

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
Telephone 01572 722577 Facsimile 01572 758307

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held on Zoom on **Tuesday, 22nd December, 2020** commencing at 7.00 pm when it is hoped you will be able to attend.

<https://zoom.us/j/95661652935>

Yours faithfully

Mark Andrews
Interim Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

A G E N D A

1) APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on Tuesday 15 December 2020.

3) DECLARATIONS OF INTERESTS

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

Requests to speak on planning applications will be subject to the RCC Public Speaking Scheme.

To request to speak at a Planning Committee, send an email to
Governance@rutland.gov.uk

5) PLANNING APPLICATIONS

To receive Report No. 162.2020 from the Strategic Director for Places.
(Pages 3 - 30)

6) ANY OTHER URGENT BUSINESS

To consider any other urgent business approved in writing by the Chief
Executive and Chairman of the Committee.

---oOo---

DISTRIBUTION

MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Mr I Razzell (Chairman)
Mr N Begy (Vice-Chair)
Mr P Ainsley
Mr E Baines
Mr D Blanksby
Mr A Brown
Mr W Cross
Mrs S Harvey
Ms A MacCartney
Mr M Oxley
Mrs K Payne
Mr N Woodley

OTHER MEMBERS FOR INFORMATION

REPORT NO: 162/2020

PLANNING AND LICENSING COMMITTEE

**PLANNING APPLICATIONS TO BE DETERMINED BY THE
PLANNING AND LICENSING COMMITTEE**

REPORT OF THE STRATEGIC DIRECTOR FOR PLACES

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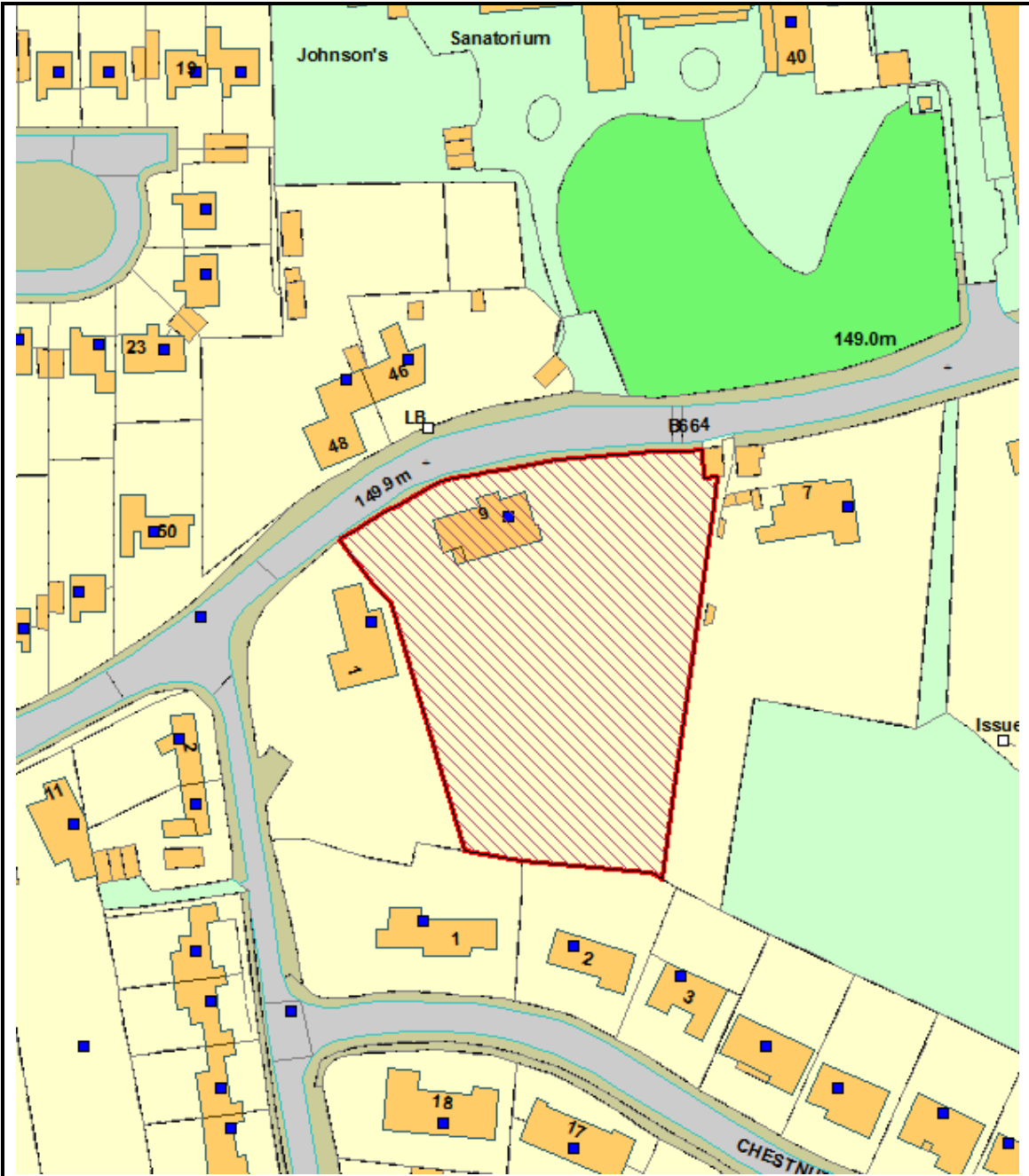
Rutland County Council

Planning & Licensing Committee – Tuesday 22nd December 2020

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation	Page
1	2020/0406/FUL	Mr Ian Watts 9 Stockerston Road, Uppingham Construction of dwelling and associated access	Approval	7
2	2020/1200/FUL	Mr Lee Coleman Meadow Edge, Burley Road, Langham Increase ridge height to provide first floor accommodation with dormer windows to the front (rooflights to rear and glazed gable) with additional chimney, front porch, two storey extension to front and rear with garage conversion.	Approval	21

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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/0406/FUL	ITEM 1	
Proposal:	Construction of dwelling and associated access		
Address:	9 Stockerston Road, Uppingham, Rutland, LE15 9UD		
Applicant:	Mr Ian Watts	Parish	Uppingham
Agent:	Mr David Watts	Ward	Uppingham
Reason for presenting to Committee:	Objections received/Chairman request		
Date of Committee:	22nd December 2020		

EXECUTIVE SUMMARY

The plans have been revised during the lifetime of the application to address various design/amenity issues, including reducing the scale of the new build. The proposal as revised would not be contrary to local and national planning policies or have a detrimental impact upon the surrounding area.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; A102/B (access plans), A102/C (ff & roof plans), A103/D (bf & gf plans), A106/C (site block plans), A301/C (elevations – proposed sheet 1), A302/C (elevations – proposed sheet 1) and Tree Protection Plan Revision A (Drawing no, 3603.Stockerston.DW.TPP).
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because final details have been submitted with the application.
4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling, and no provision of buildings, enclosures, swimming or other pool, shall be erected or carried out except with prior planning permission.
Reason: In the interests of the character and appearance of the area and surrounding residential amenity.
5. No development shall take place until the trees shown in the application to be retained have been protected in accordance with BS5837:2012, by the measures set out in the below document and plans submitted with the application;
 - Arboricultural Implications Assessment and Method Statement Revision A
 - Tree Protection Plan Revision A (Drawing no, 3603.Stockerston.DW.TPP)
The development shall then proceed in accordance with the Method Statement within the above report. The protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected.

Reason: To ensure that the trees are properly protected while building works take place on the site.

6. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels.

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

7. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

8. No occupation of the development shall take place until details of surface water drainage have been submitted to and agreed, in writing, by the Local Planning Authority and the agreed method of surface water drainage has been fully installed and is available for use.

Reason: To minimise the risk of flooding.

9. No construction shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for;

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials, including any temporary traffic control measures
- Storage of plant and materials used in constructing of the development
- Measures to control the emission of noise, dust, and dirt during construction

Reason: To ensure appropriate mitigation for the impact on residential amenity and the local highway network caused by the construction phases of the development.

10. The development shall proceed in complete accordance with the recommendations and mitigation measures set out in the submitted Ecological Appraisal (CBE Consulting, June 2020).

Reason: To ensure that any species present which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved.

11. Prior to occupation, the dwelling hereby approved shall be fitted with an integral bat roost brick or similar bat box, and a bird box, in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

Reason: To ensure that any species present which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved.

12. No floodlighting or external lighting shall be installed until details of an illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason: In the interests of retaining potential bat foraging habitat, to avoid lighting newly created roosts, and because details have not been supplied during the lifetime of the application.

13. The flat roofed area beyond the western windows serving bedroom 1 shall not at any time be used as a balcony or sitting out area and neither shall any additional balustrade, railing, wall

or other means of enclosure be erected on any part of the flat roof.

Reason: In the interest of the residential amenity and privacy of the dwellings to the south of the site, who would otherwise suffer an unacceptable level of overlooking and loss of privacy.

Notes to Applicant

1. With regard to condition 10 (ecology recommendations and mitigation), of particular note are the recommendations for precautionary working methodology for amphibians and reptiles, and that vegetation loss is kept to a minimum.
2. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you have not received an acknowledgement by the time you intend to commence development then it is imperative that you contact cil@rutland.gov.uk.

If the development hereby approved is for a self- build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can be found on the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

Site & Surroundings

1. The existing site is the rear garden of no. 9 Stockerston Road, located to the west of Uppingham town centre, within the planned limits of development.
2. The site is approximately 0.9 acres, with the existing house sited on the northern boundary next to the road. The site naturally splits into two parts, with a lawned area next to the house, before a stream running east/west divides the site. The back section of the garden slopes up to naturally higher ground. There are a variety of mature trees throughout the site, but especially along the eastern boundary.
3. The neighbouring properties to the east and west are of a similar size to no. 9 and have generous gardens.
4. To the south of the site is Chestnut Close, a cul-de-sac with a mixture of two storey dwellings to the north (and a bungalow at the street's entrance), and bungalows to the south.

Proposal

5. The proposal is for the erection of a two-storey dwelling, with garage/basement underneath (due to the sloping on the site).
6. It would be approximately 16.5m wide, and between 6.3m (gables) and 16.9m (ground floor) deep. Due to the slope of the site the height of the ridge varies between 8.7m (at the northern end) and 7.6m to the south. The south elevation has a hipped roof, with an eaves height of just over 5m.
7. The dwelling would be sited approximately 7m from the southern boundary, and 6.5m from the eastern boundary (for the single storey element; this distance increases to approximately

11.6m for the two-storey section). Materials would be a mixture of ironstone and red brick, with a blue slate roof.

