

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Rutland County Museum, Catmose Street, Oakham, Rutland, LE15 6HW on **Tuesday, 1st June, 2021** commencing at 7.00 pm when it is hoped you will be able to attend.

Please note that the meeting is also viewable online via Zoom on the link noted below:

<https://zoom.us/j/99090246446>

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/ Please note that social distancing will apply for attendance at the meeting in person and that you will be required to wear a face mask.

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 6 April 2021.

3) APPOINTMENT OF VICE-CHAIRMAN

4) 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.

5) 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, please send an email to Governance@rutland.gov.uk

6) PLANNING APPLICATIONS

To receive Report No. 70/2021 from the Strategic Director for Places.
(Pages 3 - 54)

7) APPEALS REPORT

To receive Report No.71/2021 from the Strategic Director for Places.
(Pages 55 - 58)

8) ANY OTHER URGENT BUSINESS

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

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DISTRIBUTION

MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Mr E Baines (Chairman)	
Mr N Begy	Mr D Blanksby
Mr K Bool	Mr A Brown
Mr G Brown	Mr W Cross
Mrs S Harvey	Mr A Lowe
Ms A MacCartney	Mr M Oxley
Mrs K Payne	

OTHER MEMBERS FOR INFORMATION

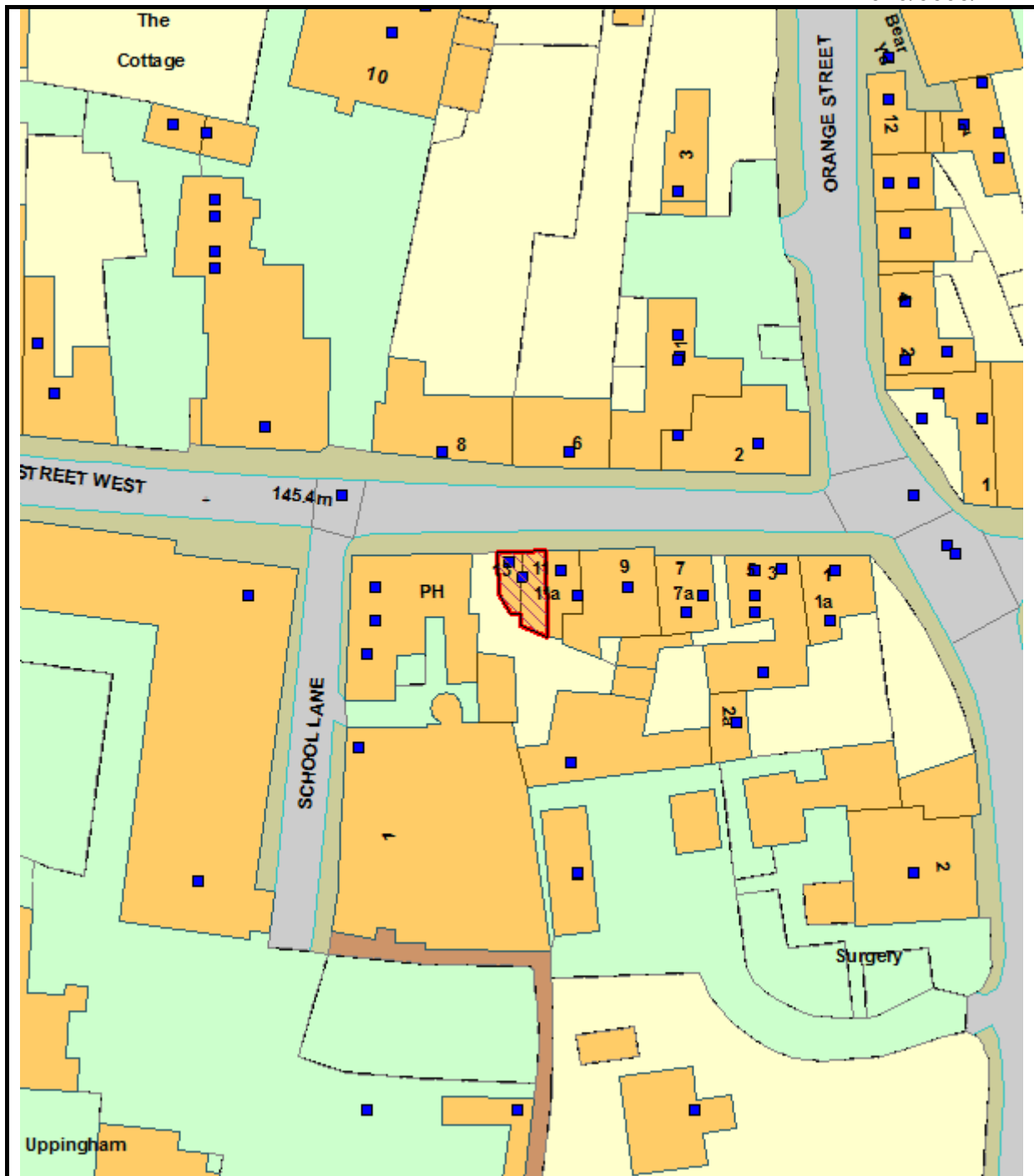
REPORT NO: 70/2021

PLANNING AND LICENSING COMMITTEE

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

REPORT OF THE STRATEGIC DIRECTOR OF PLACES

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Rutland County Council

Catmose,
Oakham,
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LE15 6HP

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Application:	2020/0603/LBA	ITEM 1	
Proposal:	Alterations to listed building including, replacement windows, new cast iron rainwater goods to front elevation and internal renovation works		
Address:	11 - 13 High Street West Uppingham		
Applicant:	Baines Uppingham	Parish	Uppingham
Agent:	S Shouler	Ward	Uppingham
Reason for presenting to Committee:	Applicant is a Local Member		
Date of Committee:	1ST June 2021		

EXECUTIVE SUMMARY

This application seeks consent retrospectively for various alterations undertaken to a C18/C19, Grade II listed, two storey building within the Uppingham Conservation Area.

Due to the sensitive nature of the works that have been carried out and the use of appropriate materials, the works have not adversely impacted on the character or historic fabric of the listed building.

RECOMMENDATION

APPROVAL without conditions.

Site & Surroundings

1. This application concerns two buildings listed Grade II. They are Falcon Wines & Spirits (no 11) and The Rutland Bookshop 9 (no 13). Each building currently comprises a ground floor lock-up shop and a self-contained maisonette over.

Proposal

2. The works included within this application have already been carried out and the purpose of the submission is to regularise those works. The works included the replacement of rainwater goods on the front elevation with cast iron rainwater goods. The goods have been replaced piecemeal several times in the buildings' history and as far as the applicant can recall it was then a mixture of cast-iron, plastic and possibly galvanised pressed steel.
3. Two internal staircases have been replaced with ones in keeping with the original design. It is asserted that the removed staircases were not original and we have no evidence to suggest that this was not the case.
4. The window replacements are like for like wood window replacements in keeping with the original windows. It is only known from photographic records that the two first floor windows to the front elevation were in a poor condition and most probably beyond viable repair. The replacements to these and three windows at the rear are, so far as available evidence shows, a like-for-like replacements. The timber lintels have been retained and the windows sit, appropriately, directly on the stone cills.

5. In relation to the replacement external door, the door is in the, relatively modern, single storey extension at the rear. It is unlikely that the previous door was of any historic significance and the replacement installed is appropriate for the context.
6. Internal re-plastering has been carried out. Whether the building retained any lath/reed plaster is unknown. The applicant has stated there wasn't any and, the Council holds no evidence to the contrary. The applicant has explained that the re-plastering has been undertaken on a like for like basis.
7. Re-wring together with the fitting of a bathroom has been carried out and these works in principle are works which do not usually require Listed Building Consent. There is no evidence that there were formerly any bathroom/sanitary fittings of historic interest.

Relevant Planning History

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Section 16 - Conserving and enhancing the historic environment

Site Allocations and Policies DPD (2014)

SP20 - The Historic Environment

Core Strategy DPD (2011)

CS22 - The Historic and Cultural Environment

Neighbourhood Plan

Policy 8 - Design and Access

Officer Evaluation

Neighbourhood Plan

8. The works are considered to reinforce Uppingham's character and heritage in accordance with Policy 8- Design and Access of the Uppingham Neighbourhood Plan.

Heritage

9. The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard should be had to the desirability of preserving the building or its setting.
10. Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning

Policy Framework (NPPF 2019). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

11. In addition to this, Policies CS22 of the adopted Core Strategy and policy SP20 of the Site Allocations and Development Plan Document require that all new developments protect and where possible enhance the historic assets and their settings, maintain local distinctiveness and the character of identified features. The Conservation Officer has been consulted, taking in account the submitted drawings, Design and Access Statement and all supporting information, and has no objections.
12. It is considered that the development will preserve the character, setting and appearance of the building in accordance with the requirements of section 16 of the NPPF (Feb 2019) and relevant policies of the Local Plan.
13. Due to the sensitive nature of the works that have been carried out and the use of appropriate materials, the works have not impacted adversely on the character or historic fabric of the listed building in accordance with Section 16 of the NPPF (2019), Policy CS22 of the Rutland Core Strategy (2011), Policy SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy 8 - Design and Access of the Uppingham Neighbourhood Plan.

Consultations

14. Conservation Officer: Does not wish to object to the proposals which, on the basis of the information available, have not harmed the historic significance of the building or its setting
15. Uppingham Town Council: Unanimously agreed to recommend application 2020/0603/LBA for approval, subject to advice from the Conservation Officer.

