

## Episode 188

# What are Paragraph 55 builds and how do they work? - with Richard Hawkes from Hawkes Architecture

The show notes: [www.houseplanninghelp.com/188](http://www.houseplanninghelp.com/188)

**Intro:** Aspiring self-builders looking for land soon learn how rarely planning permission is granted for a new build in the English countryside. Architect Richard Hawkes found out what exceptions are allowed when building his own home and has become something of an expert, building his architecture practice on his experience. He talked to us about the rigorous process he goes through to meet the stringent criteria of the relevant policies. I started by asking him to tell us about his background as an architect and his interests.

**Richard:** I'm Richard Hawkes and I set up Hawkes Architecture nine years ago. Before then, I worked in London as an architect in a large commercial practice.

As I was developing as an architect, I suppose, or getting involved with smaller, more bespoke projects, I bought a piece of land, had the chance to do our own house, wanted to have low running costs and I thought it might be a good opportunity to find some good local builders and craftsman that I might be able to then use and maybe get some other work. Maybe even one day I might have my own practice.

We set about doing our own house and everything else that sort of happened afterwards has been amazing.

**Ben:** Crossway, which featured in Grand Designs, are you trying to tell me that this almost launched you and your practice?

**Richard:** Absolutely, yeah. It was one of those very small thoughts in my head. I never thought I'd really have my own practice. It was a kind of humble ambition.

When we had the opportunity to do the house, obviously I followed through a design process that felt very strong to me. I had a very supportive wife as well. And I look at this house now and I love

living here and it still gives me as much of a thrill today as it did when I did it.

We had that opportunity to build our own house and even though now we design private houses for people all over the country, I still look at this and think wow. When I had the opportunity to do it myself, I really took it. I wasn't shy, I wasn't scared of it. I grabbed the opportunity properly.

So, I still stand under the arch, look at it and go, 'wow, that took some guts.'

Ben: What was the inspiration for it?

Richard? For the arch? Well, actually, the arch didn't appear until the third model. When I started developing the building in 3D, the arch didn't come in until the third model.

Interestingly, the process we follow still today as a studio, is still very similar to what I did for this house here, whereby there are two distinct processes going along in parallel. One of them is responding to your client.

So, my wife had some certain ideas about how she wanted the house laid out. There's some obvious things about where the best views are and things like that. And wanting it to have low running costs, taking some of the ideas like putting support spaces on the north side, knowing that you want the north side of the house to be more solid, open it up to the south, to the views to the sun. That starts helping to lay out what I call the mechanics of a plan.

So, that's one process. I'm sort of developing that, making sure things are the right size, in the right order.

And then as a separate process, I'm walking all the lanes, walking the roads, all the approaches, how you can see this site. How this site fits in its setting. There's four different ways of approaching this site so, there's no natural front or back. And each of those views requires a different response. So, from the west has got very different requirements of the conversation it needs to have with the west, to the north, to the east, to the south and to the south-west where the views are.

So, in minutiae detail, I'm analysing how the landscape changes as you approach the house from all these different directions, and thinking, 'what does the house need to do sculpturally to respond to those?'

Once I've got a really fine understanding of how we need to respond in context and we've got the mechanics of the plan together, those two processes start coming together and something starts growing out of it. That was when the modelling exercise started.

The first model was kind of an extrusion of the plan I was developing. For example, on the first model, because I know there was the best view, the lounge was here, I flared the walls out so the lounge was wider, out towards the view. Because in plan, it looked like an expression, it was telling you where the best view is. But when we modelled it, it made the house look like a megaphone. The lounge and the bedroom just looked like a big megaphone. So, it felt quite clumsy.

The second model was a rationalisation, pulling these things back in. And there was this distinct central object with a space in between which is the kind of central corridor. So, you've got those bathrooms, utility room on the north side, and then the big habitable spaces on the south side, and there was a space in between which is a corridor. And then at each end, there were these wings with spaces at the end.

Because of the west view, when you come down from the west, a car is looking straight at the house for quite a while so, the headlights would be shining right at the house. I didn't want any lights shining in the house at night. I didn't want to spoil the lovely darkness you get in the evening. But equally, I wanted to help lock the building into the context from that view.