8. An access drive would be created along the eastern boundary and would share the same existing vehicular access as no. 9.
9. The site has been subject to an earlier application last year that was withdrawn following objections and concerns from officers over the proposed dwelling's size and siting. The current application has been through two re-consultations following various revisions to the scheme during the lifetime of the application.
10. The latest proposed plans are attached as Appendices.

Relevant Planning History

Application	Description	Decision
2019/0551/FUL	dwelling and associated access	Withdrawn

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 5 - Delivering a sufficient supply of homes
Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed places
Chapter 15 - Conserving and enhancing the natural environment

Core Strategy DPD

CS04 - The Location of Development
CS19 - Promoting Good Design
CS21 - The Natural Environment

Site Allocations and Policies DPD

SP5 – Built development in the towns and villages
SP15 - Design and Amenity
SP19 - Biodiversity and Geodiversity Conservation

Uppingham Neighbourhood Plan

Policy 4 - Housing - Single Dwelling Developments
Policy 8 - Design and Access

Neighbour and Parish Representations

11. Uppingham Town Council

Original scheme - Reject the application and the grounds of loss of mature trees, overlarge footprint for the space suggested and too close to existing properties on Chestnut Close.

1st Amended plans - Uppingham Town Council Planning Committee has considered the above application and has unanimously agreed to recommend the application for refusal due to:

- i) Loss of mature trees
- ii) Proximity to neighbouring houses on Chestnut Close
- iii) Size of house on small plot

2nd Amended plans - Unanimously agreed to recommend that application 2020/0406/FUL be refused, due to loss of mature trees and proximity to houses on Chestnut Close. The Committee refer to the letters from residents listing their concerns.

12. **Highway Authority**

No objection

13. **LCC Ecology**

The Ecological Appraisal (CBE Consulting, June 2020) submitted in support of the application indicates that the site is currently amenity grassland with a number of small trees present. No evidence of protected species was recorded and the site was considered to have a low potential to support protected species, subject to the recommendations in the report being followed. These recommendations should be required as a condition of the development. Of particular note are the recommendations for precautionary working methodology for amphibians and reptiles.

This is a large garden and whilst it does not appear to support protected species is undoubtedly has some value. I would recommend that vegetation loss is kept to a minimum and additional enhancement opportunities (such as the use of bat and bird boxes) should be considered.

Neighbour Responses

14. Original scheme 3 objections received, on the grounds of;

- Removal of trees/Impact on trees/Tree Preservation Order (TPO) requested/Tree Strategy for Rutland needed
- Loss of wildlife
- Impact (noise/dust/privacy) during construction and once habitable
- Intensification of access/highway safety
- May be a covenant on the site
- Overlook and dominate surroundings
- Loss of residential amenity/privacy
- Increase traffic along boundary
- Protection of holly hedge/trees along boundary to retain privacy
- Building should be smaller and lower

1st Amended plans – 5 further objections received. Some of the above points repeated, as well as;

- Trees on neighbouring site not included in tree report
- Over-development of site
- Loss of green space/habitat
- Protected species present on site
- Style of built not in-keeping with other homes in area.
- Impact on stream
- Development not fulfilling a need/market requirement in terms of housing

2nd Amended plans – 3 further objections, previous comments still apply, plus

- Changes represent small improvement, but still unacceptable
- [east] elevation more imposing through changes
- Site access would be improved by accessing off Newtown Road

Planning Assessment

15. The main issues are the impact on the character and appearance of the area, residential amenity, and highway considerations.

16. The site is within the planned limits of development for Uppingham, and the third section of Policy SP5 of the Development Plan Document relates to residential development through the sub-division of plots, backland or tandem development, with the following key requirements being applicable;
 - a) Amenity will be safeguarded through adequate separation and design of dwellings;
 - b) No material disturbance will arise from vehicular movements, and;
 - c) An adequate, safe and convenient access will be provided.
17. These considerations are assessed in the below sections on amenity/highways.

Impact on the character and appearance of the area

18. The site is set well back from the highway, and as a result the new dwelling would not be prominent from public viewpoints, only being partly visible from a distance in-between the buildings along Chestnut Close.

Trees

19. The objections from residents and the Town Council regarding the impact of the development upon the trees is noted and has been given due consideration. An arboricultural report and assessment has been submitted, and assessed by the Forestry Officer, who has offered no objections to the conclusions reached. Some trees would need to be removed/cut back to facilitate the new dwelling and drive, though these trees are either of poor quality, or the works required would not adversely affect their health or appearance.
20. Tree protection details during construction and an arboricultural implications plan has also been submitted, and is acceptable in principle; this includes details of a 'no-dig' construction for the new driveway. The tree protection plan would need to be updated however to take into account the latest design changes to the dwelling; this has been requested, and the relevant condition will be amended accordingly in the addendum report.
21. In addition to this, consideration was given to the merits of imposing a provisional tree preservation order (TPO). When considering a TPO the council must be able to show that a reasonable degree of public benefit would accrue before a TPO is made or confirmed, and it should be in the interests of public amenity. The number of trees on site is significant, and while they certainly offer private amenity value to the neighbouring properties, given their distance from public viewpoints, as well as being obscured by other vegetation outside of the site/other houses, their contribution to public amenity is not considered to be significant enough to warrant a tree preservation order.

Ecology

22. While resident's concerns regarding ecology are noted, an ecological appraisal has been submitted with the application. No evidence of protected species was recorded and the site was considered to have a low potential to support protected species, subject to the recommendations in the report being followed. LCC Ecology have accepted the conclusions and advised appropriate conditions, which have been included.
23. It is considered that the proposal would not have a detrimental impact upon the character of the local area or street scene, in accordance with the NPPF (Sections 5, 9, 12 & 15), Policies CS04, CS19 & CS21 of the Rutland Core Strategy (2011) and Policies SP15 & SP19 of the Site Allocations and Policies Development Plan Document (2014).

Impact on the neighbours' residential amenities

24. The numerous objections from local residents and the Town Council are noted and have been given due consideration.
25. The size of the site is sufficient to physically accommodate the dwelling without it being considered overdevelopment. Revisions to the scheme have pulled the proposed dwelling further away from the southern boundary than previously proposed. The proposed dwelling as revised has acceptable separation distances from the neighbouring dwellings, and its orientation is such that there would not be any direct overlooking from its windows.
26. Its position north of the gardens of Chestnut Close would not result in any loss of direct sunlight, and while it would be on higher ground in relation to the host dwelling (no. 9 Stockerston Road), it would still be on lower ground than the properties on Chestnut Close, and its ridge height would be lower than no. 2 Chestnut Close (the closest neighbouring dwelling).
27. The dwelling would be a significant distance from the neighbour to the west (1 Newtown Road), and while closer to the garden of no. 7 Stockerston Road, it would be next to the bottom of the garden, significantly away from the neighbour's house itself. The access drive would also be suitably screened by the trees, and as previously stated would utilise the existing access off Stockerston Road. The intensification of vehicle movements as a result of the development would not be significant.
28. Permitted development rights would be removed to control any future development for the site, and a further condition is included to prevent a flat roof area next to the windows of bedroom 1 being used as a balcony/raised platform.
29. It is considered that the scheme as revised would not result in an unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014) and the Uppingham Neighbourhood Plan.
30. One neighbour comment stated there may be a covenant on the site. While noted, this would not be a material planning consideration (covenants being a legal device) and no weight could therefore be assigned to this were this to be the case.

Highway issues

31. The new dwelling is set well back from the highway and would be served by a long private drive joining onto an existing private drive but would constitute as a shared access using the same access point off Stockerston Road. It is not considered that the additional dwelling will produce a material impact on the highway.
32. Amended plans have been provided during the lifetime of the application showing sufficient access/turning for emergency vehicles/fire tender. Furthermore the existing access is made up of hardstanding material and wide enough to allow two cars to pass either side at the same time and the gates are set sufficiently back from the highway boundary. Sufficient parking and turning space are also shown on plans to be provided within the site for both existing and new dwelling.
33. The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2019) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

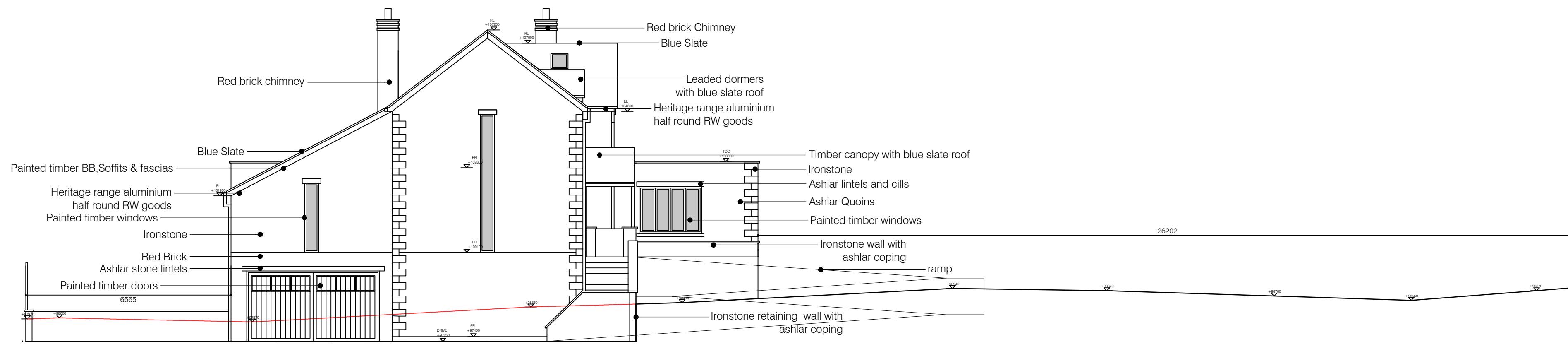
34. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