Neighbour Representations

16. No neighbour representations received.

Crime and Disorder

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

Human Rights Implications

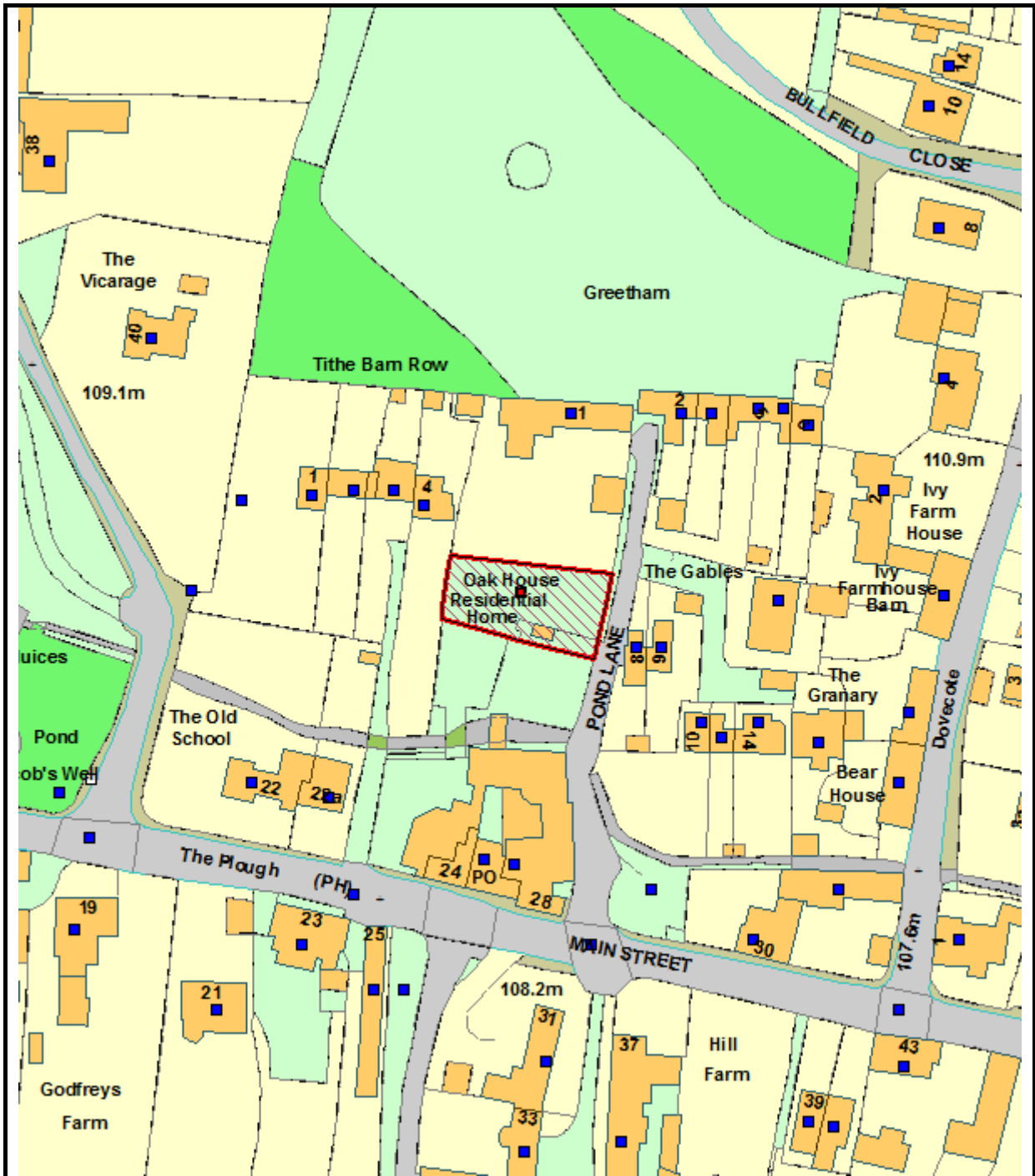
18. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

Conclusion

19. Due to the sensitive nature of the works that have been carried out and the use of appropriate materials, it has resulted in a development which is considered to

assimilate with the existing building whilst not impacting on its historic fabric.

20. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 16), Policy CS22 of the Rutland Core Strategy (2011), Policy SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy 8- Design and Access of the Uppingham Neighbourhood Plan.



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Application:	2020/1428/FUL	ITEM 2	
Proposal:	Erection of 1 no. detached dwelling including access and parking.		
Address:	Land to the South of 1 Pond Lane, Greetham, Rutland		
Applicant:	Mr P Walker	Parish	Greetham
Agent:	Mr M Winklewski	Ward	Greetham
Reason for presenting to Committee:	Objections received		
Date of Committee:	1st June 2021		

EXECUTIVE SUMMARY

The addition of a single dwelling in Pond Lane would not have a detrimental impact upon highway safety or access/parking. The proposal would also not have a detrimental impact upon neighbouring properties, or the character or appearance of Greetham Conservation Area.

RECOMMENDATION

<p>APPROVAL, subject to the following conditions:</p> <p>1. The development shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; GH-20-02B, GH-20-03.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>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.</p> <p>Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.</p> <p>4. No demolition/development shall take place/commence until a staged programme of archaeological work, commencing with an initial phase of trial trenching has been undertaken. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p>
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- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving

5. No development shall take place until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:

- a) A scheme for monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmac, to be maintained free of mud slurry and any other form of contamination whilst in use. A contingency plan including if necessary the temporary cessation of all construction operations and movements to be implemented in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery.
- e) Measures to ensure that vehicles can access the site immediately upon arrival to ensure there is no queuing on the public highway.
- f) Details of site compounds, storage area and contractor/visitor parking/turning.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation of any tree protection measures.
- i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.
- j) A scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of residential amenity and highway safety in accordance with Policies SP15 and SP17 of Site Allocations & Policies Development Plan Document Adopted October 2014.

6. No development shall take place until the trees to the rear of the site, subject to the protection of Greetham Conservation Area, have been protected in accordance with BS5837:2012, by the installation of secured heras fencing, as shown on plan no. GH-20-02B, and in accordance with British Standards BS 5837:2012. The protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected.

Within the Construction Exclusion Zone, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason: The trees are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

7. 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.

8. No development above ground level shall be commenced until large scale details (including a section) of the proposed wall to the Pond Lane frontage has been submitted to, and approved in writing by, the Local Planning Authority. The development shall proceed in accordance with these agreed details.

Reason: To ensure that the materials and detailing of the wall is appropriate for the context of the site, in the interest of the character and appearance of Greatham Conservation Area.

9. The development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been hard surfaced and sealed. The vehicle parking area shall then be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

10. No development shall commence until details of existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed scheme before the dwelling is first occupied.

Reason: To ensure that the changes in ground levels as a result of the development are recorded and agreed, and because these details are not provided in the application.

11. No development, including site works, shall begin until such time as full details of the way in which foul sewage is to be disposed of from the site has been submitted to and agreed in writing by the Local Planning Authority. The dwelling

shall not then be occupied or used until the drainage works have been completed in accordance with the agreed details.

Reason: To ensure that the site can be drained in a satisfactory way to prevent pollution.

12. No unbound material shall be used in the surface treatment of the vehicular access and driveway, but the construction details used must be porous.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety, to ensure that drainage is sustainable, and in the interests of residential amenity.

13. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

Notes to Applicant

1. With regard to condition 4 above, the Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

2. To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.

3. 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_infrastucture_levy/2

Site & Surroundings

1. The application site is an area of undeveloped land to the rear of Oak House Residential Home. It is in the centre of Greetham, and within the conservation area. North Brook stream flows through the grounds of the care home and under the lane to the south of the site.
2. The site is approximately 0.048 hectares in area, with a frontage of 17m, and depth of 28m. The majority of the site is on raised ground in relation to the road, and overgrown with brambles and other vegetation. There is a 5 bar gate in the south-east corner that provides access to a paved bin store area for the care home level with the lane. The site borders residential gardens to the west and north, and there are established trees outside of the application site along the western boundary.

Proposal

3. The application is for the construction of a two-storey dwelling, with access and parking. Access would be off Pond Lane. Its floor area would be approximately 134 square metres, with an approximate width of 11m, a depth of 8m and a height of 8m to the ridge.
4. Materials would be natural stone with a blue slate roof, and timber window and doors. It is proposed that part of the site would be excavated to road level, while the rear garden would retain the existing raised level.
5. An earlier application for 3 dwellings was submitted last year which was considered an overdevelopment of the site, with insufficient on-site parking provision, and would have had a detrimental impact upon the conservation area, well as detrimentally intensifying the Pond Lane access. As a result of this the application for 3 dwellings was withdrawn, and the scheme amended to a single dwelling and re-submitted.
6. The proposed plans are attached as an appendix.

Relevant Planning History

Application	Description	Decision
2020/0935/FUL	Erection of terrace of 3 no. dwelling houses including access and parking.	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

Chapter 16 - Conserving and enhancing the historic environment

Core Strategy DPD

CS01 - Sustainable Development Principles

CS04 - The Location of Development

CS19 - Promoting Good Design

CS21 - The Natural Environment

CS22 - The Historic and Cultural Environment

Site Allocations and Policies DPD

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP17 – Outdoor lighting

SP19 - Biodiversity and Geodiversity Conservation

SP20 - The Historic Environment

Greetham Neighbourhood Plan

CH1 - Built Form

CH2 - Green Infrastructure

HD1 - Housing Development in Greetham Village

HD2 - Housing Mix

Consultations

7. Greetham Parish Council

Objection for the following reasons:

- Pond Lane falls short of current standards/inadequate parking
- Pond Lane junction dangerous/poor visibility
- No adequate cross sections of site
- Proposed building material descriptions inadequate
- Boundary treatment details not supplied
- If approved, seek conditions prohibiting decorative external lighting (only allow functional lighting)
- Errors on application form
- Relocation of existing industrial bins will cause collection issue/impact on trees/hedges/access
- Impact on colony of hedgehogs on land

8. Conservation Advisor

No objection - This revised scheme for only a single dwelling with off-road parking located behind a low wall to the boundary to Pond Lane overcomes the objection

I had to the previous submission that proposed three houses and five, open parking spaces on the road frontage.

The scheme as now proposed would preserve the character and appearance of this part of the Greetham Conservation Area.

I would only suggest that conditions be imposed requiring the approval of samples of the materials and large scale details (including a section) of the proposed wall to the Pond Lane frontage, to ensure that the materials and detailing of the wall is appropriate for the context.

9. **Highway Authority**
No Objections

The junction is not substandard by reason of visibility or geometry. Whilst the speed limit on Main Street is 20mph, it has been demonstrated within the transport statement that the 85thile speeds are higher. That said, vehicle to vehicle visibility plays are achievable of an appropriate size to the 85thile speeds due mainly to the buildout and repositioned giveway line. As such, the LHA are happy with vehicle to vehicle visibility.

The access from Pond Lane on to Main Street looks more than ample in width to accommodate two vehicles to pass within it.

Traffic impact from one dwelling is very small, and therefore there will no conflict on the road.

Whilst two vehicles may not be able to pass along the entire length of Pond Lane, there are some areas where a vehicle can pull over and give way to one another. Presumably the existing 10 properties manage this ok. I also suspect that due to the nature and width of Pond Lane, vehicle speeds will generally be very slow. Guidance from Manual for Streets (MfS) support narrow roads with passing places in certain situations, so it could be argued that the nature of the road is in keeping with the aims of MfS, albeit by virtue of the historical layout. Whilst the road width may not meet the prescribed 4.8m we would usually apply to new housing developments, the LHA take in to account this setting and likelihood that vehicle speeds will be very low, and if there are opportunities for passing along the length of road, then LHA would support it. Whilst 1 property would be an intensification, the impact will be nominal. If the junction was unsafe on top of the access being narrow my view would have been one of refusal, but this would have been purely on junction safety.

I would strongly recommend a condition about construction traffic, to ensure there is no conflict on the narrowest part of the road.

10. **LCC Ecology**
No objections. The development is separated from the watercourse by existing hardstanding and managed garden which acts as a sufficient buffer.

11. **LCC Archaeology**

Condition required for staged programme of archaeological work, including an initial phase of trial trenching.

12. **Local Lead Flood Authority**
No objection subject to condition for drainage scheme.