I thought a really nice way of doing that is to have part of it living, so that it changes with the seasons and helps the building assimilate. So, I thought if I want to grow stuff, what do I want to grow? Well, I want to grow the stuff that you see around. So, then I thought I'm going to need clay, quite a lot of clay, and clay's heavy. So, lots of heavy clay is going to mean lots of structure. Lots of structure's going to be expensive. What's the best way of holding up lots of weight? An arch.

And then it was literally five o'clock one Sunday morning I woke up and it literally was like 'ah!' So, these wings that were at the end of the building, which were kind of secondary elements to what the modelling was showing, all of a sudden became the dominant element. There was this arch. Literally, I peeled the land up to create the arch. And then these other buildings have slid underneath.

And all of a sudden, just that move just – it was like, all the pennies dropped. Everything locked together. It was kind of, ‘ah, fantastic.’ The form just seemed to answer all the things from the north, east, south and west. The fact that these buildings kind of slotted in underneath. There was a sense of the house being like a bird hide. We always want the ecology and the biodiversity to come in around us and for us to feel like we’re sitting in amongst it. So, peeling the land up and then just kind of hidden underneath it, it’s got a great sense of that.

I came up with one of the analogies that I use for the house. It’s kind of like a Victorian photographer, where they’ve got that black hood over their back and they’re looking out of this box and looking out of the lens. The house is kind of like that. The master bedroom is this projecting camera lens, hence the lounge has got all this glass here, no structure to accentuate that feeling of the master bedroom cantilevering out. The projecting camera lens. And the house is telling you where the best view is, saying, ‘this is what I’m looking at.’ Which is obviously, the Victorian photographer. And the part you focus on is where the lens is.

So, just architecturally, from that third model, that kind of locked most things together, and then all the subsequent models were kind of trying to find out what the rest of the personality of the building could and should be, then what materials we should use and all that. And that was all about giving the building a sense of place.

But actually, the first planning application we put in, it wasn’t a tiled vault. The arch was actually part of a circle with the centre line being four metres below ground. Only because I couldn’t draw parabolas. And it was only after we got planning consent that I met Michael Ramage at Cambridge University and it was Andrew Bassant from Equilibrium Solutions, the guy who’d build the pines calyx domes with Michael Ramage at Cambridge and Phil Cooper.

It was Andrew who said to me, ‘have you heard of this technique of gluing tiles together with plaster of Paris?’ Here we were sitting in our old house, 420 year old house, and I’m effectively interviewing a potential builder. And I thought this builder talking to me about this technique, gluing clay tiles together with plaster of Paris, I was just like, ‘wow, that sounds amazing.’ ‘Get in touch with Cambridge University’, he said. So, I did, and when we commissioned them to do a feasibility study, they came back and said, ‘yeah, that can work.’ I was hooked then. Just got to make it happen.

Ben: And you weren’t ever worried that this was all on Grand Designs? It sounds quite experimental, sort of make or break.

Richard: Well, it's interesting. Lots of people have put it like that and I think, 'crikey, yeah, I suppose.'

But it didn't feel to me like I was being that crazy. Because I'd met the only builder in the country who had familiarity with using this technique; I went to Cambridge University and the only engineers who know this technique and are familiar with it and have used it; commissioned Cambridge University to do a study, my structural engineers are actually Scott Wilson – Philip Cooper worked at Scott Wilson – so, it was their PI. They sub-contracted Cambridge University. So, as far as I'm concerned, I thought it's not like I've just got a few guys together, sat around a table and come up with something. We tested it and it works.

I had every faith in it, bonkers as it was and as it was going up, the traumas that the cameras caught as well, showing the fragility of it as well as the amazing strength of it. It's a wonderful story because the construction process did reveal how careful you've got to be. But equally, it did reveal how amazingly strong this technique is. And it looks the same as it did when it was finished.

So, it didn't feel daft to me.

Ben: Let's fast-forward then, because you did setup your practice. What seems to have been interesting over the years is that you've developed a speciality for something particular in planning and trying to get consent on – well, maybe this is where we need to start. What is this paragraph 55?