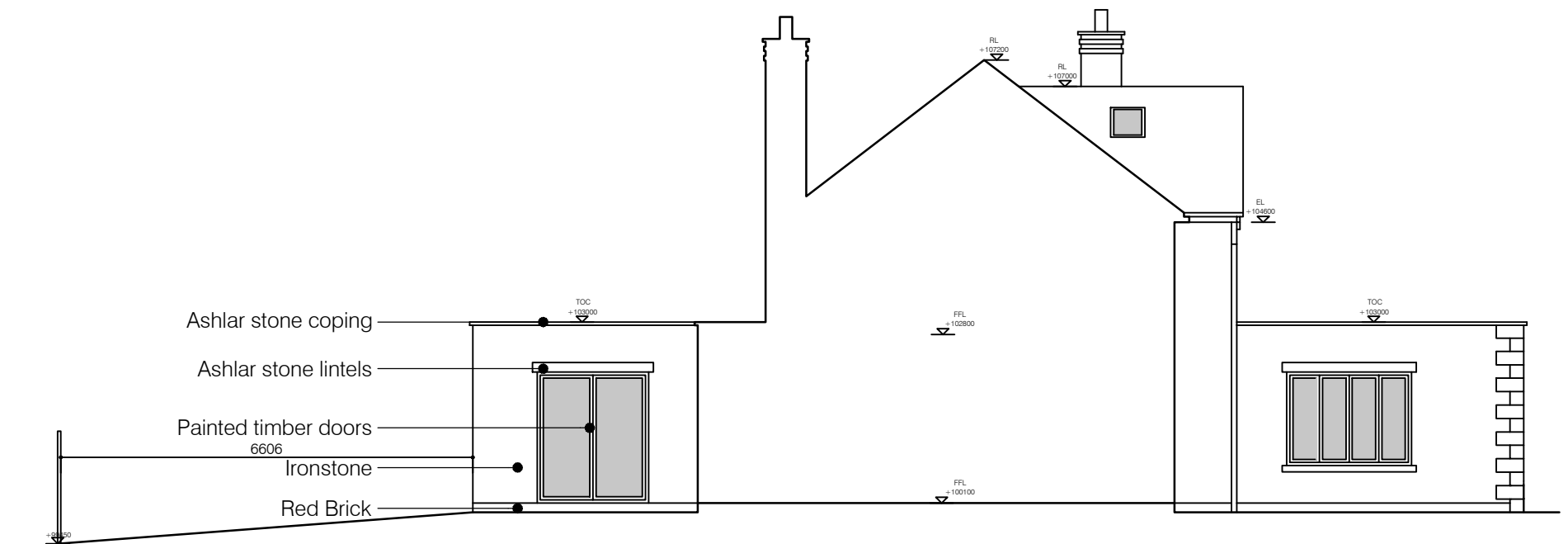
35. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

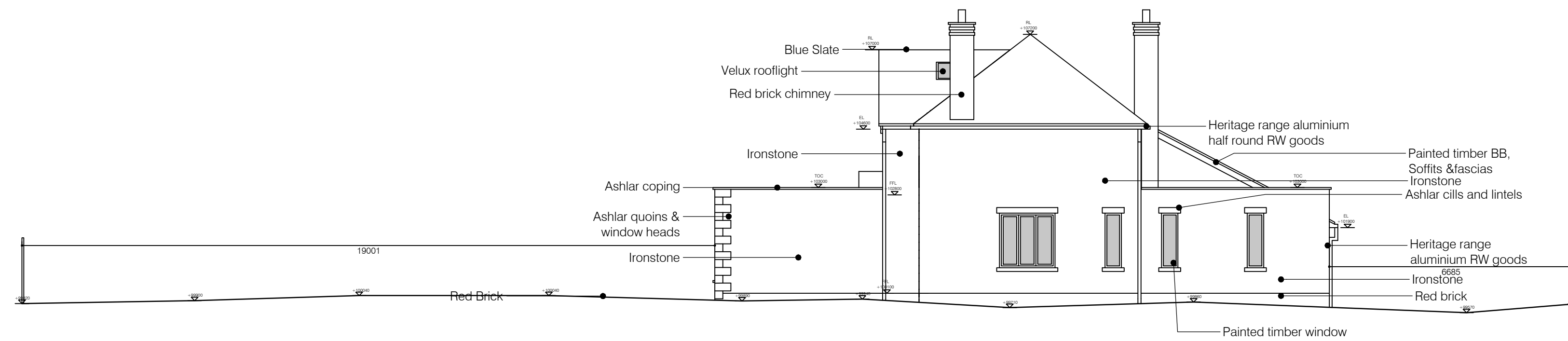
36. Taking the above into account, it is considered that the proposal is in accordance with the NPPF (Sections 5 9, 12 & 15), Policies CS04, CS19 & CS21 of the Rutland Core Strategy (2011), Policies SP5, SP15 & SP19 of the Site Allocations and Policies Development Plan Document (2014) and the Uppingham Neighbourhood Plan. There are no material considerations that indicate otherwise although conditions have been attached.



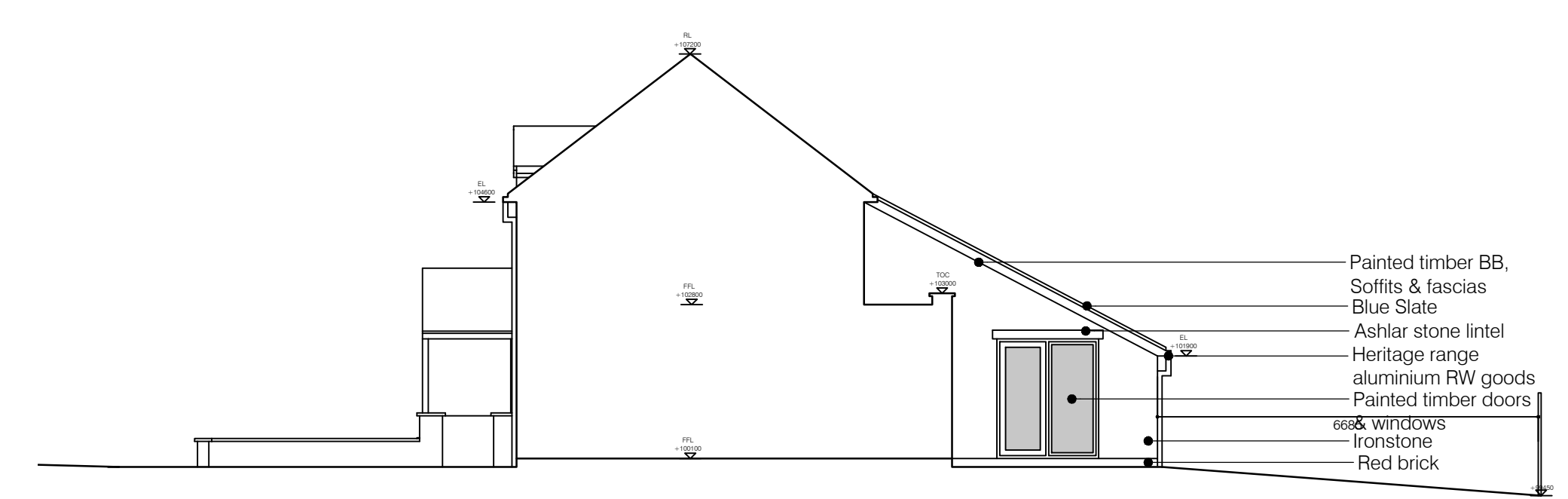
1 NORTH ELEVATION PROPOSED
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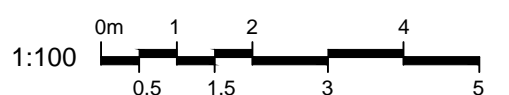
2 NORTH ELEVATION PROPOSED (COURTYARD)
A-302 SCALE 1:100 @A1



3 SOUTH ELEVATION PROPOSED
A-302 SCALE 1:100 @A1



4 SOUTH ELEVATION PROPOSED (COURTYARD)
A-302 SCALE 1:100 @A1



revisions
REV A 03/06/20 - DIMENSIONS TO BOUNDARIES SHOWN
REV B 28/09/20 - SCHEME AMENDED
REV C 30/09/20 - COURTYARD ELEVATIONS SHOWN

key	notes
	extg / unknown
	brickwork
	blockwork
	stud

notes

notes

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client

Mr & Mrs Watts
9 Stockerston road
Uppingham

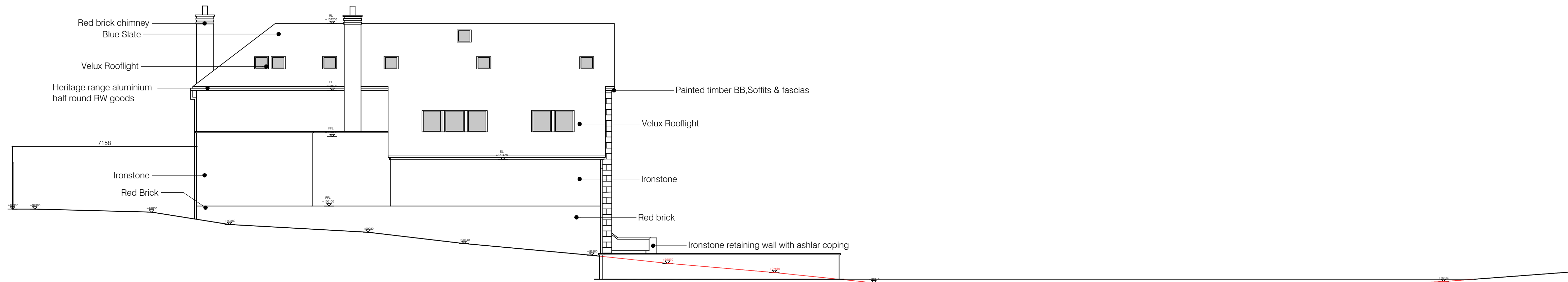
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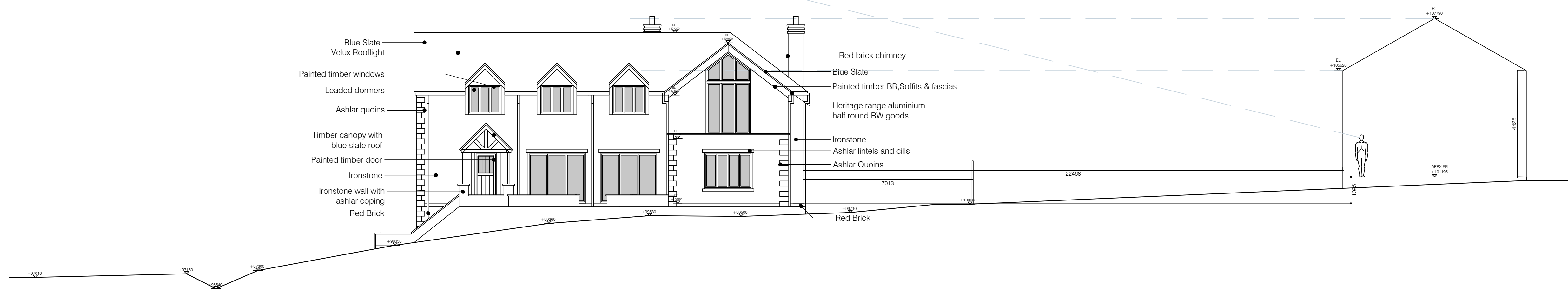
New Dwelling, 9 Stockerston rd, Uppingham