Neighbour Representations

13. 10 objections received from local residents, on the following grounds;
- Pond Lane too narrow for further development/unsafe junction with Main Street/unsuitable for large vehicles
 - 3 properties on Pond Lane have no parking/have to park on lane
 - Photo examples of existing parking congestion
 - Proposal would have detrimental impact upon highway safety/parking provision for the Lane
 - Detrimental impact on residents during construction/excavation phase/access to properties
 - New dwelling would generate extra traffic (service vehicles/deliveries etc...)
 - Relocation of care home bins
 - Loss of natural habitat/green space/hedgehogs
 - Contrary to neighbourhood plan (four-bedroom dwelling)
 - Transport survey insufficient/carried out during COVID lockdown/not representative of normal times
 - Overshadowing/loss of outlook
 - Flood report needed
 - No street scene plans
 - Current site overgrown through choice
 - Impact on archaeology through removal of soil
 - Insufficient detail in application
 - Car parking at front of site
 - Relocation of BT telegraph/internet pole
 - How will water runoff be managed?/Increased flood risk/contamination
 - Dormer windows/style of building not in-keeping
 - Previous application for 3 dwellings unacceptable

Planning Assessment

14. The main issues are;
- Principle of development
 - Highways/access
 - Conservation Area/design
 - Residential Amenity

Principle of development

15. The site is located in central Greetham, which is classed as a Local Service Centre in the Adopted Core Strategy. Acceptable forms of development within a Local Service Centre include infill developments, which this site would fall under.

16. Additional policy HD2 of the Greetham Neighbourhood Plan states that development '*should be predominantly be a mix of 1, 2 and 3 bedroomed properties*', but '*does not support the construction of new larger 4 or 5 bedroom properties as the evidence base indicates there is a sufficient stock of large executive style housing currently in the village*'. This is noted, however while the plans show 4 bedrooms (albeit bedroom 4 is labelled 'bedroom/study'), both the size of the plot and the proposed dwelling would not be considered 'large or executive'.
17. The principle of new housing development within Greetham is considered to be acceptable, though is of course then subject to site specific criteria.

Highway/access issues

18. The objections from the Parish and local residents regarding the Pond Lane junction, access and parking are noted, and have been given due consideration. The issue was raised during the lifetime of the previous application for three houses, and in response the applicant has commissioned and submitted a Transport Statement (TS) with the current application. The site, application and TS have been assessed by the Highway Authority, who have advised that the traffic impact of a single dwelling would be small, and that a reason for refusal on these grounds could not be justified or defended at appeal.
19. The relatively narrow width of Pond Lane itself is also noted, however vehicle speeds here would be very low, and there are areas for vehicles to pass one another. The site itself has sufficient off-street parking and turning provision for three vehicles, and this is conditioned.
20. Given the above, and notwithstanding the objections received, 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 the Section 9 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011), and Policy SP5 and SP15 of the Site Allocations and Policies Development Plan Document (2014).
21. A construction management plan is conditioned to ensure that there is no conflict with the narrowest part of Pond Lane, and that details are agreed regarding construction parking/excavation/deliveries etc....

Conservation Area/Design

22. At the Statutory level, The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
23. Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF 2019). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments.

Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

24. The design of the dwelling is traditional in character, and acceptable in terms of its design, scale, proportions and materials. Its size and position within the site is such that it would not overdevelop the site, and would provide a reasonable sized garden area for future occupiers. Notwithstanding this, it is considered appropriate to remove permitted development rights in order to maintain the size of the building/not overdevelop the plot in the future.
25. The Conservation Officer has no objection to the proposal (subject to conditions) and it is considered that it would not have a detrimental impact upon the character or appearance of Greetham Conservation Area, and would not be contrary to Sections 12 and Section 16 of the NPPF (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014), or the Greetham Neighbourhood Plan (2017).

Residential Amenity

26. The orientation of the dwelling would face onto pond lane, and be sited approximately 10m from the lane. There is a dwelling across the road that has its side elevation facing the road and the development; this proximity, orientation and relationship between dwellings is not out of keeping with the built form of the village, and would not have an unacceptable impact in terms of loss of privacy/light or overbearing impact. The first-floor windows on the rear serve two bathrooms and a bedroom, though existing neighbouring trees adjacent to the site boundary provide a screen to the west. There are no windows proposed on the side (north and south) elevations.
27. It is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the 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 Greetham Neighbourhood Plan (2017).

Other issues

28. With regard comments regarding hedgehogs, Leicestershire County Council Ecology have no objection to the development, however a note to applicant is proposed with regard to precautionary measures.
29. With regard to the industrial bins for the care home, there is ample space within the grounds of the care home for these to be relocated. The BT telegraph pole is in the rear corner of the site and is not proposed to be removed.
30. The Parish have requested a restrictive condition preventing external decorative lighting. While noted, no lighting is proposed, and it is not usual for new dwellings within the planned limits of development of a settlement to have this restriction where there is not an ecological need (i.e. impact on bats) or concern over light pollution in the open countryside; a condition has therefore not been included on this occasion.

31. Other conditions set out above include submission of details of existing and finished levels, material details, tree protection for the trees to the rear of the site, details of the front boundary wall, foul and surface water drainage, and archaeology.

Crime and Disorder

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

Human Rights Implications

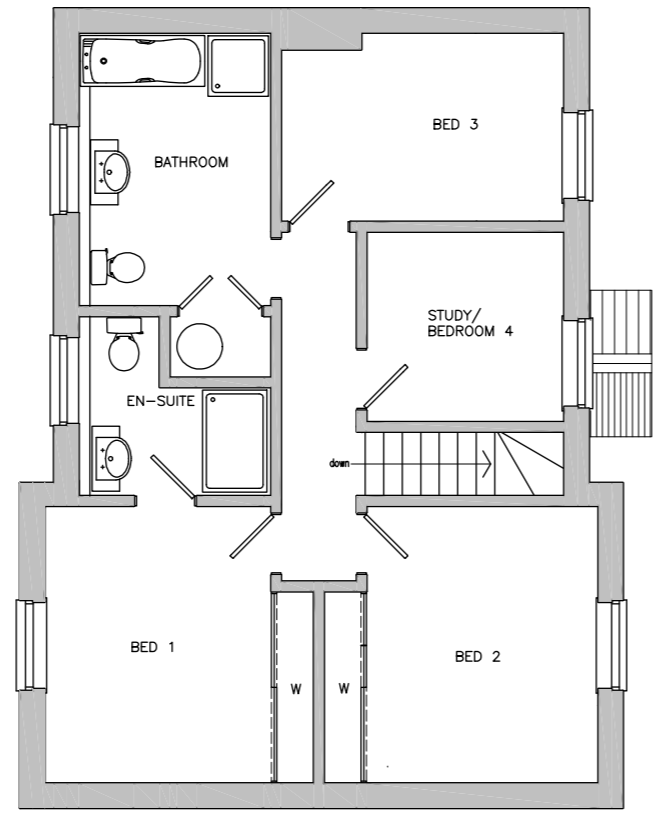
33. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

34. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 5, 9, 12, 15 and 16), Policies CS01, CS04, CS19, CS21 and CS22 of the Rutland Core Strategy (2011), Policies SP5, SP15, SP19 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and the Greetham Neighbourhood Plan (2017).

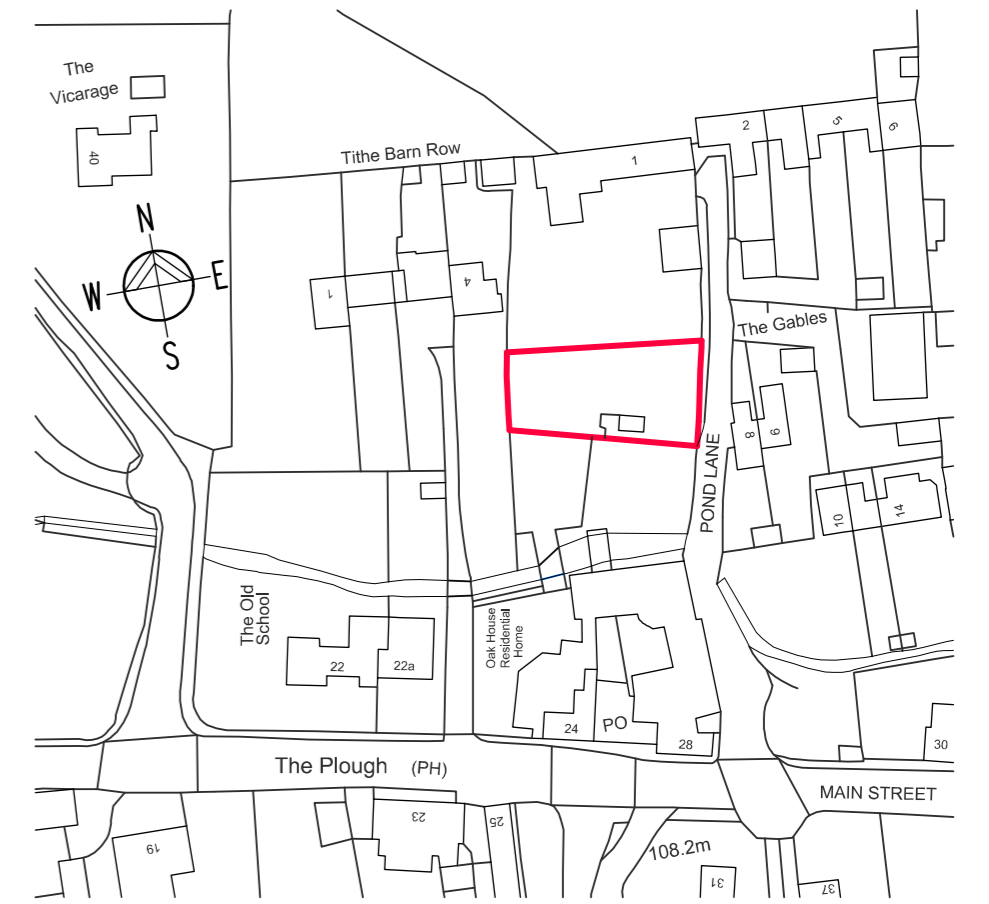
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FIRST FLOOR PLAN SCALE 1:100