Richard: Paragraph 55 is a piece of policy that was introduced 20 years ago this year. It was John Gummer who introduced it in 1997 as Paragraph 3.21 originally.

It was a piece of national policy that was generally intending the idea that if someone's got 200 acres and they want their English country house, it was a piece of policy that could enable that to happen. Because it's part of a strong tradition in Britain, the English country house. It was a piece of policy that was enabling that to happen.

Generally, since planning came in, in 1946, '47, generally they were trying to avoid new homes in the countryside. They were trying to get development to concentrate itself. Of course, you've got the introduction of Green Belt as well in that, and protecting land and giving at the designations AONB, Heritage Coast and things like that. So, the country got more rules since after the Second World War.

John Gummer introduced this piece of policy and then in 2003, the Labour government wanted to get rid of the policy because they felt it was an elitist piece of policy. They felt it was just a rich man's toy. But there was quite a lot of lobbying from the RIBA, there was a petition put together by lots of eminent architects, saying it's really important that the piece of policy can help move forward dwelling design. Even though most of the original English country houses that were coming out of this policy were classical, large English country houses, thirty-odd-thousand square feet.

The policy stayed in but it got changed and it then became PPS 7, Paragraph 11. So, these houses got known as PPS 7 houses for a long while, and this was one of them.

Ben: Your house was one?

Richard: It was. Not a pure one because there was a bungalow here. The local planning policy says that you can replace a dwelling with another dwelling, but it shouldn't be any more visually obtrusive.

By that, they generally go by scale. They allow maybe, usually, 50%, although this authority didn't have a number against that. But they generally treat that as a rule. But what you can't do is go twice as big and twice as high, which is what we did. Local policy doesn't allow that. So, the only policy that existed at that time, to catch and facilitate this getting consent, as it was, was PPS 7, Paragraph 11.

It was a softer PPS 7, if you like, but it certainly needed that policy to get consent. If the policy wasn't there, there's no policy for it to be able to get consent. But that started us on this road of being associated with this piece of policy. The Grand Designs process, not that they talked about PPS 7 at that point, obviously helped.

It's not when I started the business up, but we started getting phone calls from people who had pieces of land that didn't have dwellings on, or did have small dwellings on and they wanted bigger dwellings. And we started picking up some projects and fortunately, getting planning consent for them. Now, we're very vigorous about the way we go about this.

Ben: We'll dig into that. Firstly though, are there a set of criteria that says, 'this is allowed but that isn't'?

Richard: Absolutely. Paragraph 55 of the National Planning Policy Framework says that planning authorities should generally seek to resist new dwellings in the countryside. But Paragraph 55 has four special circumstances that can facilitate a new dwelling in the countryside.

One of them is a rural worker, keyworker dwelling, an agricultural worker's dwelling. Agricultural tie, as some people might know it. That's quite tricky to do because the size of the dwelling has to relate to the income of the business and has to represent a genuine need for someone to be on site. So, you can't just say, 'I'm growing wheat. I need to be here.' Even if you've got cattle, you don't need to be there. So, it's quite difficult to create a business case to actually say, 'I need to be there.' So, they don't happen very often.

Then there's the re-use of a redundant or derelict heritage asset. So, if you've got a listed building that's crumbling away, saving it can be a way of getting a planning consent for a dwelling.

The third one is the re-use of redundant farm buildings, and that's kind of been superseded by the change in permitted development. Lots of farmers have been converting farm buildings and getting dwellings very easily. So, it's made the third bullet point of Paragraph 55 moot for now.

The fourth bullet point, which is what most of my business is all about, says if the dwelling is of exceptional quality or innovative in its nature of design. And then it says such a design should be truly outstanding or innovative in its nature of design, helping to raise the standards of design more generally in rural areas. It should be of the highest standards in architecture. It should significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

So, in that fourth bullet point, there are fundamentally four tests and for a house to pass under this piece of policy, it has to pass all those tests.

It's a beautiful bit of policy because fundamentally, what it tells you to do is, it's national policy basically saying, 'come on architects, here's a piece of policy. If you do something well enough, you can in theory put a house anywhere.' The truth is, finding sites that have got what we call the right ingredients to be able to pass the tests is far more complex.