drawing title
ELEVATIONS - PROPOSED SHEET 1

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date	checked			
30.09.20	DW			



1 EAST ELEVATION PROPOSED
A-301 SCALE 1:100 @A1



2 WEST ELEVATION PROPOSED
A-301 SCALE 1:100 @A1



revisions
REV A 03/06/20 - DIMENSIONS TO BOUNDARIES SHOWN
REV B 23/06/20 - GROUND LEVEL TO NO 3 CHESTNUT CLOSE SHOWN
REV C 28/09/20 - SCHEME AMENDED

key	notes
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client

Mr & Mrs Watts
9 Stockerston road
Uppingham

architect

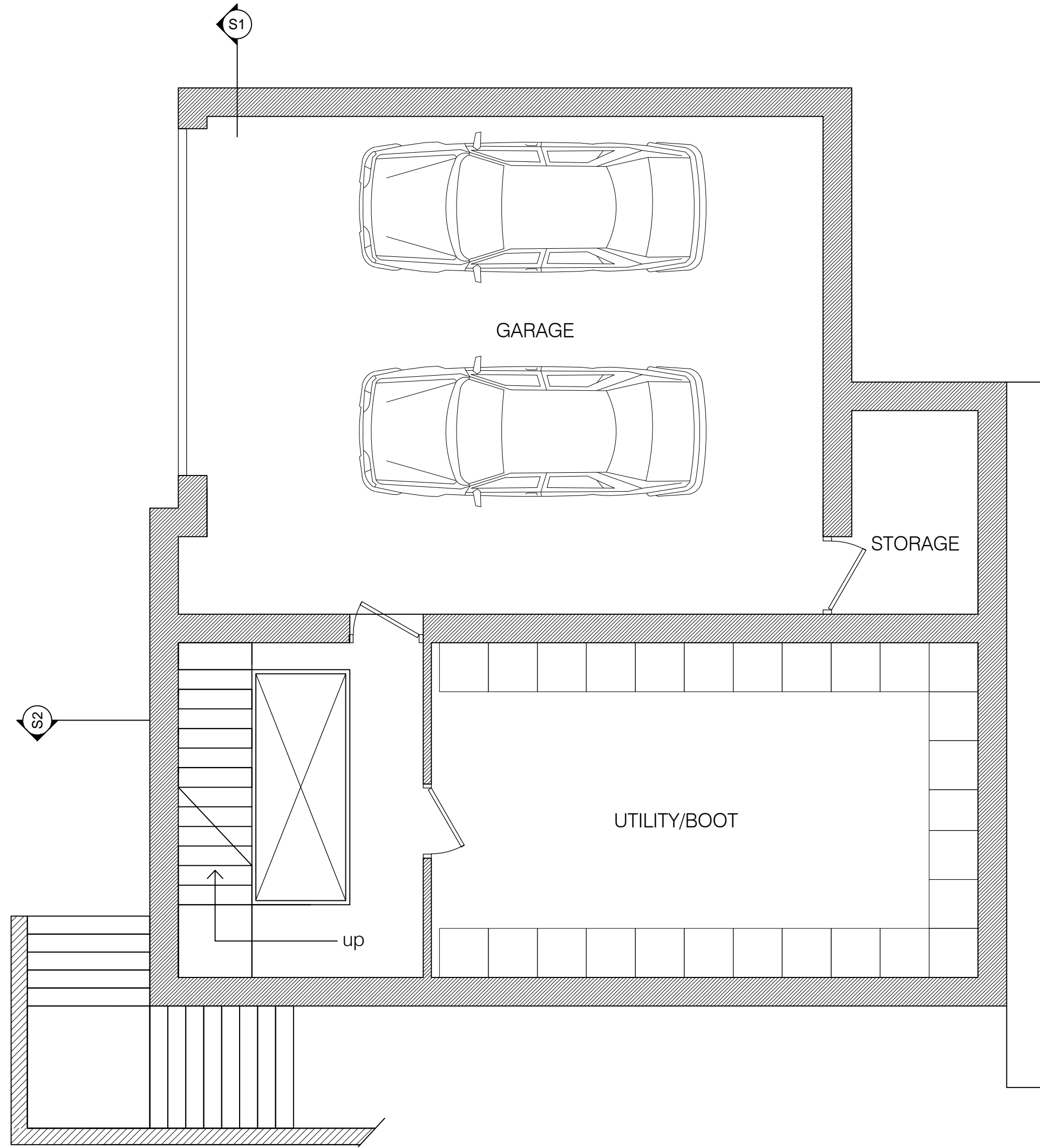
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New Dwelling, 9 Stockerston rd, Uppingham

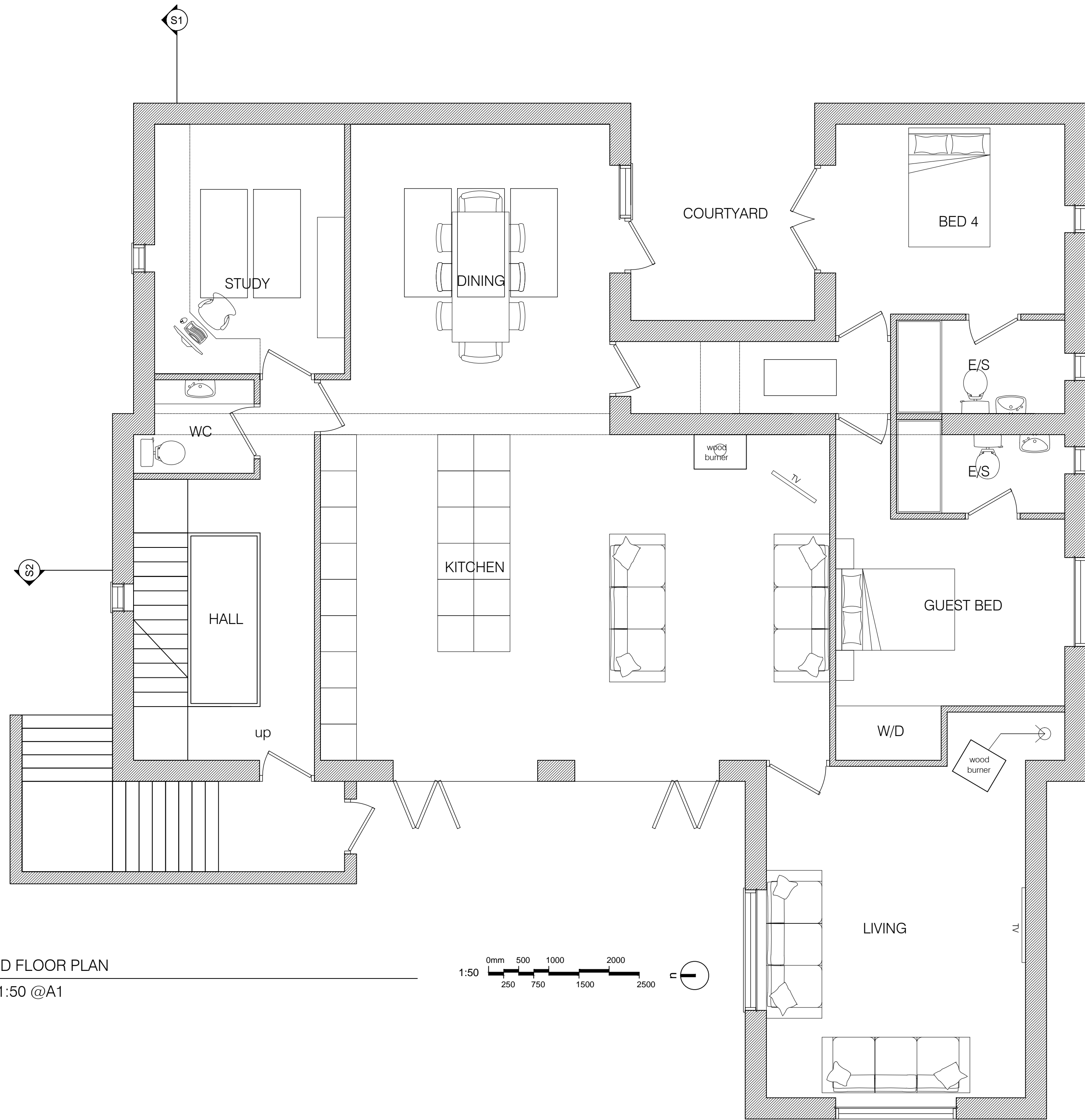
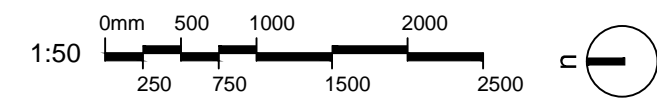
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ELEVATIONS - PROPOSED SHEET 1

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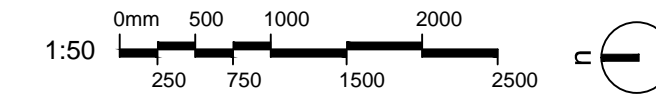
19