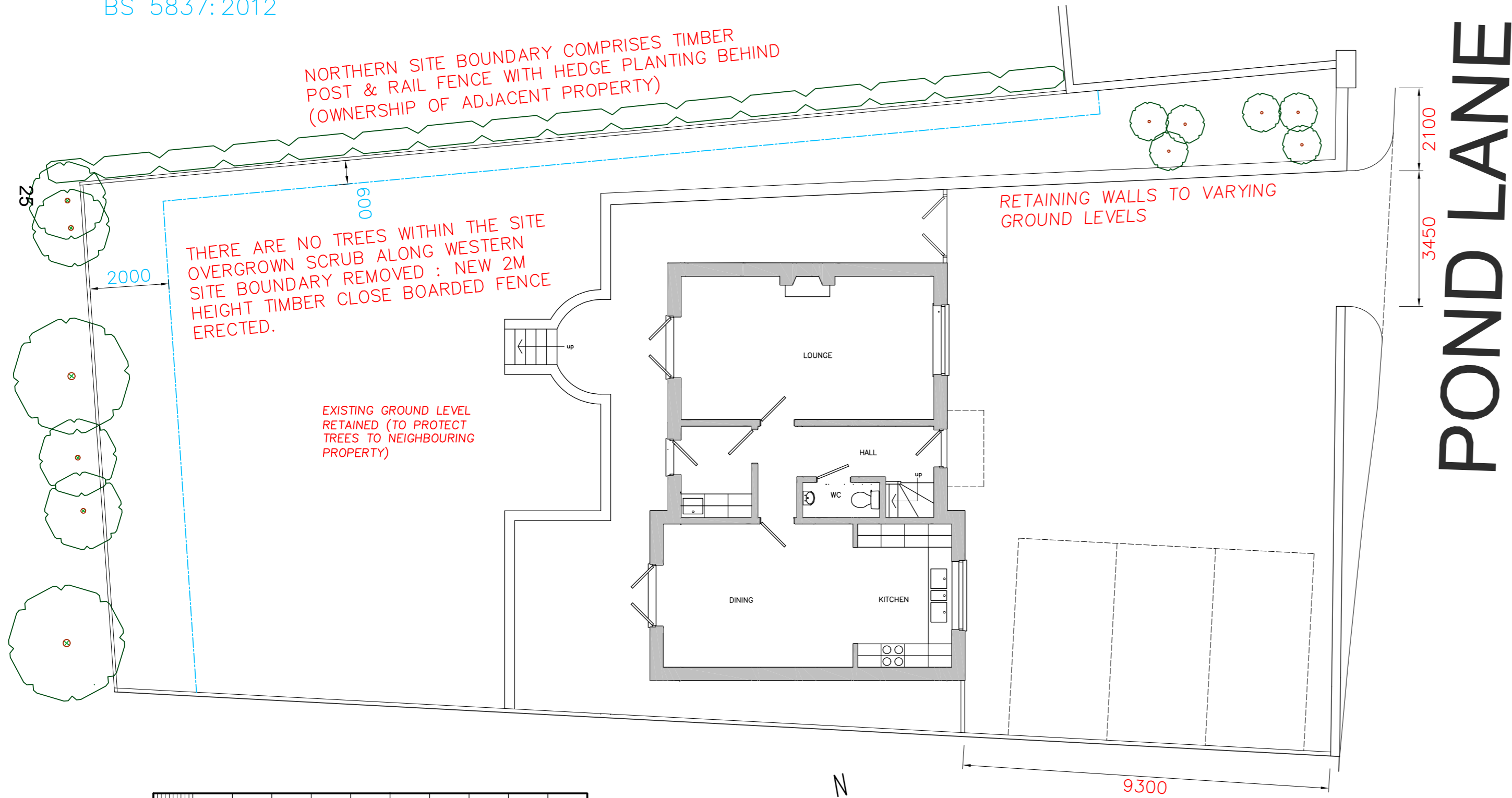


FLOOR AREA OF HOUSE =
132 SQ. METRES
(1420 SQ. FEET)

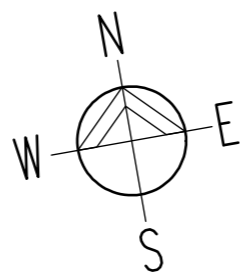
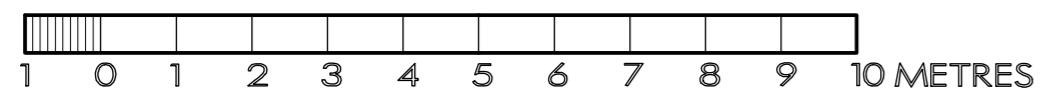
LINE OF TREE PROTECTION FENCING
WITH CONSTRUCTION EXCLUSION
ZONE BEYOND : FENCING 2M HEIGHT
HERAS OR SIMILAR APPROVED TO
BS 5837:2012



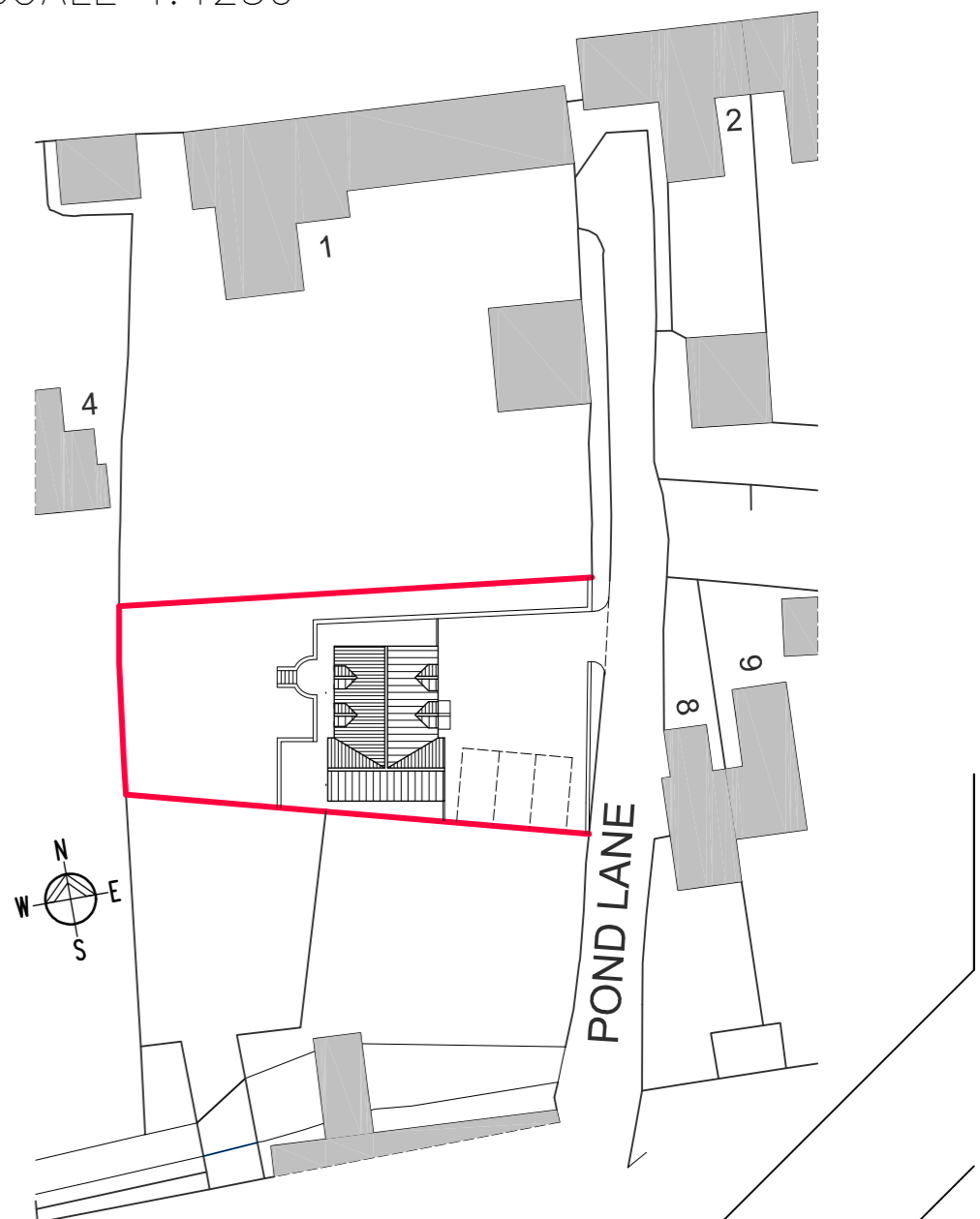
LOCATION PLAN
SCALE 1:1250



POND LANE



GROUND FLOOR/ SITE LAYOUT PLAN SCALE 1:100



BLOCK PLAN
SCALE 1:500

8

Project: PROPOSED ERECTION OF DWELLING
LAND TO SOUTH OF NO 1 POND LANE, GREETHAM, LE15 7NW

Client: AS STATED @ 42

Date: 03/20

Scale: AS STATED @ 42

Drawn by: GH-20-028

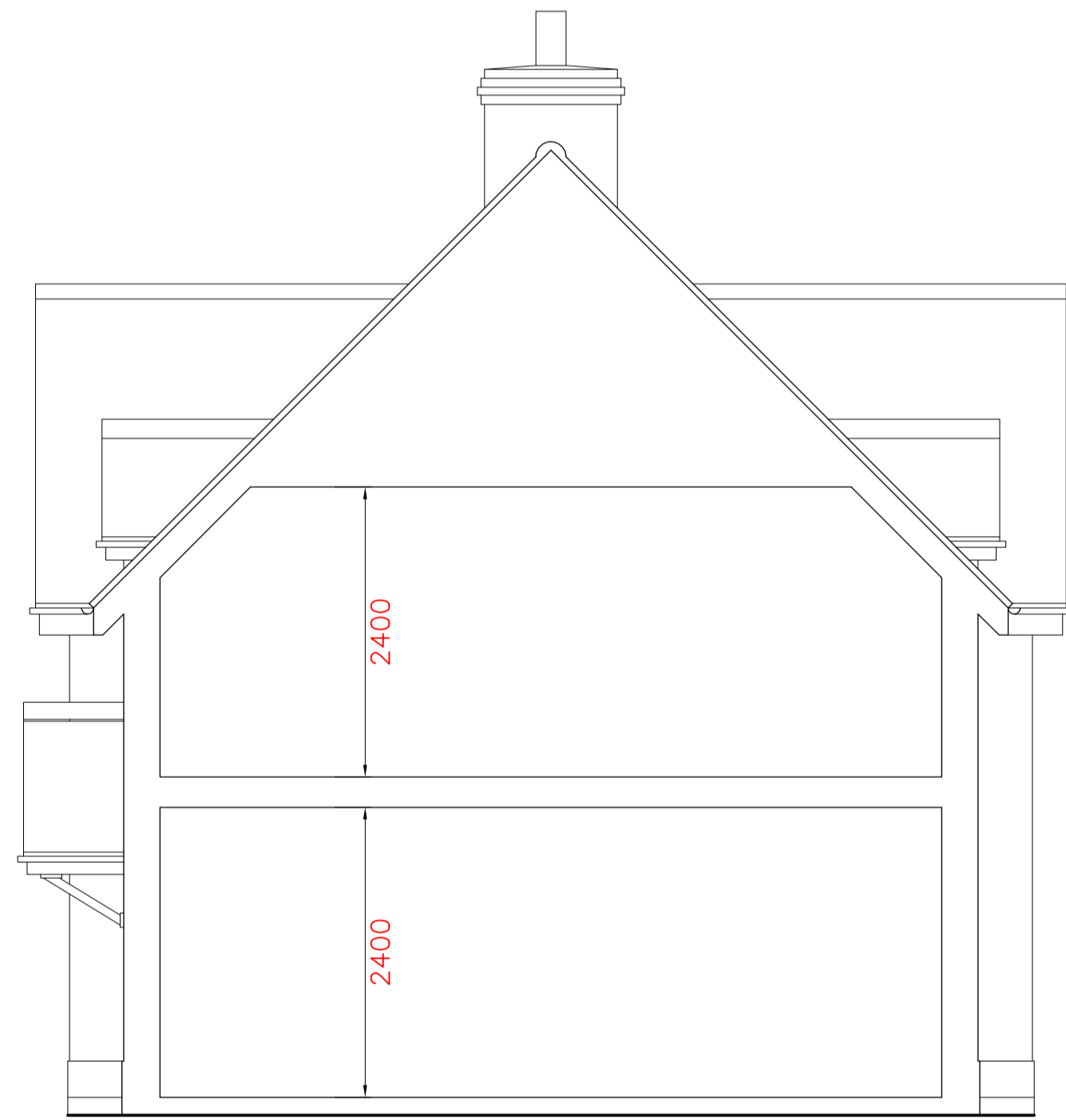
MARK WINKLEWSKI
 CHARTERED ARCHITECT, DIP. ARCH. (E.C.), R.I.B.A.
 4 PARK MEWS, BURNHILL ROAD, MARKET HARBOUR, LEICESTERSHIRE, LE16 7AQ