Ben: Is this subjective as well? Can you rewind over what those things were once more?

Richard: So, the tests within bullet point four are that the dwelling needs to be truly of exceptional quality ...

Ben: What does that mean?

Richard: We can get on to that. Exceptional quality or innovative in its nature of design, so helping to raise the standards of design more generally in rural areas.

It's basically recognising the fact that dwelling design, despite changes in regulation, is still pretty mediocre generally, nationally.

The highest standards in architecture is the second test, and then the third test is significantly enhance the immediate setting and be sensitive to the defining characteristics of the local area.

It's basically telling you, you have to get under the skin of a place, understand what makes it tick, what it's all about. Not at a superficial level. You've got to understand its ecology, its biodiversity, its resources.

Ben: Walk down the roads.

Richard: Walk down the roads, exactly. I intuitively was doing this. Because for me, the context of any site has got rich things for you to respond to. You've just got to find them.

It takes months to get under the skin of a site. The reports, the surveys that you have to do. We don't just do them to tick a box to get validation in planning. We commission these tools to help us understand what the site's about. Who lives here? What animals live here? What things could be here or should be here but aren't here, and why aren't they there? What's the sun doing? What's the prevailing wind direction? Is there something unusual climatically here? What's the geology? What's the ...

Ben: Have you got an example that you could share that would just give us an idea of how finding out those things has then had an influence on the house?

Richard: Absolutely. Hopefully, all of our sites have got a story to tell.

There's one we're working on at the moment which is down near Portsmouth. It's not gone in to planning yet but the client got in touch with us. They had high ambitions of the house. They said, 'we love Flint House.' And I said, 'okay, the Manser Prize winning house for the Rothschild family. Great. That's a nice place to set your sights.'

As it happens, down near Portsmouth, there's lots of flint. Clearly, what we can't do is Flint House because Flint House has just been done. But they had high ambitions and they said, 'why don't we go for the Manser Prize?' And I went, 'oh, okay. Interesting.'

On this site, you look at the site and around the site, there are fields full of chunks of flint. There are big dips on the site which are from quarrying of flint. So, flint extraction has become part of the defining characteristics for the area. Flint exists very openly and everywhere and obviously, buildings are using it as well.

So, then what we do is we want to try to do something different with it. So, Paragraph 60 of the National Planning Policy Framework says, 'the local authority should not seek to impose architectural styles, not seek to stifle innovation,' et cetera, 'but they should seek to reinforce local distinctiveness.

Again, Paragraph 60 is a really interesting piece of policy because it's basically saying, 'don't go around copying what we used to do.' In any other period of history, buildings reflected the time they were built. But today, there's this banal mindset where everything we build is referential. We love the quality that we used to have in buildings and we despise the lack of sense of place that buildings have now.

But we just say, 'we want red brick', and then we bring it in from Holland, and then wonder why the red brick doesn't look right. It's not the local clay. If you use the local materials, you will embody the building with a sense of place. You don't have to make the building look like an old building. This house, like Crossway, has everything local. And people say, 'oh, it is an unusual shape building, but it does feel right.' The sense of place comes from using the local materials. But that's what we always used to do, naturally, instinctively.

So, this house in Portsmouth, it's got flint everywhere. It's on the edge of the national park. It's not in the national park but it's visible from it. Views from the national park are sensitive so, what you don't want is a big white spaceship sitting in this location because it would clearly be odd.

Flint is an interesting material and it's got wonderful qualities. On the outside it's white, soft and curvy. You break it open, it's black, hard and sharp. That's a wonderful thing, a wonderful contrast. We had the thought to take those qualities and we distilled those qualities of the outside and the inside of flint, then we just flipped them and said, 'what if the outside were black, hard and sharp, and the inside were white, soft and curvy?'

We developed an architecture that effectively explored this conceptual notion of flint and then worked that into an architectural language which meant that this building took on a characteristic that

was black, hard and sharp on the outside. So, sitting in its setting when viewed from the national park within a treeline behind, you have a linear building that's something you'd look at and you'd think, 'is that an agricultural building? Is it a building that was doing something else once before?'