1 BASEMENT FLOOR PLAN
A-103 SCALE 1:50 @A1



2 GROUND FLOOR PLAN
A-103 SCALE 1:50 @A1



revisions
REV A 17/07/20 - BUILDING FOOTPRINT AND LOCATION UPDATED
REV B 25/09/20 - PLAN UPDATED
REV C 28/09/20 - PLAN UPDATED
REV D 30/09/20 - PLAN UPDATED

key

 extg / unknown
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notes

notes

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client

Mr & Mrs Watts
9 Stockerston road
Uppingham

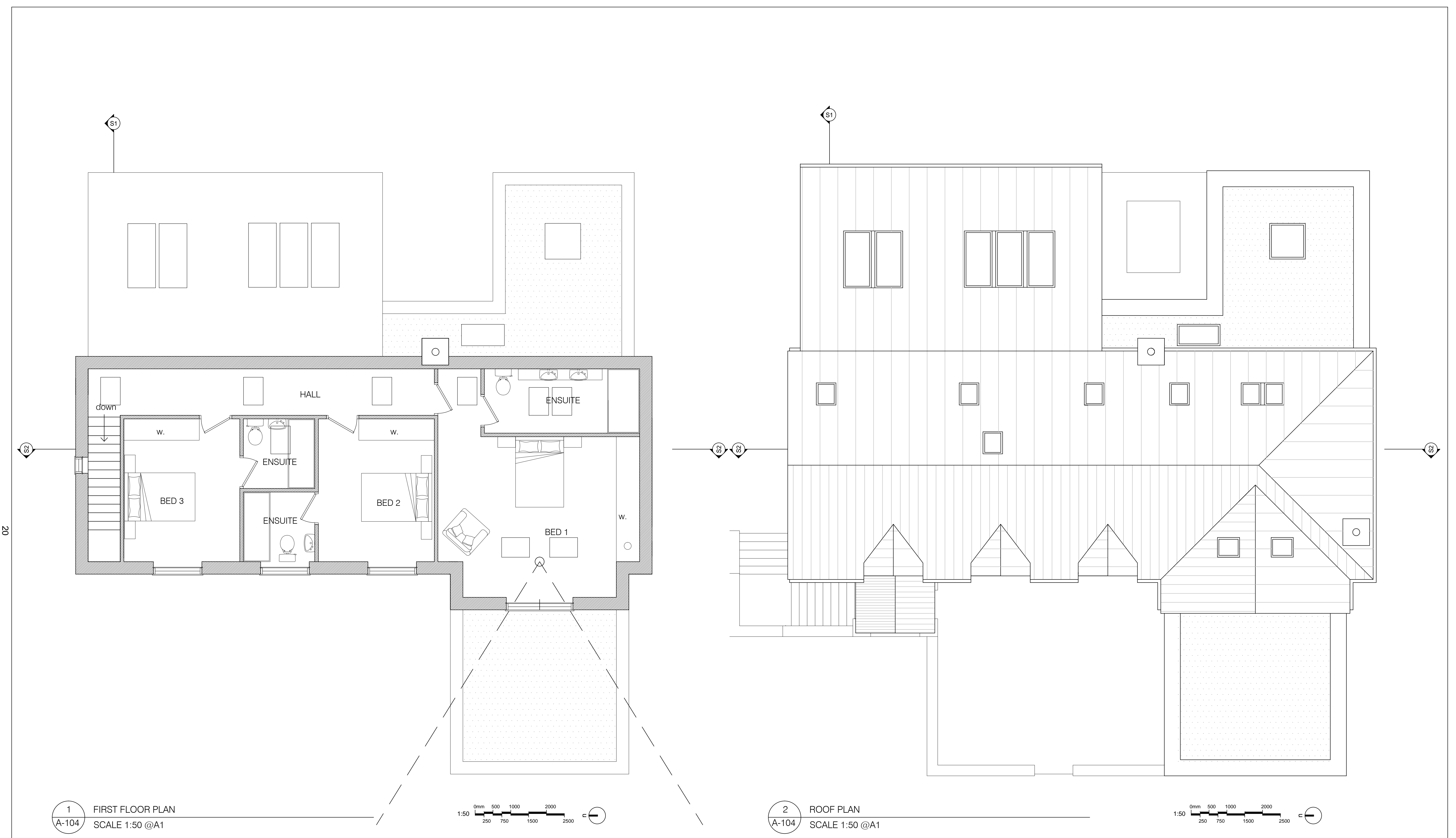
architect

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New Dwelling, 9 Stockerston rd, Uppingham

drawing title
BF & GF PLANS

job no 0253	scale SEE DWG	package no	drawing no / rev A103 / D	status PLANNING
date 30.09.20	checked DW			



1 FIRST FLOOR PLAN
A-104 SCALE 1:50 @A1

2 ROOF PLAN
A-104 SCALE 1:50 @A1

revisions
REV A 17/07/20 - BUILDING FOOTPRINT AND LOCATION UPDATED
REV B 23/09/20 - PLAN UPDATED
REV C 28/09/20 - PLAN UPDATED

key	notes
■	extg / unknown
▨	brickwork
▩	blockwork
▧	stud

notes

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The Contractor is to check and verify with all the Statutory Authorities and the Employer the location and condition of any underground or overhead services or confirm that none exist prior to work commencing on site. The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.

client

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New Dwelling, 9 Stockerston rd, Uppingham				
drawing title FF & ROOF PLANS				
job no 0253	scale SEE DWG	package no	drawing no / rev A102 / C	status PLANNING
date 28.09.20	checked DW			



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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/1200/FUL	ITEM 2	
Proposal:	Increase ridge height to provide first floor accommodation with dormer windows to the front (rooflights to rear and glazed gable) with additional chimney, front porch, two storey extension to front and rear with garage conversion		
Address:	Meadow Edge, Burley Road, Langham, Rutland		
Applicant:	Mr Lee Coleman	Parish	Langham
Agent:	Mr Tony Ansell	Ward	Langham
Reason for presenting to Committee:	Applicant relation to Officer/Departure from development plan		
Date of Committee:	22nd December 2020		

EXECUTIVE SUMMARY

While the volume of the building would be 9% greater than specified in the development plan document for extensions in the open countryside, the overall scheme would not have a detrimental impact upon the character and appearance of the open countryside, or upon residential amenity.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of the permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; Location Plan 1:1250, Block Plan 1:500, LC/PLANNING/01B/2020, and the materials specified in the application.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The development shall proceed in complete accordance with the mitigation measures set out in section 4.3 of the submitted ecology report (Cherryfield Ecology, September 2020).
Reason: To safeguard the bats identified in the protected species survey, and compensate for any loss of habitat as a result of the development.
4. Prior to occupation of the dwelling, a minimum of 2 no. Schwegler 1FF bat boxes or similar boxes, and interconnected bat tubes (Schwegler 2FR or other woodcrete/woodstone interconnecting bat box) shall be installed in accordance with the installation details set out in the submitted ecology report (Cherryfield Ecology, September 2020), and retained thereafter.
Reason: To compensate for the loss of the existing building as a bat roost.
5. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling, and no provision of buildings, enclosures, swimming or other pool, shall be erected or carried out except with prior planning permission.
Reason: In the interests of the character and appearance of the open countryside and surrounding residential amenity.

Notes to applicant

1. The applicant is advised that a European Protected Species licence from Natural England is required prior to commencement of works.
2. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you have not received an acknowledgement by the time you intend to commence development then it is imperative that you contact cil@rutland.gov.uk.

If the development hereby approved is for a self-build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can be found on the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

Site & Surroundings

1. The site is a brick bungalow of no particular architectural merit located in the open countryside, approximately 600 metres east of Langham. There is a two-storey dwelling to the west of the site, and to the south is Hubbard's Lodge.
2. To the side and rear of the site is a pond, and the site itself has numerous mature trees along its boundaries of various species, though primarily evergreen/coniferous species.

Proposal

3. The proposal is for the redevelopment of the dwelling through the extension/installation of a first-floor extensive extension, and associated alterations. Dormer windows and rooflights are proposed on the front elevation, and rooflights to the rear. Front and rear extensions are proposed, along with a new porch.
4. An earlier application for much larger extensions (reference no. 2020/0229/FUL) was withdrawn due to its size.
5. Materials would be local limestone walls to the front and rear, with render to the side gables, and a blue/grey slate roof. The existing and proposed plans are attached as Appendices.

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Site Allocations and Policies DPD

SP6 - Housing in the countryside

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP23 - Landscape Character in the Countryside

Core Strategy DPD

CS4 – The location of development

CS19 - Promoting Good Design

CS21 - The Natural Environment

Supplementary Planning Document - Extension to Dwellings

Langham Neighbourhood Plan

HR4b - Housing Design & Layout - Single New Houses and Extensions

D3a - Buildings

D3b - Layout

D3c - Boundaries

D3d - Roofs and Chimneys

D3e - Windows and Doors

D3h - Building Materials

Neighbour and Parish Representations

6. Langham Parish Council

This property is well outside the Planned Limits of Development of the village and, being the last building as you leave Langham, occupies a substantial plot in otherwise open countryside.

7. The intention seems to be to replace a small, very unimpressive and tired bungalow with a completely different design of house by raising the roof, adding a chimney, adding in dormer windows and building a two-storey extension to the side over the old garage and utility. All this is fully acceptable in principle.
8. The proposed finishes, though completely different from the original, are of better quality and actually more in keeping with buildings within the village than is the existing bungalow. It is commendable that natural materials such as limestone, cut stone quoins and slate are to be used (it would be better if this finish was also to the sides, but render is acceptable).
9. The previous application (0229/FUL) for an extension some 158% larger was, quite rightly, withdrawn. This application is 59% larger.
10. The existing SAPDP stipulates in paragraph 5.31 that the 'modest increase, in size' of Policy SP6 cannot exceed 50%. However, whilst in the emerging Local Plan, Policy SD4 also states 'modest increase in size', nowhere in the text is there a specific number. It is important that we are seen to accord with the local plans in place at the time.
 - If this application is judged against the existing SAPDP - Recommend Refusal
 - If the application is judged against the emerging RLP- Recommend Approval

11. LCC Ecology

The ecologist (Cherryfield Ecology, September 2020) identified a Common Pipistrelle maternity roost within a building on site. In addition, bat activity on site was observed to be moderate, with Pipistrelle and Brown long-eared bats in particular, utilising the site and its surrounds for foraging.

12. Recommendations for mitigating disturbance to the roost has been submitted (see section 4.3 of the ecology report) in the report which I agree with. I recommend planning conditions as follows:
 - Provision of bat/bird boxes in line with ecology report (section 4.3)

- Mitigation for impacts on bats in accordance with ecology report (section 4.3)
13. The applicant should note that a European Protected Species licence from Natural England is required prior to commencement of works.
 14. **Neighbour comments**

A joint objection has been received from the neighbouring properties to the south (Hubbards Lodge and The Croft) in relation to the loss of privacy/overlooking due to the creation of first floor windows (glazed gable/dormers). The letter states that they are otherwise in support of the development besides this.
 15. Following the submission of amended plans, a further objection received from Hubbards Lodge/The Croft, welcoming the removal of the dormer windows, but remain concerned over the glazed gable, and seeking the retention of the boundary trees.