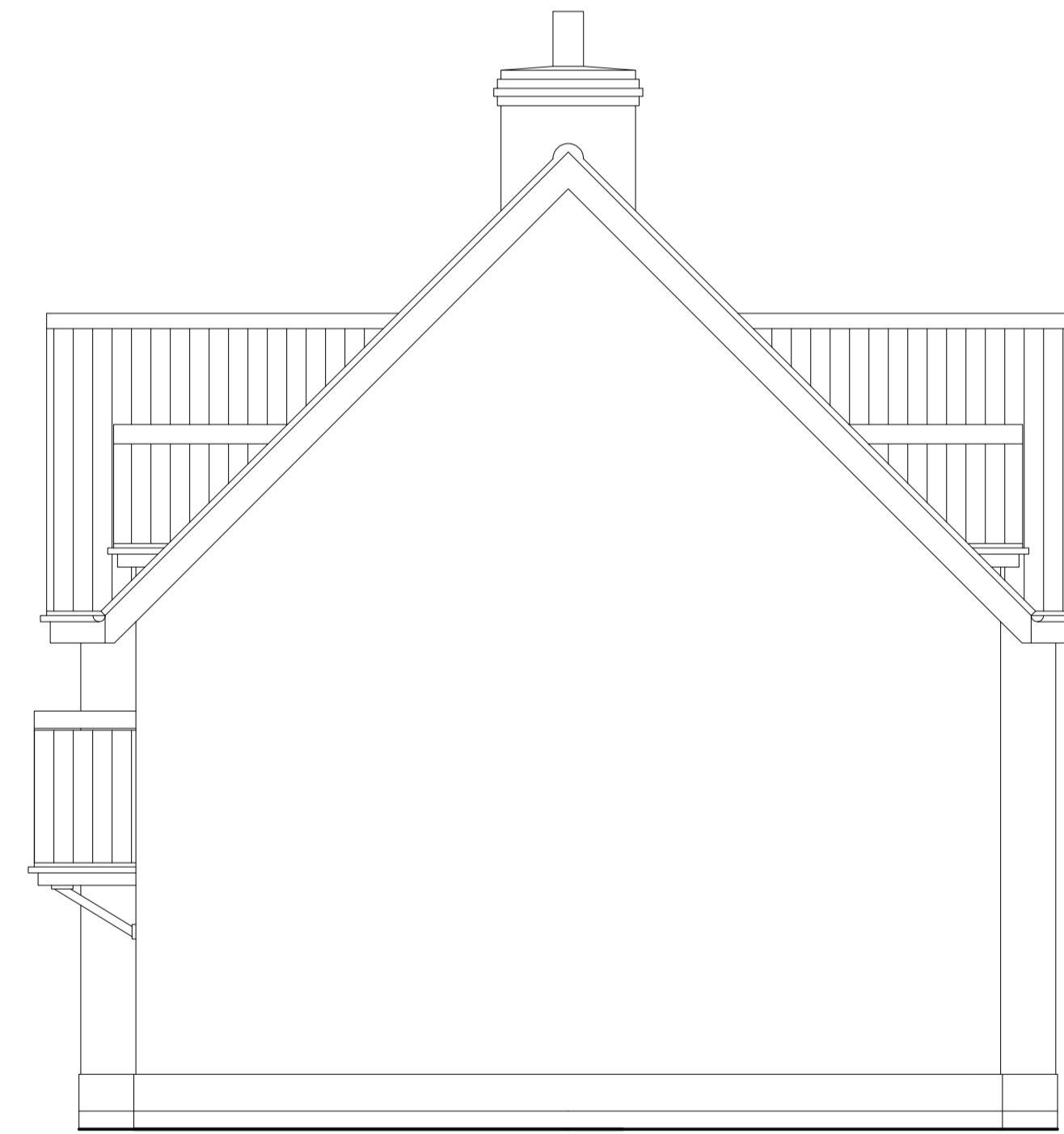
REAR (WEST) ELEVATION



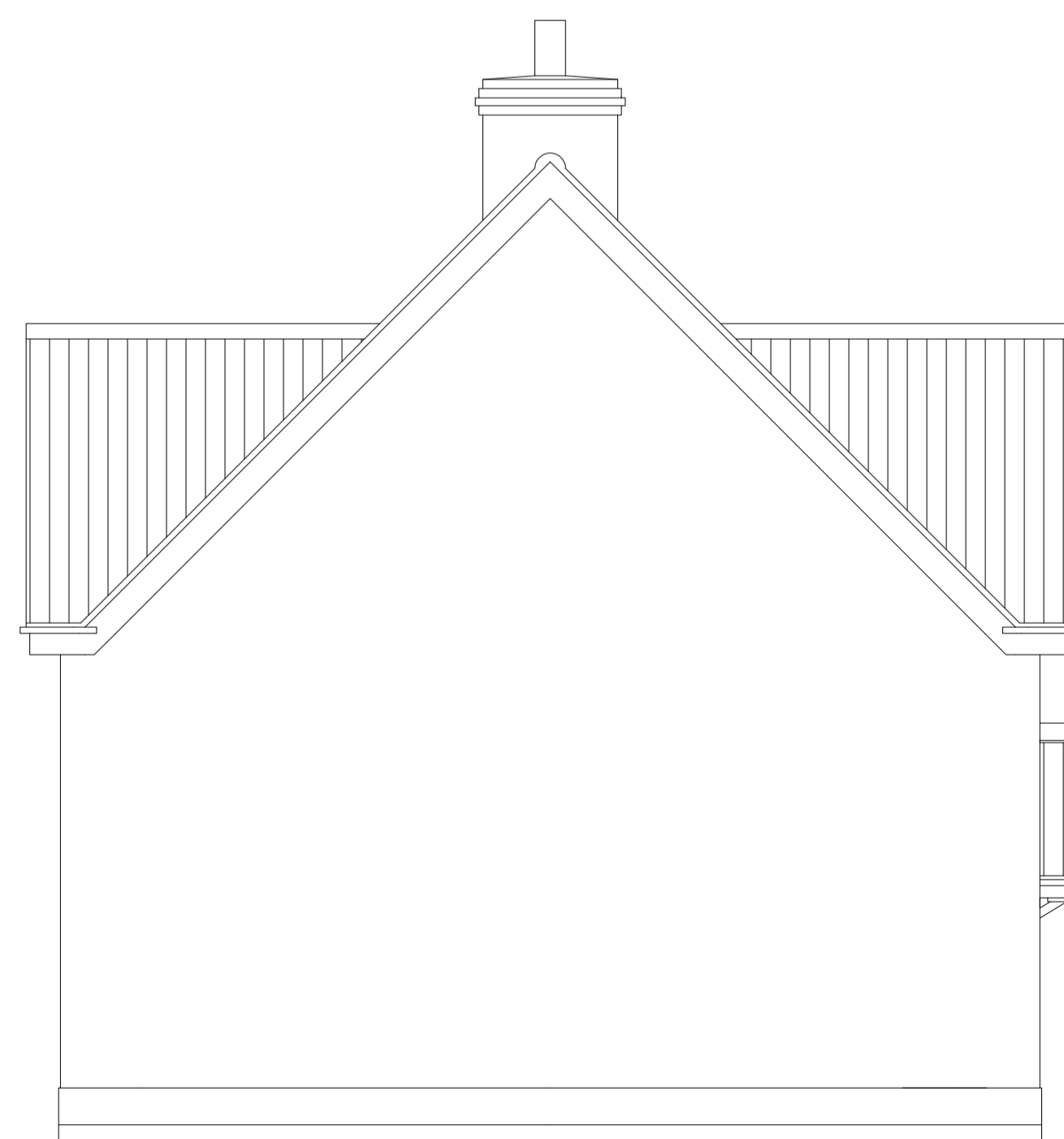
FRONT (EAST) ELEVATION



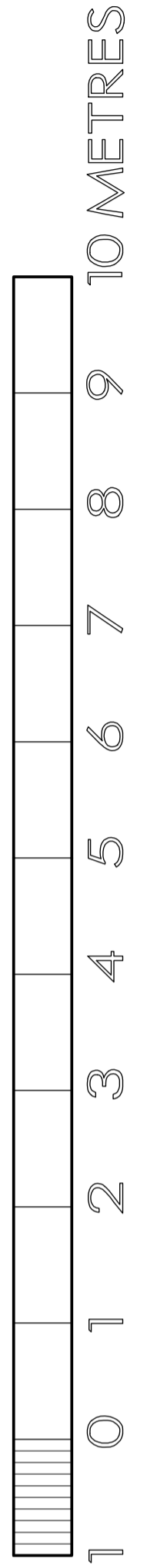
CROSS SECTION



SIDE (NORTH) ELEVATION

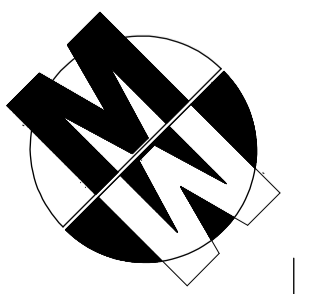


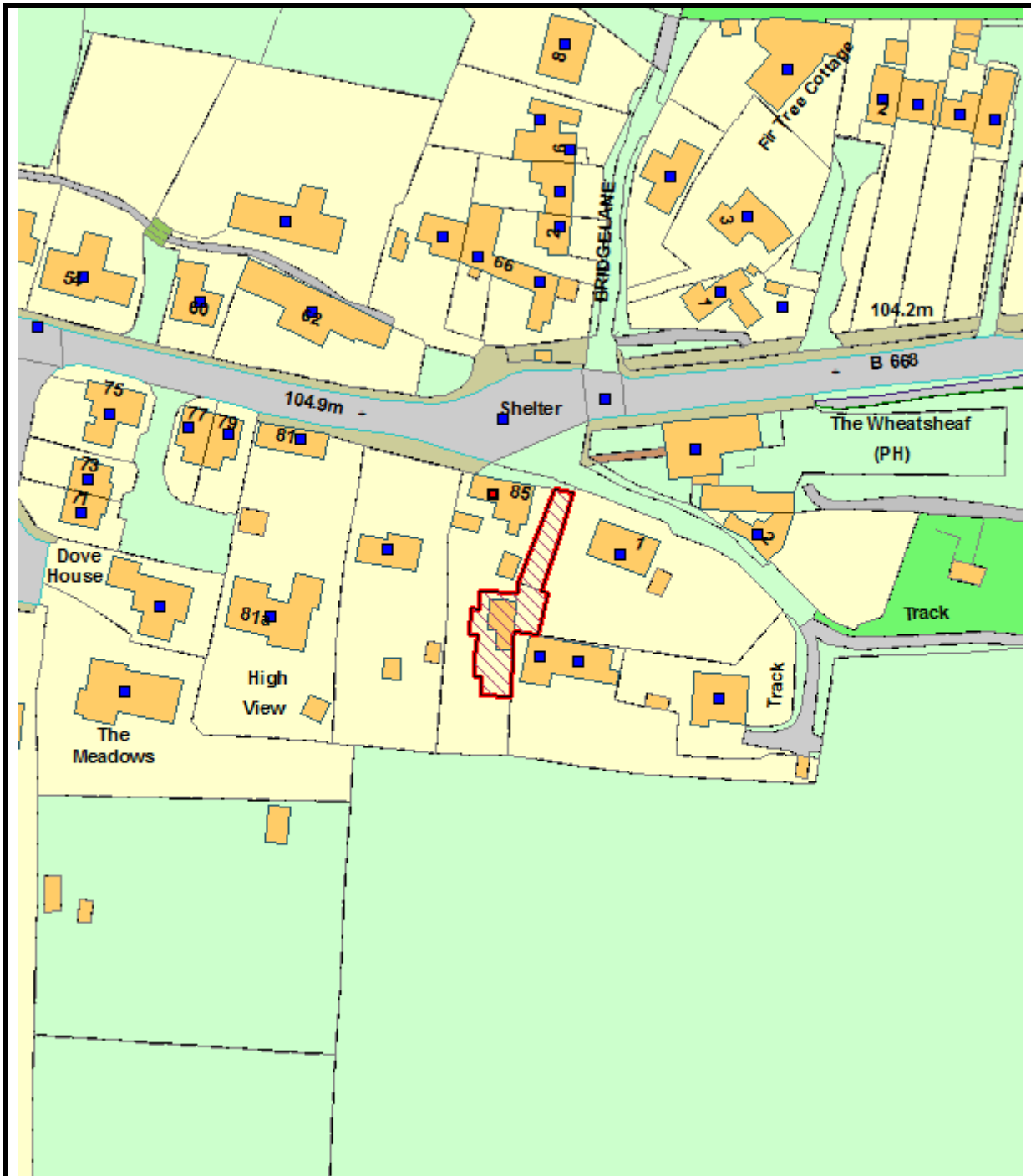
SIDE (SOUTH) ELEVATION AND SITE SECTION



26

Project: PROPOSED ERECTION OF DWELLING
 LAND TO SOUTH OF NO 1 POND LANE, GREETHAM, LE15 7NW
 Date: DEC 20
 Scale: 1:50 @ A1
 Drawing Number: GH-20-03
 Architect: **MARK WINKLEWSKI**
 CHARTERED ARCHITECT, DIP. ARCH. (LEIC), R.I.B.A.
 4 PARK MEWS, BURMILL ROAD, MARKET HARBOUROUGH, LEICESTERSHIRE, LE16 7AQ





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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

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Application:	2021/0110/FUL	ITEM 3	
Proposal:	Extension to an existing residential annexe.		
Address:	85 Main Street, Greetham, Rutland, LE15 7NJ		
Applicant:	Mr & Mrs Brett	Parish	Greetham
Agent:	N/A	Ward	Greetham
Reason for presenting to Committee:	Relation to RCC Employee		
Date of Committee:	1st June 2021		

EXECUTIVE SUMMARY

The amendment to the application, from a proposed separate dwelling to just the extension of the existing annexe, would not have a detrimental impact upon the relationship to the host dwelling or neighbouring properties, or the character or appearance of Greetham Conservation Area.

RECOMMENDATION

<p>APPROVAL, subject to the following conditions:</p> <p>1. The development shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, as revised, labelled; 893/20/2G, and the materials specified in the application.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>3. The annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 85 Main Street, Greetham.</p> <p>Reason: The relationship with the host dwelling makes it unsuitable for use as an independent residential unit.</p>
--

Site & Surroundings

1. The application relates to an existing one-bedroom single storey annex in the rear garden of no. 85 Main Street. It has been used as additional family accommodation as well as a bed and breakfast use in the past. The host dwelling is an unlisted, traditional stone cottage in the Greetham Conservation Area. A Public Right of Way runs past the house.
2. The garden and annex are on higher ground than the main house and street, and the annex itself is on two levels due to the rising ground levels in the rear garden. Existing parking is to the side of the house, and the applicant owns an additional strip of land to the east that provides extra parking provision, as well as steps leading up to the annex.

3. Current accommodation for the annex is a sitting room, bedroom, shower room and kitchenette, with an internal floorspace of 38.6m².
4. There is a dwelling (no. 5 Wheatsheaf Lane) immediately to the east of the annex on the same raised ground level, separated by a 1.7m high fence.

Proposal

5. The application as originally submitted was to change the use of the annex to a separate 2 bed dwelling, as well as a single storey rear extension to accommodate a change of layout and an additional bedroom.
6. Following consideration of the scheme as well as the site history (see below), and discussions with the agent, the proposal was revised to extend the building as previously proposed, but maintain its use as ancillary accommodation to the host dwelling (no. 85 Main St), rather than a separate dwelling in its own right.
7. The rear extension would be approximately 7m wide, 5.9m long and 3.9m high, with a pitched roof. Materials would be coursed rubble stonework and pantile roofing to match the existing building.
8. The plans are attached as an appendix.

Relevant Planning History

Application	Description	Decision