From a distance, it will just nestle in the treeline. And as you get closer to it, obviously you see detailing. You see sharpness, crisp things going on, different materials, some flint but mainly not. But then as you get up close to the building and when these gates open up, you go into a courtyard and it's white, soft-flowing curves. It's just, 'whoa!' And everything a Paragraph 55 house should be. But fundamentally rooted in an expression of flint, which is something that is a defining characteristic of the local area.

There's a sensitivity to those defining characteristics and the significant enhancement to the immediate setting is done through obviously the introduction of a high-quality building and buildings can, and often do, enhance a landscape. This is an interesting point of discussion often in planning – and I'll get back to your point about subjectivity in a second – but equally, we're enhancing the landscape through binding the site together with areas of woodland, seeing where enhancements can happen to link habitats, to bolster woodland edge, increase biodiversity through the introduction of wildflower areas, but actually a proper mowing regime so you can starve the nutrients to actually increase the biodiversity, put management plans in place and offer those with the application.

So, a Paragraph 55 application isn't just about a house, it's about the land, very much so. It's the landscape and the architecture working very much together. You can't take any point, any part of the strategy away. It all works holistically together.

Sometimes a site might have plenty of woodland being planted or already in place, which requires management. If it's got woodland and it requires management, there will be a cordage of wood, a quantity of wood that wouldn't sustainably need to be taken out of the site to properly manage that woodland. Woodland needs management. You can't just let places go. So, then with that wood, what do you do with it? Well, if you can use that in the building, you're not... burning – well, you don't have to burn logs, but it can be a very useful way of actually creating a nice, sustainable cycle.

The nature of the site and its management will also often tie in to the energy strategy that we develop for an individual building.

Ben: Innovation also sometimes sounds expensive. So, are we still saying that this is slightly elitist? Do you have to have a big chequebook to be able to get one of these projects? Are there examples of very small houses or does it have to then go back to that worker's cottage on site? Are those the only ones that are small? These ones, are they more grand projects?

Richard: Well, the policy doesn't stipulate anything to do with size. The smallest one we've got consent for under the policy was 240 square metres. It was a four-bedroom house but a modest sized house, relatively.

But a house of the highest standards in architecture, of exceptional quality will be one that has lots of insulation. We recognise that energy is expensive and that buildings should be more aware of the amount of energy they use. Dwellings use a lot of energy. 65% of the typical house energy use goes on heating and most of that energy is used during the November to February period. And everyone in the country is using energy for heating then. So, this type of house with a ski jacket on, Passivhaus type buildings, use obviously dramatically less energy.

So, lots of insulation, heat recovery ventilation, triple-glazing, passive solar gain and all those Passivhaus principles, that's just sensible design. Those don't become the reasons it should get consent.

Ben: But are they looking for that as a foundation?

Richard: Absolutely, yes. Absolutely right. You can't put a Paragraph 55 scheme together just to building regs and say, 'yeah, but look how nice it looks.' It doesn't work like that.

So, back to your point about subjectivity, if you got a hundred people in a room and showed them this house, Crossway, or showed them any of the houses that we've designed, you will obviously get a very wide range of opinions about those houses. Anybody's response to design will always inherently be subjective. But the principles of good design can be looked at entirely objectively.

It's a really important distinction. The process of design can be looked at entirely objectively. What we have done is develop, effectively, a DNA in the studio, a framework to design, where it starts off with rigorous understanding of the site and the client. Every site and every client is different. So, every building will

inevitably be different. It's not just that we think, 'what are we going to do next, guys?' The process will take us there.

At the beginning, we won't know what we're designing for somebody for months. And they accept that now, but they see that we've got enough buildings and we've been through this process enough that we've got a portfolio that demonstrates that diversity. When I just had Crossway, that's not really something that you can sell.

We've got that now, so people can trust that if they follow our process, they will end up with something that will exceed their expectations and that will be perfect for the site and take on board everything about the lifestyle analysis that we did.

We give clients homework. We want to know what time they wake up in the morning, we want to know whether they like the idea of the sun shining through their bedroom window when they wake up in the morning. We want to know whether they have breakfast, lunch and dinner in the same place, or whether they move around the house depending on where the sun is. We want to know how often they entertain.