Planning Assessment

16. The main issues are development in the open countryside, and residential amenity. The comments from the Parish and neighbour are noted, and have been given due consideration.

Development in the open countryside

17. The site is within the open countryside and subject to the various restrictions therein. The most relevant policy is SP6 of the Site Allocations and Policies Development Plan Document (DPD) (2014) (Housing in the countryside). For extensions to dwellings it states that;

'Proposals to extend dwellings in the countryside will be permitted where development is within the existing curtilage, only results in a modest increase in the volume of the original dwelling, is in keeping with the character, footprint, size and design of the original dwelling and is not visually intrusive in the landscape.'
18. The preamble to Policy SP6 defines a modest increase as 50% of the volume of the existing building, unless it is clearly demonstrated to the Council's satisfaction that a larger development is possible in accordance with the Council's policies on design and amenity.
19. Furthermore, while the proposal is for extensions to the existing bungalow, given the proposed design and extent of the extensions, the development is visually more akin to a replacement dwelling in terms of its design and appearance (i.e. the scale and design of the bungalow will be lost as a result of the development, even if structurally part of it remains). Notwithstanding this, it is acknowledged that the existing bungalow is of no particular architectural or historic merit.
20. The proposal seeks an increase in volume of 59%, 9% greater than the above policy specifies. While the exceedance of the 50% is noted (as are Langham Parish's comments on this), the Policy does allow for greater than 50% (within reason), provided that this is in accordance with the Council's policies on design and amenity. To this end, the design itself is a visual improvement over the existing bungalow, and the additional 9% increase does not adversely affect the character and appearance of the area, and the site is large enough to accommodate the scale of building proposed. As set out in the DPD, if approved, permitted development rights would be removed.
21. A bat survey has found a maternity roost in the bungalow; LCC Ecology have been consulted and have no objections subject to adherence to the mitigation measures set out in the ecology report (these are conditioned).

22. Overall it is considered that the proposal would not have a detrimental impact upon the character and appearance of the open countryside and would not be contrary to Sections 12 & 15 of the NPPF (2019), Policies CS4, CS19 & CS21 of the Rutland Core Strategy (2011), Policies SP7, SP15, SP19 & SP23 of the Site Allocations and Policies Development Plan Document (2014), and the Langham Neighbourhood Plan (2017).

Residential amenity

23. The objection from the neighbouring properties regarding the first-floor windows/dormers are noted, and has been given due consideration. Following this the applicant has revised the plans to remove the rear dormers. The glazed gable remains however; this would serve the master bedroom.
24. The glazed gable would face the neighbouring property's paddock area and stables, with a distance of over 60 metres between the buildings. The depth of the applicant's garden to the rear boundary tree line is approximately 28 metres. Normal separation distances to mitigate overlooking for domestic first floor windows would be around 22 metres between buildings, so in this instance, and notwithstanding the amount of glazing, the proposal is almost 3 times in excess of this distance. In addition to this, as the proposed glazed gable windows would not directly face a domestic private amenity area (r.e. a garden), or habitable windows, there would not be planning grounds to insist on the removal of the glazed gable. The orientation of the first floor window would also not have a detrimental impact upon the property (Spring Lodge) to the west.
25. The existing trees along the southern boundary also provide a screen between the properties. While mature, given their set back from the road, they do not provide sufficient public amenity value to warrant a provisional tree preservation order. Notwithstanding this, the supporting documentation states that the boundary fencing, hedges and trees will remain.
26. Taking the above into account, it is considered that the proposal would not have a detrimental impact upon the residential amenity of local residents or the wider area, in accordance with the Sections 12 & 15 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policies SP7, SP15 & SP23 of the Site Allocations and Policies Development Plan Document (2014).

Highway considerations

27. The existing access is not changing and the proposal would not have an unacceptable adverse impact on highway safety in accordance with the Section 9 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

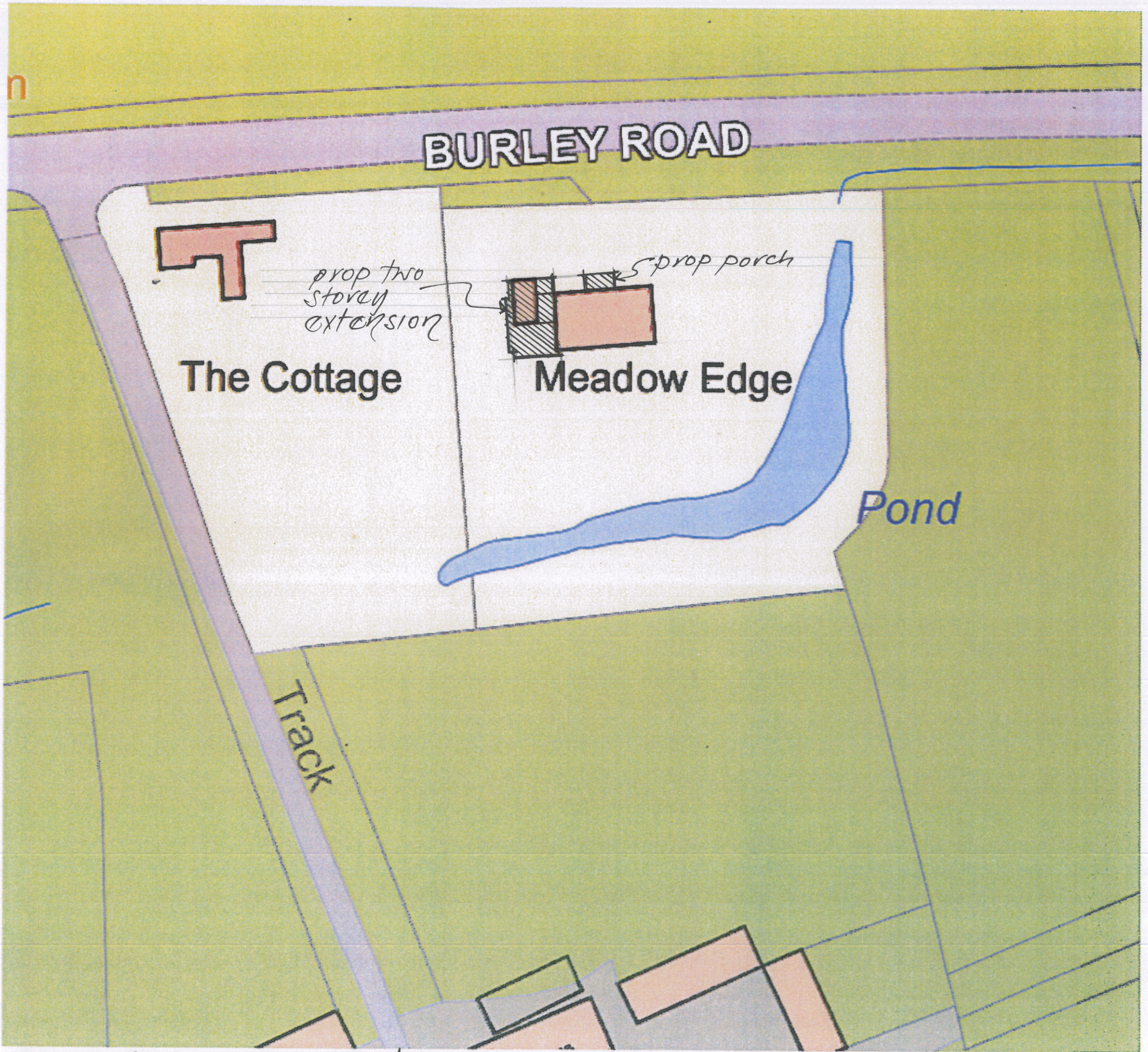
28. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

29. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
30. It is considered that no relevant Article of that act will be breached.

Conclusion

31. The proposal has been assessed against the local and national planning policies and would not have a detrimental impact upon the character or appearance of the open countryside, local amenity, or the surrounding area.

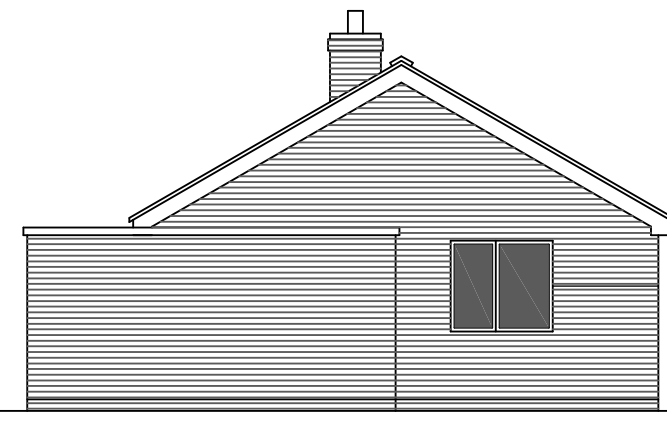


NB: ROOF PITCH TO BE INCREASED TO THE WHOLE DWELLING.