85/0207	Conversion of barn with extensions to form a dwelling	Refused
85/0372	Conversion of and extension to existing barn to form a granny-annex	Permission

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 16 - Conserving and enhancing the historic environment

Core Strategy DPD

CS19 - Promoting Good Design

CS22 - The Historic and Cultural Environment

Site Allocations and Policies DPD

SP15 - Design and Amenity

SP20 - The Historic Environment

Greetham Neighbourhood Plan (2017)

CH1 - Built Form

Supplementary Planning Document - Extension to Dwellings

Consultations

9. **Greetham Parish Council**
Support – The car park should be clearly marked for the extra two parking spaces
10. **Public Rights of Way Officer**
No comments or objections
11. **Conservation Advisor**
No objection
12. **Highway Authority**
No objection

Neighbour Representations

13. None

Planning Assessment

14. At the Statutory level, The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
15. Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF 2019). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
16. The main issues are the relationship of the annex to the host dwelling and the neighbouring properties.

Annex

17. With regard to the original proposal for a separate dwelling, officers considered that this would create an unacceptable relationship with the current host dwelling. As set out above, in 1985 there was an application refused for the conversion of the building to a separate dwelling (reference no. 85/0207). One of the reasons for refusal related to the tandem development/relationship with the host dwelling. Permission was subsequently granted for the current annex later that year (85/0372), with a condition imposed requiring it only to be occupied as ancillary accommodation.
18. The revised plans submitted during the lifetime of the application changed the proposal and removed the proposed separation of the site, resolving this issue.

The size of the extension is not excessive in relation to the existing building or the garden, and the building would still be ancillary to the main house (a fresh ancillary accommodation condition is proposed to secure this). Additionally, the extension would not be visible from the road/public viewpoints, and would not have a detrimental impact upon the character or appearance of Greetham Conservation Area.

19. As such it is considered that the proposal as revised would not be contrary to Sections 12 and Section 16 of the NPPF (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014), or the Greetham Neighbourhood Plan (2017).

Residential Amenity

20. The neighbour to the east has two small side windows that face the application site near to where the proposed rear extension would be located. These are secondary windows serving a bedroom and lounge. Given the primary windows to the north and south, as well as the existing boundary fence, it is considered that there would not be a detrimental impact upon the neighbour's amenity in terms of overbearing impact or loss of light as a result of the proposed extension. Additionally, no objection has been received.
21. Taking into account the nature of the proposal and its small scale, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the 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).

Highway issues

22. The comments from the Parish are noted, albeit relate to the original proposal for a separate dwelling. Notwithstanding this, there are two parking spaces shown on the plan in addition to the existing off-street parking for the main dwelling. The property does not access directly onto Main Street and therefore are able to turn on the small private road before accessing the public highway.
23. 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 the Section 9 of the NPPF (2019).

