Holly Bank Farm	07:14	09:34	11:34	14:04	16:19	19:0
Quarndon, adj Old Church Close	07:15	09:35	11:35	14:05	16:20	19:0
Allestree Askerfield Avenue (S-bound)	07:15	09:35	11:35	14:05	16:20	19:0
Allestree, adj Robert Adam Road	07:16	09:36	11:36	14:06	16:21	19:0

Allestree Askerfield Avenue (N-bound)	07:54	10:16	12:11	14:42	17:53	
Quarndon, opp Old Church Close	07:55	10:17	12:12	14:43	17:54	
Quarndon, opp Holly Bank Farm	07:55	10:18	12:13	14:44	17:54	
Quarndon, opp St Pauls Church	07:57	10:19	12:14	14:46	17:57	
Quarndon, adj Cricket Field	07:58	10:21	12:16	14:48	17:58	
Quarndon, opp Park Nook	08:00	10:23	12:18	14:50	18:00	
Kedleston, adj Ireton Lodge	08:03	10:25	12:20	14:52	18:03	

Saturday Service - northbound and southbound showing including breakdown for Quarndon stops (including stop at Holly Bank Farm 1 minute walk from the Site)



Saturday 30 May 2026

Ashbourne to Derby

Timing points | All stops

Ashbourne Bus Station (Stand 2)	06:40	09:05	11:00	13:30	15:45	18:34
Ashbourne, opp Dovedale Avenue Top	06:42	09:07	11:02	13:32	15:47	18:36
Bradley, opp Smithy	06:47	09:12	11:07	13:37	15:52	18:41
Hulland Ward, opp Nags Head	06:52	09:17	11:12	13:42	15:57	18:45
Cross o' th' Hands, opp Ashbourne Road	06:56	09:21	11:16	13:46	16:01	18:48
Weston Underwood, opp Green Lane	07:03	09:28	11:23	13:53	16:08	18:54
Kedleston, opp The Smithy	07:06	09:31	11:26	13:56	16:11	18:56
Kedleston Hall Coach Park (S-bound)					16:14	
Quarndon, adj St Pauls Church	07:14	09:39	11:34	14:04	16:27	19:03
Allestree, adj Lane End	07:17	09:42	11:37	14:07	16:30	19:06
Derby Morledge (Stop C8)	07:25	09:51	11:46	14:16	16:39	19:12
Derby Railway Station (Stop S1)	07:30	09:55	11:50	14:20	16:43	

Derby to Ashbourne

Timing points | All stops

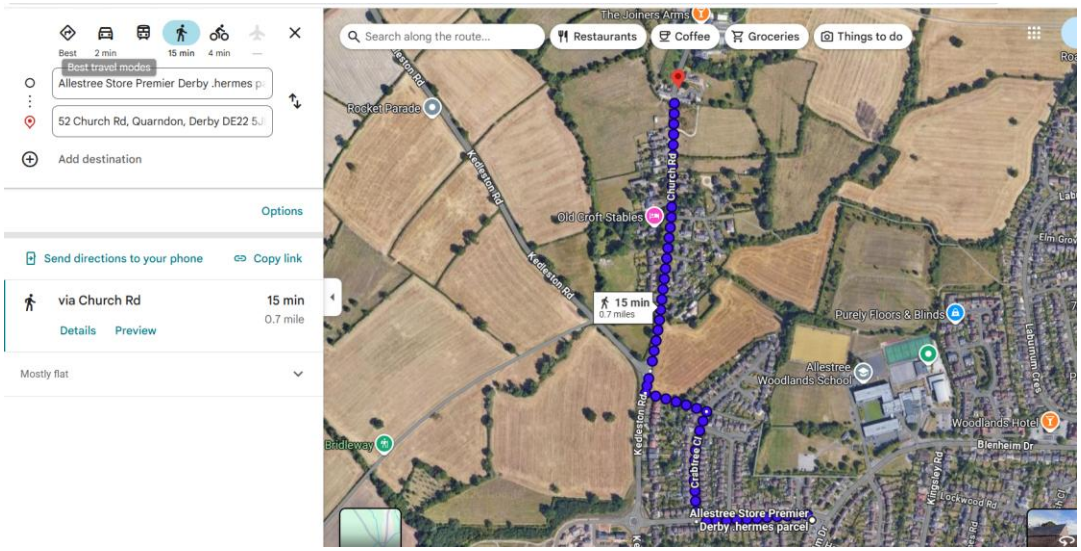
Derby Railway Station (Stop S1)	07:43	10:00	11:55	14:23	17:35
Derby Morledge (Stop C1)	07:48	10:05	12:00	14:28	17:40
Allestree, opp Lane End	07:58	10:15	12:10	14:38	17:50
Quarndon, opp St Pauls Church	08:02	10:19	12:14	14:42	17:54
Kedleston Hall, adj Coach Park			12:28		
Kedleston, adj The Smithy	08:10	10:27	12:32	14:50	18:02
Weston Underwood, adj Green Lane	08:13	10:30	12:35	14:53	18:05
Cross o' th' Hands, adj Ashbourne Road	08:19	10:36	12:41	14:59	18:11
Hulland Ward, adj Nags Head	08:23	10:40	12:45	15:03	18:15
Bradley, adj Smithy	08:28	10:45	12:50	15:08	18:20
Ashbourne, adj Dovedale Avenue Top	08:32	10:49	12:54	15:12	18:24
Ashbourne Bus Station (Stand 2)	08:35	10:52	12:57	15:15	18:27