It's all very well talking about having a house that's great for entertaining, that can seat 20 people around the dining table at Christmas time, but if that's the only time it happens, it could be a room that feels very strange to be in for the rest of the year and not get used. If a room's not getting used, it's a waste of space.

Usually, people come along, they want more space than they really need. The pot of money is not quite as big as it needs to be, but they want the Mercedes S-Class quality. So, we have to work very hard to make sure the amount of house they want, the amount of money that's in the pot and the quality all line up to what is most important to that client.

So, that's an interesting process because everyone comes along wanting the big house with the Mercedes S-Class and, 'oh, here's two pound fifty to do it with.' Well, not quite. And when you show them, 'well, this is how much it realistically costs to do a house under Paragraph 55, in this sort of range. You said you want that much house. If I times that by that, it equals this budget.' 'I can't spend that much.' 'Okay. If you want the number to come down, either the amount of house comes down or – we can't make it a double-glazed house, for example, with building regs levels of insulation. It will have to be a high fabric quality building. But we can architecturally keep the form more rational. We can keep an eye on

expenditure through form to a certain extent. We can set these things up just to keep an eye on the dynamics of quantity, price and quality.'

Before we start designing, we will go through all of those things with the client so that what we're designing is feasible. The lovely thing is, we aren't just designing these and getting planning consent, they're all being built. Which creates its own pressures in the office, but it's a fantastic testament to the fact that we go through these processes. They're not white elephants.

Ben: One of our hub members I sent your way and you went and checked out the site and did your analysis. Under what circumstances do you decide to go ahead, versus saying to them 'I don't think this is the right site'? Is it the site that's not right? I suppose it must be.

Richard: It usually is the site, but sometimes – well, the client has to be prepared to go through this as well. It's a big investment putting one of these applications together. You've got a planning consultant, you've got the architect, landscape architect, then you've got all of the reports and surveys. It all adds up and it's not for the faint hearted, as we say. You do need a client that understands that.

But the first thing we have to do is find out whether the site has the right ingredients to get a planning consent.

I use the analogy of a set of weighing scales. At the beginning, we're trying to understand how heavy the weight is on the wrong side of the scales. So, you're not allowed to build a house in the open countryside. We know that. So, on the basis that we establish it is in open countryside, it's outside the limits of development.

Then a myriad of factors influences what the weight on the wrong side of the scales might be. If it's in Green Belt, obviously you've got principle of openness to contend with. That's a very different strategy.

Green Belt exists for its openness, not its character. So, if the site's beautiful and in the Green Belt, but has other buildings on it, you can potentially look at consolidating building form as a strategy. If there are no buildings there at all, it becomes very difficult in principle terms. Paragraph 89 of the NPPF has a series of special circumstances in Green Belt that can enable you to develop, or that the development won't be inappropriate development.

If it's an Area of Outstanding Natural Beauty, National Policy says at Paragraph 115, that great weight should be applied to protecting

the natural beauty within AONBs. We have got planning consent on, I think, four of our thirteen consents under this policy have been in AONBs. So, it is possible. But these are highly protected pieces of land. It is more complex.

If it is any of those distinctions then the weight obviously is heavier. If it's a SSSI or if it's like Peppa Pig's house, sitting on top of a hill, visible for miles, then any development is likely to have a big impact. So, to significantly enhance the immediate setting and be sensitive to the defining characteristics of the local area, if the defining characteristics are its openness, a lack of development [chuckles] if there's no opportunity to meet those tests, then we have to do that.

There was an appeal decision once. The inspector said of an AONB site, that the site did not require significant enhancement. So, it doesn't matter how good the scheme is. If the site didn't require significant enhancement, the opportunity to pass that test isn't there. So, on a lucky day they might. You never know, they might get the right planning officer, the right inspector and they might get the right decision. But that is one of those situations where we would say, 'that's not a robust case. That is very risky.'

Ben: How risky are the ones that you take on then? There's always an element of risk, I'm assuming.

Richard: You can never guarantee planning consent. That's the problem.

Ben: But what you're doing is you're trying to manage that risk?

Richard: Absolutely right, yes.