Crime and Disorder

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

Human Rights Implications

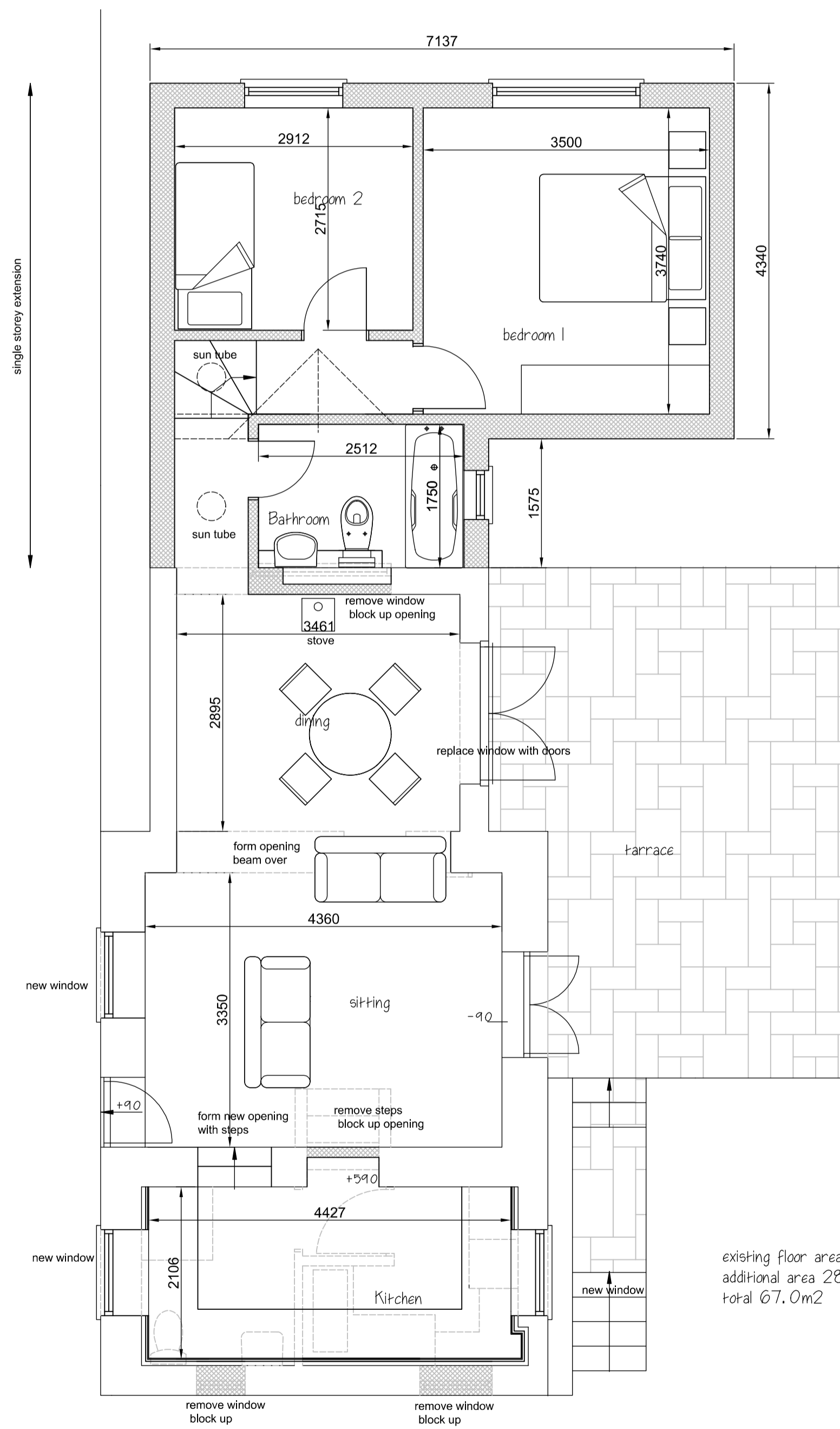
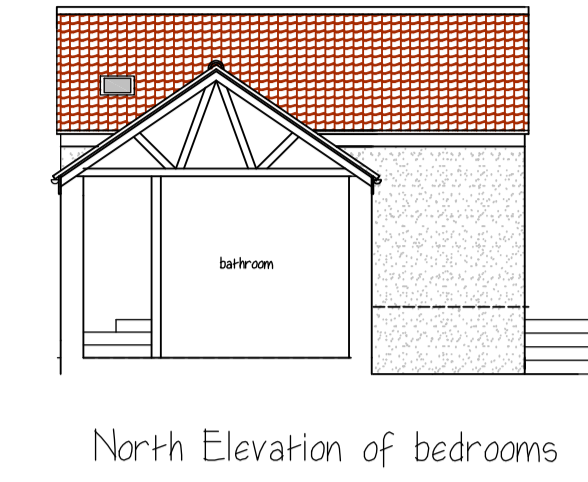
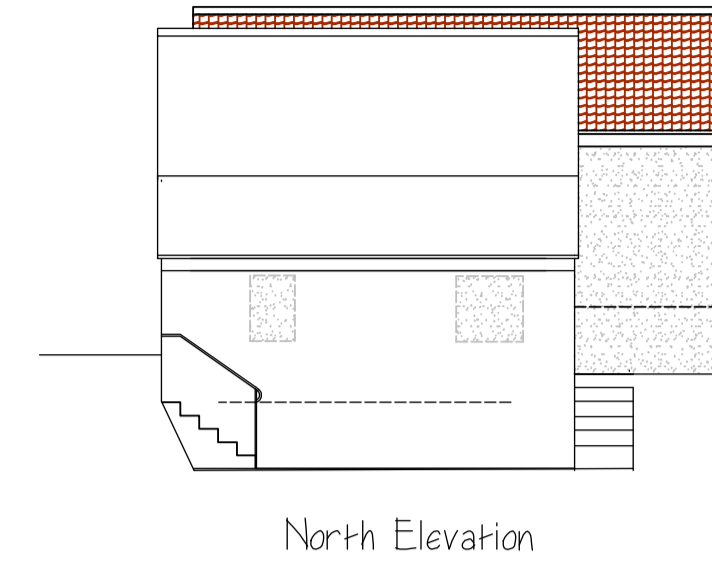
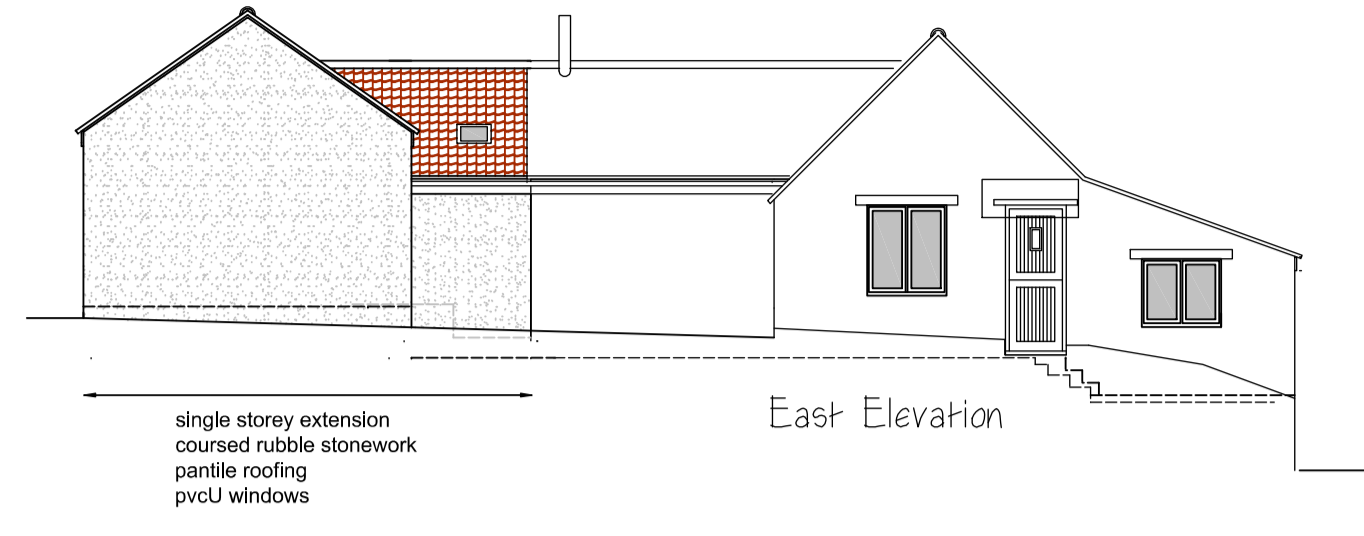
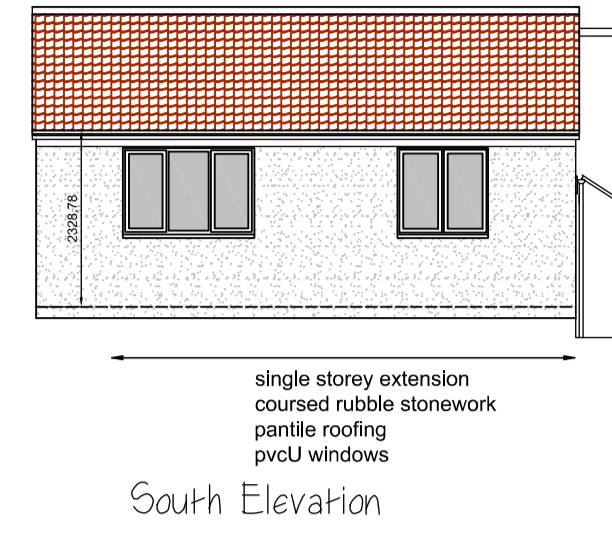
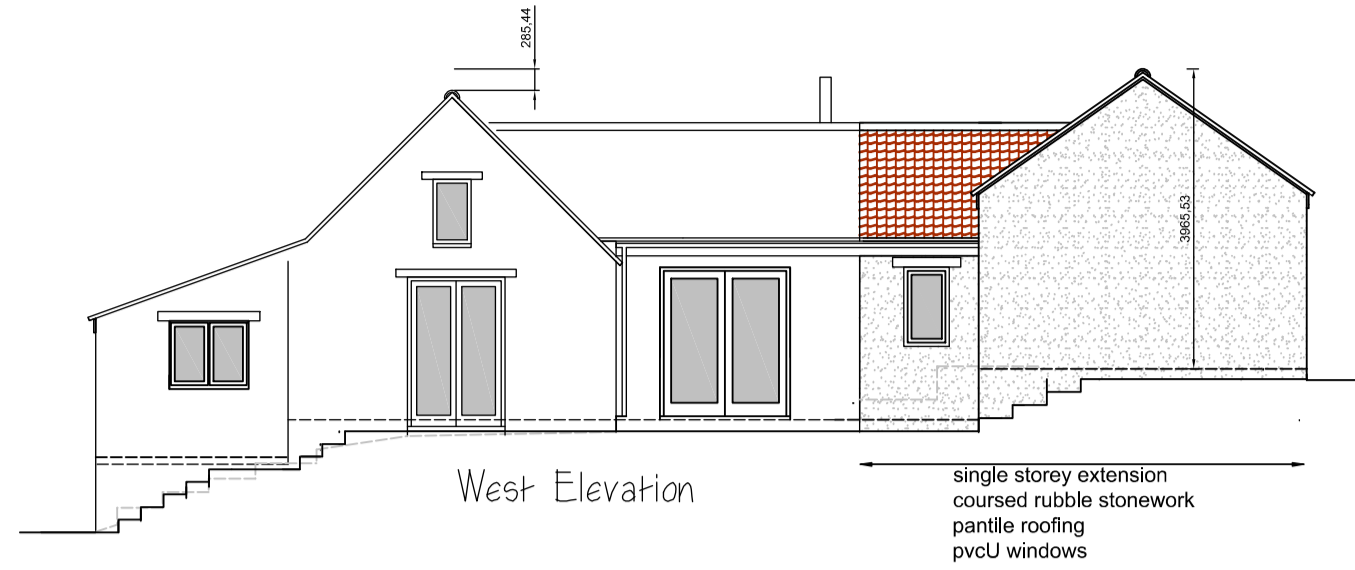
25. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this

recommendation. It is considered that no relevant Article of that act will be breached.