Quarndon, opp Cricket Field	07:12	09:36	11:31	14:01	16:25	19:01
Quarndon, adj St Pauls Church	07:14	09:39	11:34	14:04	16:27	19:03
Quarndon, adj Barn Close	07:14	09:39	11:34	14:04	16:27	19:03
Quarndon, adj Holly Bank Farm	07:14	09:40	11:35	14:05	16:28	19:03
Quarndon, adj Old Church Close	07:15	09:40	11:35	14:05	16:28	19:04
Allestree Askerfield Avenue (S-bound)	07:15	09:41	11:36	14:06	16:29	19:04
Allestree, adj Robert Adam Road	07:16	09:41	11:36	14:06	16:29	19:05

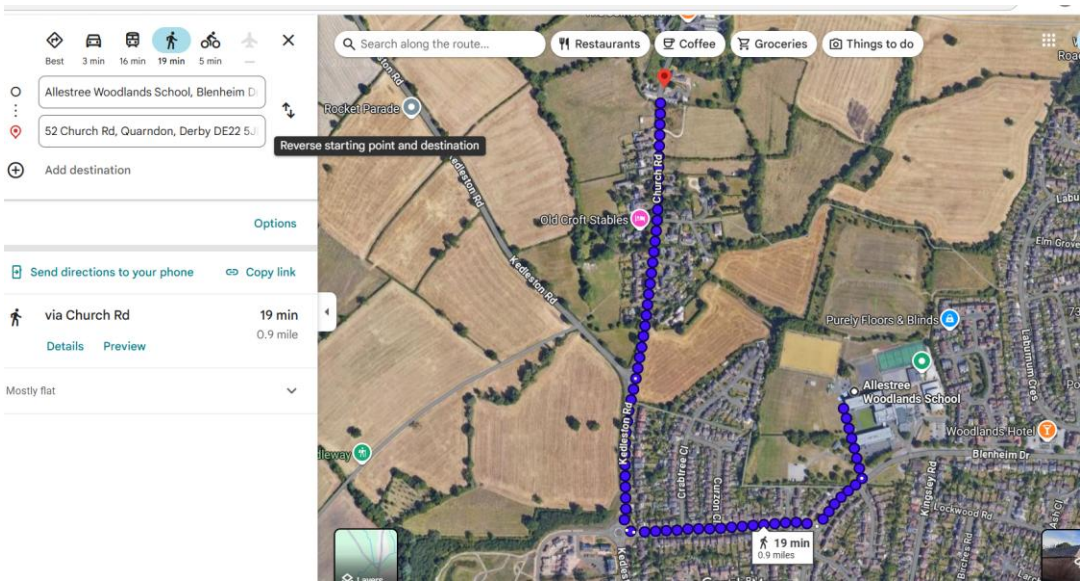
Quarndon, opp Old Church Close	07:55	10:17	12:12	14:43	17:54
Quarndon, opp Holly Bank Farm	07:55	10:18	12:13	14:44	17:54
Quarndon, opp St Pauls Church	07:57	10:19	12:14	14:46	17:57
Quarndon, adj Cricket Field	07:58	10:21	12:16	14:48	17:58
Quarndon, opp Park Nook	08:00	10:23	12:18	14:50	18:00
Kedleston, adj Ireton Lodge	08:03	10:25	12:20	14:52	18:03

Local Convenience Store and Woodland School (community use) – On foot and by push bike

The Site - 15 minutes on foot to from to **Premier Store**, Askerfield Avenue in Allestree. 4 minutes by push bike.



The Site - 19 minutes on foot to **Woodlands School**, Blenheim Drive, Allestree. 5 minutes by push bike.



Information on Woodland School's website regarding community use including courts, pitches and pool

Lettings at Allestree Woodlands

We are delighted to welcome the local community at Woodlands Sport and Leisure.

Sport and Leisure facilities at Woodlands are of a high standard and investment in recent years mean that pupils and the wider community can access to excellent facilities including:

- Indoor Swimming Pool
- Outdoor Tennis and Netball Courts
- Astroturf All Weather Pitch
- Multi-purpose indoor Sports Hall for netball, basketball and badminton
- Multi Sports Holiday Camp

We hope that our website is able to provide all of the necessary information you need to enjoy our facilities. If you would like to enquire about booking any of our sports facilities please contact Woodlands Sport and Leisure directly using the contact form.

Did you know?

We also cater for community groups in our theatre, conferencing facilities, classrooms and seminar rooms. IT facilities, reprographics and printing are also available.

Google Streetview image - pedestrian using the lit pavement to walk southwards along Church Road between Quarndon and nearby Allestree