If somebody's spending their life savings on doing this planning application and they've got all their chips in one pot then if they're – I'll get back to the other side of the weighing scales in a sec, but sometimes when we appraise a site, the balance is much closer to the middle.

If you know a client's got to commit their life's money to this then we will probably say, 'I don't think so. I don't think this is going to happen.' But if somebody's very committed to just going and doing the very best and don't care how much it costs to get there, then that can sometimes tip the balance to say, 'if we approach it in a certain way, if we promise more, then it could be a good chance.'

But back to the weighing scales, once we've established the weight on the wrong side of the scales, we need to see, on the opposite

side of the scales, what opportunities exist within local and national policy to bring benefits that could come with a scheme.

The appraisal process we go through at the beginning is about trying to understand whether or not we can find those ingredients and articulate them. It's not just finger in the air, 'this site feels nice, this one feels good,' it's a rigorous analysis of policy.

If we come out of that process and say, 'I'm really sorry to shatter your dreams, but we just can't see it happening,' the client gets a strong sense as to why. Equally, if it's a positive appraisal, they will understand why we feel confident we can put the right case together.

We don't do false positives, not because we want to protect our record but we take this very seriously. If we can't see a route to getting a planning consent, if we can't see how to do it, if the scales don't add up, you can't magic that out of thin air. I don't want to be putting a case in where the balance feels too level or too tipped the wrong way and hope that we might have a really nice planning officer, or hope that we have a really good planning committee meeting. It's got to be much more robust than that.

Ben: Take me through that, because I think at some point before this interview, you told me that you've actually sat on the other side. What are the hurdles that have to be jumped in order to get this application?

Richard: I sit on a Design Review Panel. One of the things that the National Planning Policy Framework endorsed and brought forward more was the use of Design Review Panels.

Planning officers are trained in planning but they're not architects and they're not designers. So, sometimes they need some help to understand the quality or not of proposals. Design Review Panels are made up of architects, urban designers, landscape architects, engineers, that can sit together and talk about the virtues of a scheme and try to help schemes improve quality, and to communicate to planners whether or not something is meeting policy.

Paragraph 55 is an unusual one because it's a design-led piece of policy. You've got planning officers not trained in design needing advice on design. Hence, often my Paragraph 55 houses will be called in front of a Design Review Panel.

I sit on a Design Review Panel, so I get to review other Paragraph 55 schemes. And that's interesting.

Ben: I've seen ones where I thought, 'how did that get through?' For example, a classical building. I think this was quite recently. I saw it go through and just wondered why. Because in this day and age, given the things that you've said, surely that shouldn't and if you would like a lovely classical building, there's nothing wrong with it but there must be something you could save.

Richard: Well, the policy doesn't say you can't. PPS 7, Paragraph 11 actually used the term, 'contemporary architecture.' So, it's gone from the English country house thing and it's said, 'no, I want it to be contemporary architecture. Ground-breaking.' It used the term very occasionally. These were quite difficult terms to prove that you can meet. The term 'contemporary architecture' is quite loaded, I think.

We had a scheme that we got planning set for in the Green Belt and the AONB near Lingfield. The local authority refused it so, we had to go to appeal. The inspector said to me during the appeal, 'Mr Hawkes, what makes this proposal outstanding?' And I said, 'in the sense of outstanding in the sense of standing out, the scheme isn't intended to be doing that.'

There are different types of Paragraph 55 or PPS 7 house. Sometimes a location is right for a building that stands in contrast to its landscape, like an English country house. Dominating its landscape. Enhancing it but very much in contrast to it, standing its ground, being proud to be there, unapologetically. You can call that the spaceship type PPS 7 house.

Then I think there's another type of Paragraph 55 house which takes the final two tests in bullet point four of Paragraph 55. The sensitivity to the defining characteristics of the local area and significantly enhancing the immediate setting. Those two tests.

So, sometimes, if you've got some quite strong influences on a building, existing, maybe listed buildings, maybe some really lovely, quality architecture on the site already, it requires a more well-mannered response. Something softer, something respectful. Not copying, not apologetic, but understanding those qualities and working as part of the toolkit.