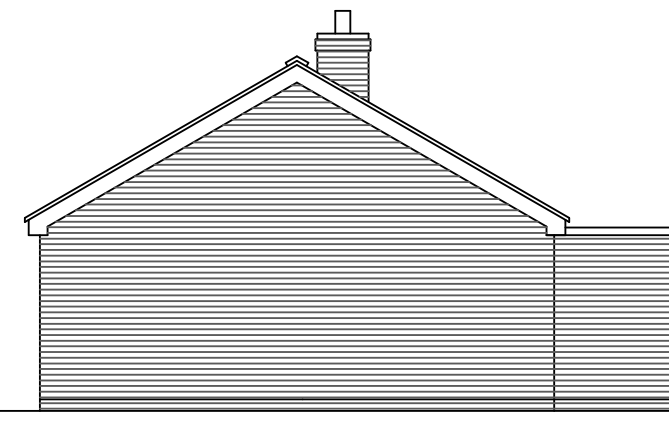
Block Plan 1:500 @ A3



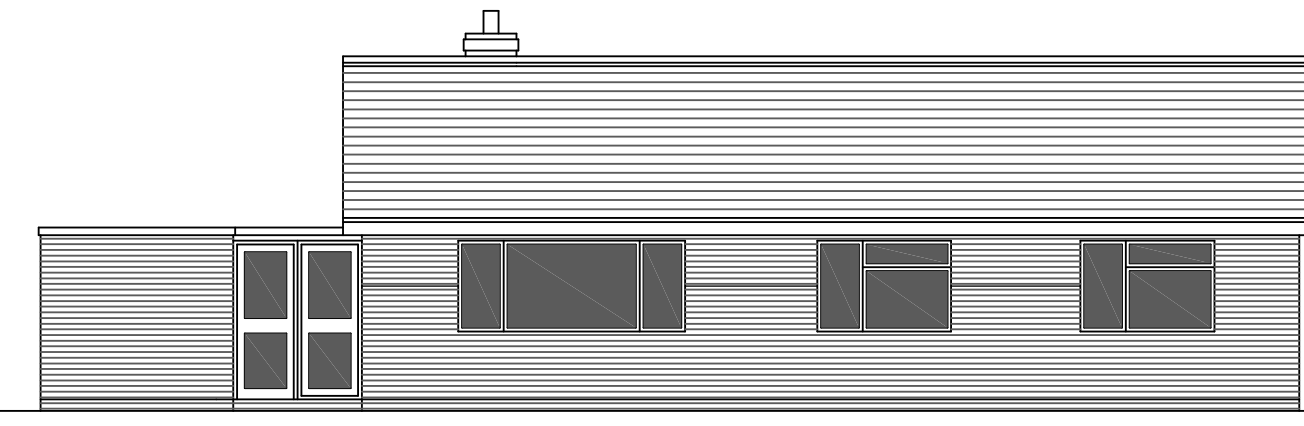
Existing Front Elevation 1:100



Existing Side Elevation 1:100



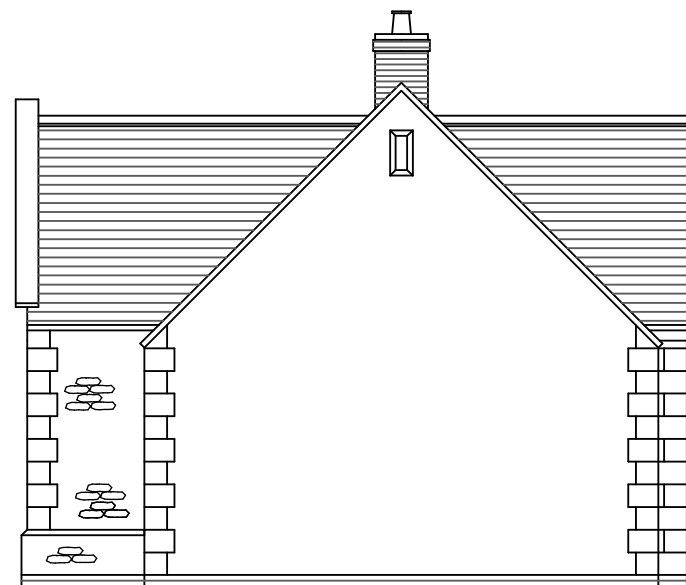
Existing Side Elevation 1:100



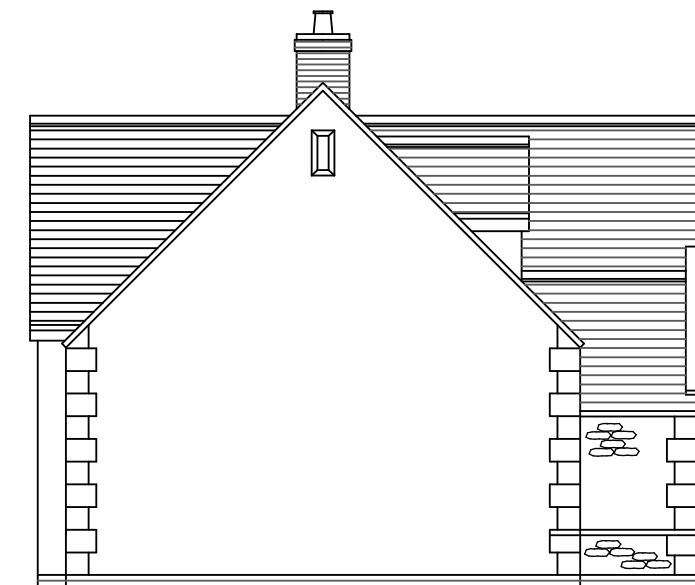
Existing Rear Elevation 1:100



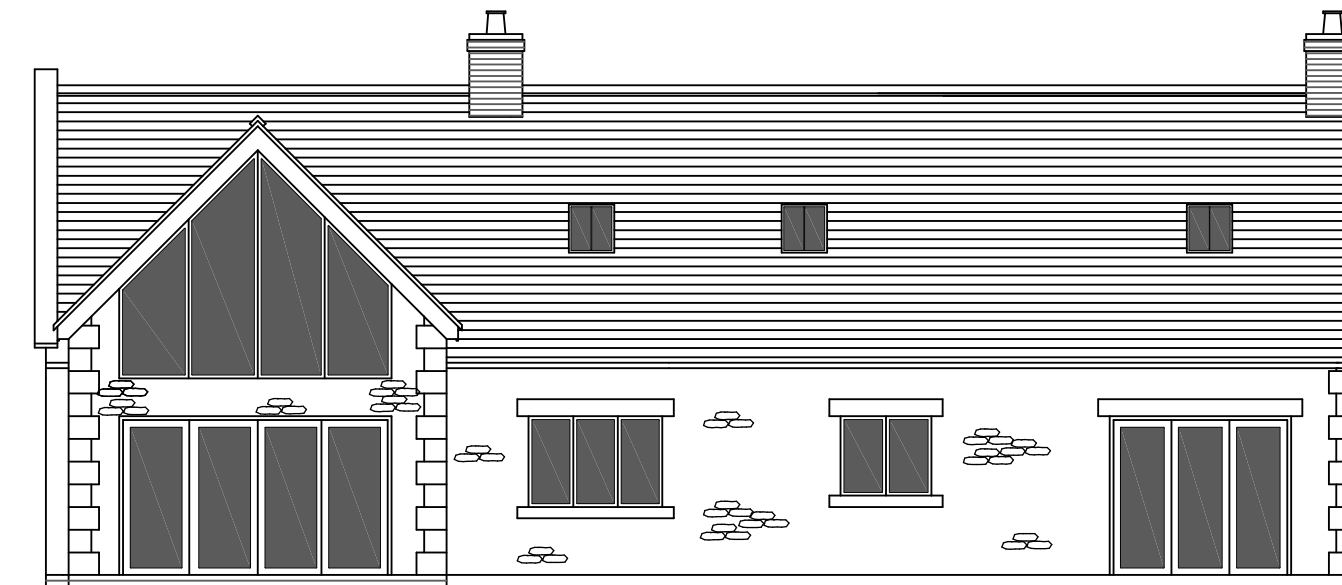
Proposed Front Elevation 1:100



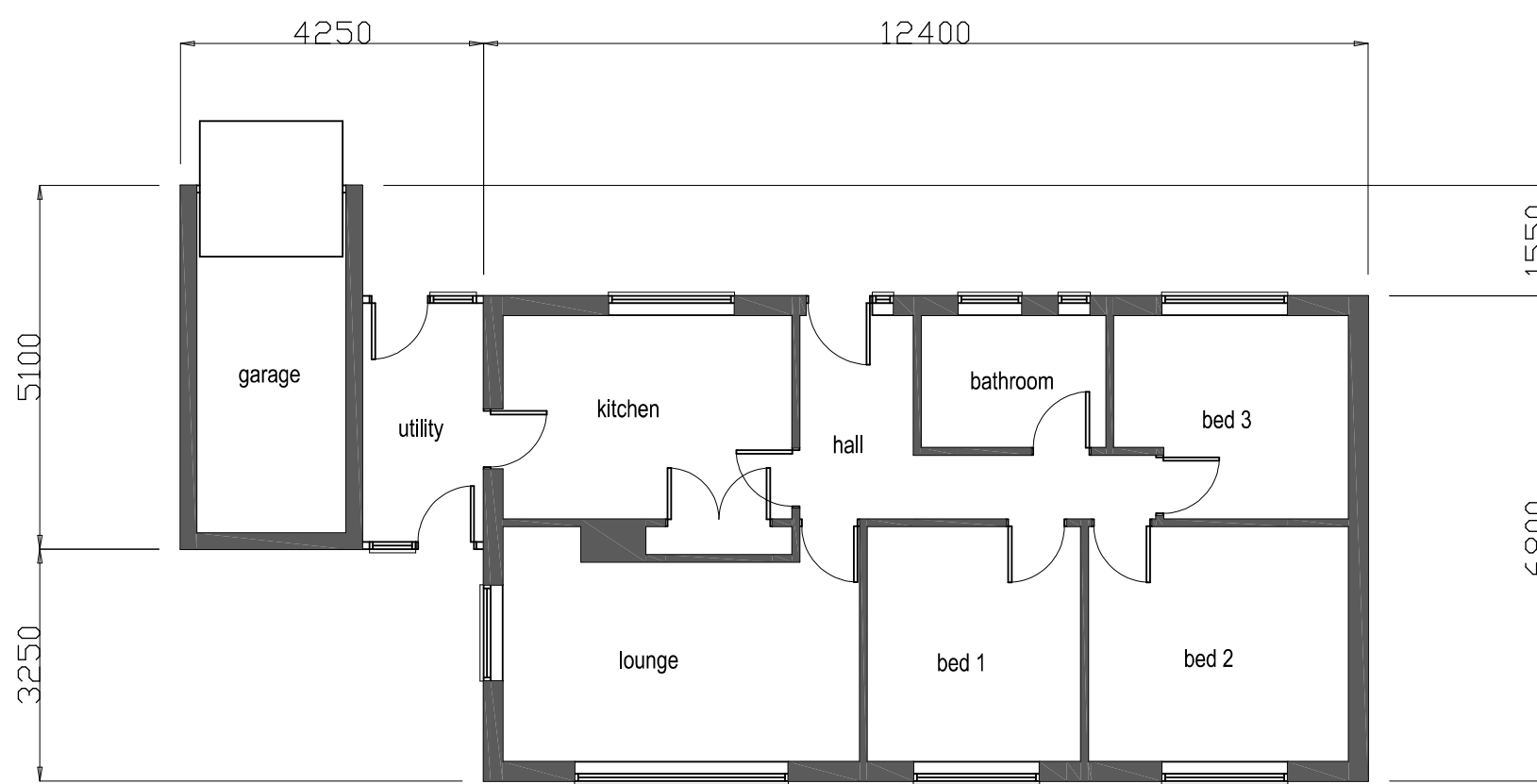
Proposed Side Elevation 1:100



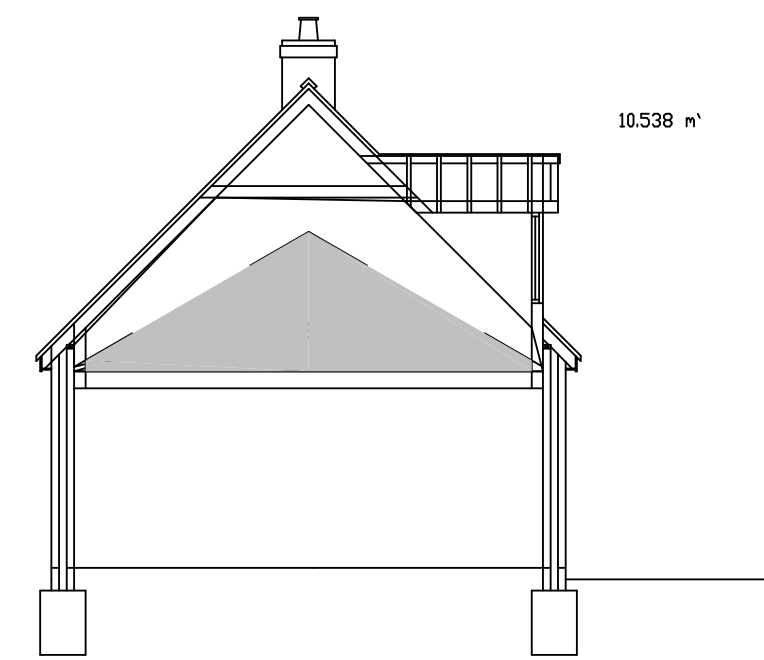
Proposed Side Elevation 1:100



Proposed Rear Elevation 1:100



Existing Ground Floor Plan 1:100



Proposed Section 1:100

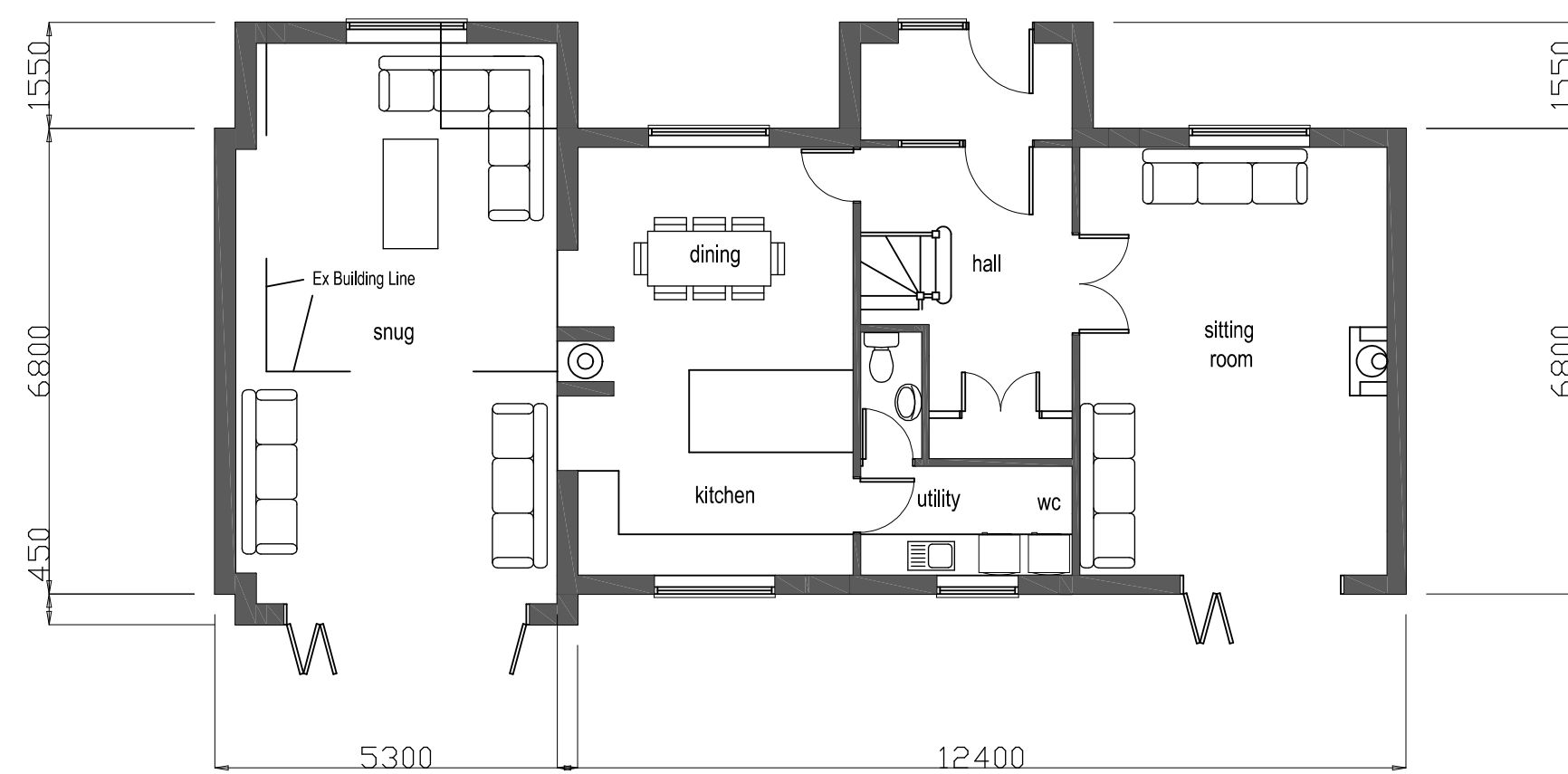
PLANNING NOTES

ROOF TO BE NATURAL BLUE/GREY SLATE AND CONSERVATIONN STYLE ROOF WINDOWS