On our Green Belt and AONB site, that was part of what I was saying the architecture was doing. It was drawing upon the positive contributing qualities of some of these stable buildings that are on the site and reinforcing that quality, and at the same time, getting rid of some of the buildings that were detractors and consolidating development.

So, it was helping to enhance quality and enhance the overall farmstead.

Ben: We're running out of time. Are there any other key points that we need to be grasping about this Paragraph 55 that we haven't talked about?

Richard: Having sat on lots of design reviews, the thing that I've been quite surprised by is the lack of engagement in the defining characteristics of the local area.

Often it's quite superficial. Or it's not done. Or often, they're presenting a Paragraph 55 application but they've got no landscape architect. So, you're in the open countryside, often highly protected landscapes, and the architect has got the proposals together, they're at a design review and we say, 'what about the landscape?'

Ben: What does a landscape architect bring? I have no contact with a landscape architect.

Richard: Their training is very different to the architect. The way they read a landscape is very different to the way an architect reads the landscape.

We're very familiar with doing this process so, perhaps we've got a bit of a head start. But always, the day one site visit, we will be there with the landscape architects. We will be walking all those footpath views. Any of those sensitive views for a landscape visual assessment or an impact assessment, we will be out with them. We will spend lots of time on site. We will wander around. We will be treading the same ground.

What we do, a little while after we've had that long time on site, we'll have a workshop. I've got this rule that the pen's not allowed to touch the paper unless it's got a reason to be there. But what we do is we start laying down some dos and don'ts. Some rules about the site. Sensitivities, things we need to avoid, things we need to embrace, things we can look at as an opportunity. The landscape architect is there with us right at the beginning for that.

You don't design a house and then say, 'it could go here, here or here.' You don't design a house, put it there and then say, 'landscape architect, can you design the garden around it.' Everything that goes on that master plan will have a reason to be there, and it will be holistically robust because we've had all those skillsets there at the beginning. Bearing in mind, we wouldn't even be designing it if we hadn't done the appraisal and know that we feel we've got the right ingredients in place.

So, we're starting from a really solid foundation and then we're just building this design process in a really strong way. We're not leaving any stone unturned and everything is really robustly considered. Which is why the design process can be looked at wholly objectively.

Ben: Finally, we started this conversation by saying there'd been a bit of a wobble in the road, saying that a couple of years after it was created, perhaps it was going to be abolished. We're 20 years in now. Do you think it will continue for a long time now? Is this a solid architectural route that's just getting so many interesting buildings that it will continue? How do you feel about that?

Richard: I do think it's a really important piece of policy – not just because my business has a vested interest in it, which it obviously does.

I have pondered this question often, but I think because it's an opportunity to push forward what dwelling design is all about, I think it's had its ups and downs and you can look at various projects and say 'Is it doing that?' but I think it's a really important tool. Architects love the idea of doing a Paragraph 55 house and whilst they might struggle with it, some more than others, I think it's a great thing to have as an opportunity. I think it's a great test for design panels. I think it can really help architects understand how to respond to a setting.

If architects are used to working in urban areas and all of a sudden they're doing a building in a rural area, those tools need sharpening. A piece of policy like this, that really helps to say to the architects, 'this is what you've got to do. We've got these very clear messages in there. If you do that, you can get planning consent.'

It's a good training mechanism for architects, and there have been some amazing buildings that have come out through the policy. But I think philosophically as much as anything, if the policy weren't there, I'd find that quite a sad reflection on where we are with design, where we are as a country with architecture. Look at all these houses going up with no aspirational policy there. I'd find that quite a sad place to be and quite short-sighted.

Ben: Don't worry, it's not going to happen.

Richard: Well, I feel it'll be there for some time, but equally – as I say, I have thought about this, eggs in baskets and all that type of thing – ultimately, what we've developed over nine years now is a portfolio of a really diverse range of buildings and architectural styles, but also a really rigorous, robust framework for design.

There's a book to be written about it. I almost think that the process that we've developed is something that is a really strong template.

Ben: It sounds like you've got your next mission.

Richard: Yes, well I haven't got time to do it.

Ben: Make the time. Richard, I'm going to stop things there and wrap it up. Really appreciate your time.