DORMERS TO HAVE HORIZONTAL TIMBER GABLES AND CODE 4 LEADED CHEEKS

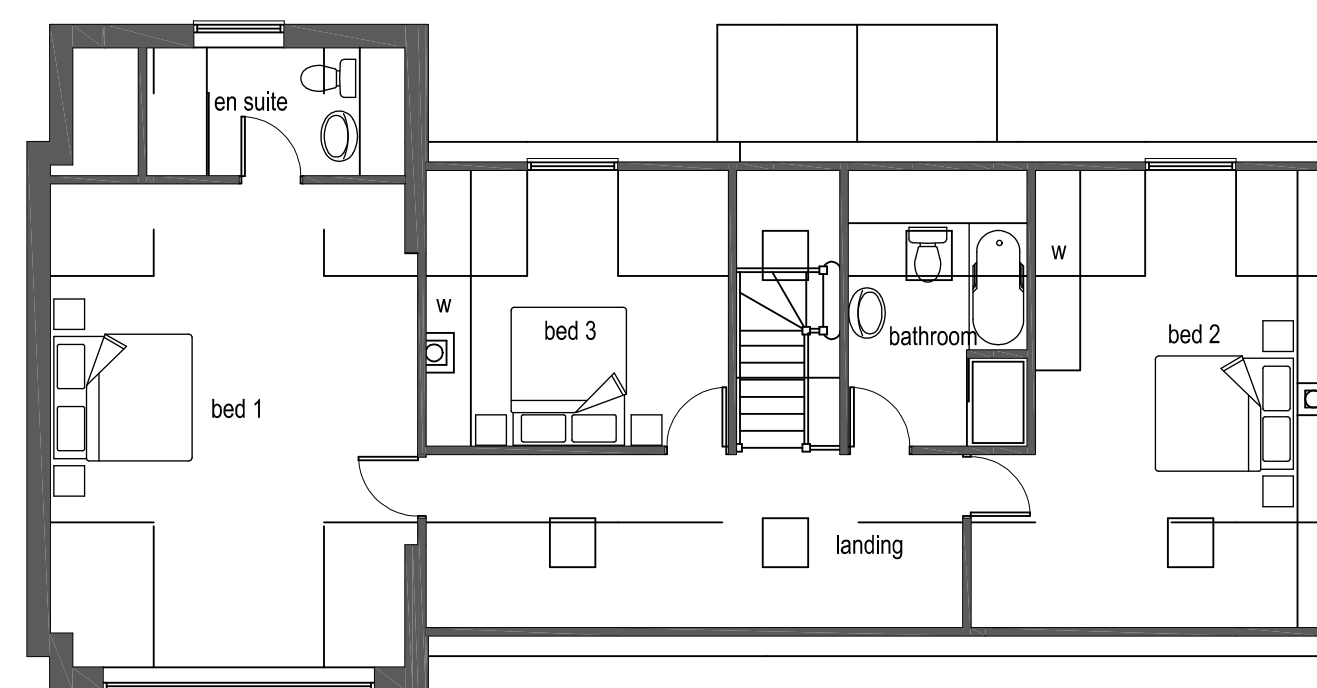
WALLS & PLINTHS TO BE LOCAL LIMESTONE WITH LIGHT GREY MONOCOUCHE MAIN GABLES

ANTHRACITE ANODISED ALUMINIUM WINDOWS AND DOORS

VOLUME EXISTING 286.4 M3
VOLUME PROPOSED 456.8 M3
PERCENTAGE INCREASE 59%



Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100

REV B: REAR DORMERS REPLACED WITH ROOF WINDOWS

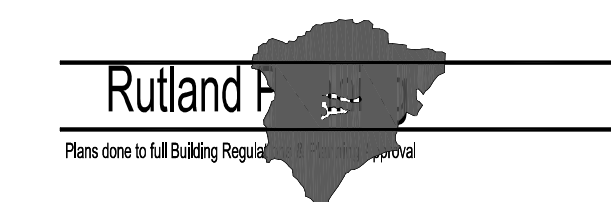
Proposed extension increase of roof pitch and internal work

Meadow Edge

Burley Road Langham

Client: Mr L Coleman

REF: LC/PLANNING/01B/2020



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Langham
Rutland
LE15 7JZ
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