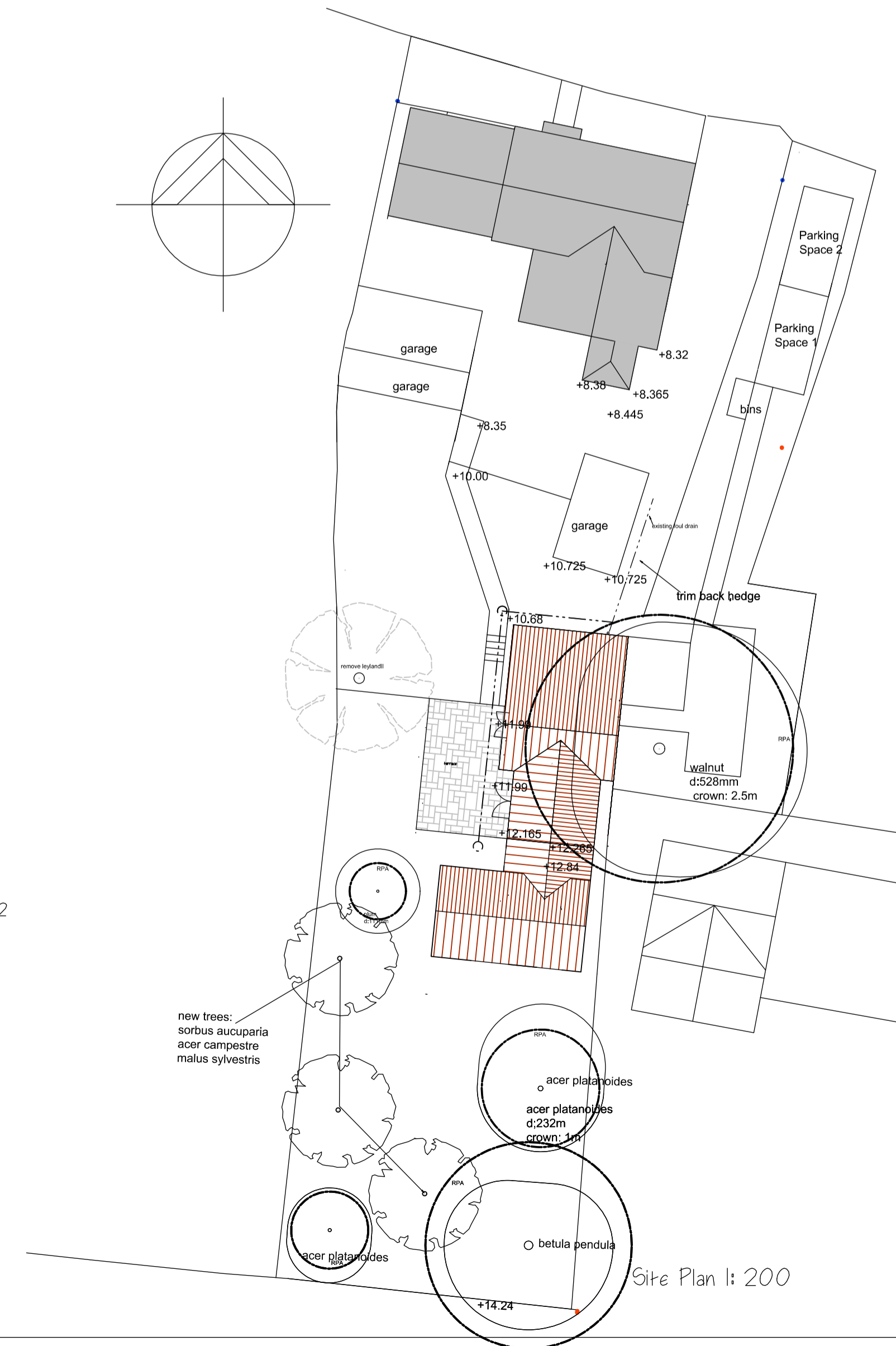
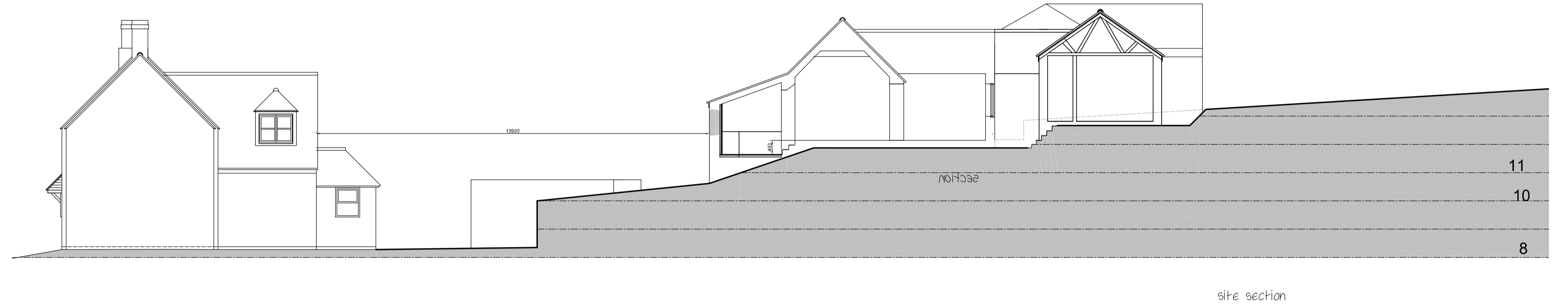
Conclusion

26. Taking the above into account, it is considered that the proposal as revised is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 and 16), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and the Greetham Neighbourhood Plan (2017).

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existing floor area 38.6m²
 additional area 28.4m²
 total 67.0m²



Revision E: garden separation removed: cottage to be ancillary to main house only
 Revision D: garden division amended.
 Revision C
 cottage to be ancillary to main house, separation of garden omitted

© McCombie Smith Architects

MS.
McCombie Smith Architects
 71 Main Street . Greetham . Rutland . LE15 7NJ
 Tel 01572 812808

Garden cottage
 85 Main Street
 Greetham,
 For Mr & Mrs Brett
 sketch plans & Elevations

SCALE 1:50, 1:100 on A1
 DATE Dec 2020
 DRAWN KM

893/20/2G

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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

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Application:	2021/0117/FUL	ITEM 4	
Proposal:	Erection of a single storey pre-fabricated modular building to provide consulting rooms for a temporary period of 3 years		
Address:	Empingham Medical Centre, 39 Main Street, Empingham		
Applicant:	Empingham Medical Centre	Parish	Empingham
Agent:	Mr P Elliott	Ward	Normanton Ward
Reason for presenting to Committee:	At the request of the Development Control Manager		
Date of Committee:	1 June 2021		

EXECUTIVE SUMMARY

To site a single storey pre-fabricated modular building to provide 3 additional consulting rooms. The building would be located in the adjacent car park, measuring 14.8m in length, 4.2m wide and 2.9m High.

In order to accommodate the building on site it is proposed to remove all the existing 11 car parking spaces and install 2 additional disabled bays increasing the total number to disabled bays from 2 to 4. The existing two bays would be relocated and two additional bays would be located on the southern side of the car park adjacent the copse of trees and the garden area of the adjacent property know as Wheelwrights Barn.

The objection from RCC Highways cannot be addressed satisfactory and with reference to the need to provide additional car parking spaces to meet the proposed use and the existing parking problems referred to along Main Street and Willoughby Gardens, the proposal is therefore unacceptable in this respect, as it would be not be in accordance with Section 9 of the NPPF (2019) and SP15 of the Site Allocations and Policies Development Plan Document (2014)

RECOMMENDATION

REFUSAL, for the following reasons:

The proposed prefabricated building would result in the loss of existing onsite parking space and does not make suitable alternative proposals for the loss of the existing parking bays or for the new parking spaces required to meet the need for 3 additional consultation rooms. The proposal would thereby result in a short fall of 18 car parking spaces not being able to be accommodated within the curtilage of the application site. This would result in vehicles parking on the public highway and or which would be detrimental to highway safety and contrary to Section 9 of the NPPF (2019), Policy SP15(I) ' Access and Parking' and Appendix 2 (Parking Standards) of the Site Allocations and Polices Development Plan Document Adopted 2014.

Site & Surroundings

1. The application site is the existing car park ancillary to Empingham Medical Centre accessed from Willoughby Drive. The site is located with the Empingham

Conservation Area and adjacent a Grade II Listed Building abutting the western elevation of the existing car park, No 2 Crocket Lane.

2. The existing car park is set back from the road behind the building line of the existing Medical Practice. The entrance of the car park is screened by a low stone wall and a number of mature trees located within the application site and on the existing grass verge forward of the eastern boundary. The car park is screened from the rear garden with 37 Main Street and 2 Crockets Lane by a 1.8m high boundary fence and wall.
3. The prefabricated building would be locate along the northern boundary of the existing car park parallel with the rear garden boundary of No 37 Main Street. The western elevation would be located 1.1m from the rear garden boundary of No 2 Crocket Lane, a Grade II Listed Building

Proposal

4. To site a single storey pre-fabricated modular building to provide 3 additional consulting rooms. The building would be located in the adjacent car park, measuring 14.8m in length, 4.2m wide and 2.9m High.
5. In order to accommodate the building on site it is proposed to remove all the existing 11 car parking spaces and install 2 additional disabled bays increasing the total number to disabled bays from 2 to 4. The existing two bays would be relocated and two additional bays would be located on the southern side of the car park adjacent the copse of trees and the garden area of the adjacent property know as Wheelwrights Barn.
6. The existing car park is screed from the rear garden with 37 Main Street and 2 Crockets Lane by a 1.8m high boundary fence and wall
7. It is was proposed as part of the original submission that externally the walls would be insulated wall panels clad with plastisol steel and coloured, goosewing Grey BS 10A0. The roof fascia would be coloured Grey RAL7042 and doors and windows coloured Anthracite RAL7016
8. During the determination period the applicant's agent has agreed that proposal could be for a temporary period of 3 years, provided an access ramp, and increase the number of disabled spaces on site by 2 thus providing 4 in total and provided additional drawing to show that vehicles can still manoeuvre on site. In addition specific details have been provided of the make and model of the proposed air source heat pumps.

Relevant Planning History

Application	Description	Decision
83-0228-9	Construction of extension to existing doctors surgery building after partial demolition and construction of new car park with new	Planning Permission Granted 12 August 1983

vehicular access and
pedestrian access to
Willoughby Drive
existing surgery building
and No 39 Main Street
Empingham

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 12 - Achieving well-designed places

Chapter 16 - Conserving and enhancing the historic environment

Chapter 15 - Conserving and enhancing the natural environment

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Site Allocations and Policies DPD (2014)

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP20 - The Historic Environment

Core Strategy DPD (2011)

CS04 - The Location of Development

CS03 - The Settlement Hierarchy

CS07 - Delivering Socially Inclusive Communities

CS19 - Promoting Good Design

CS21 - The Natural Environment

CS22 - The Historic and Cultural Environment

Other Policies

Empingham Conservation Area Character Appraisal And Management Proposals (2014)

Consultations

9. Conservation Area Officer
10. The application site is located in the Empingham Conservation Area and there are Listed Buildings nearby. The application should therefore be accompanied by a Heritage Impact Assessment as required by paragraph 189 of the NPPF:
11. “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”
12. Following the submission of a Heritage Impact Statement a further response was received stating;
13. The site for the building is in the Empingham Conservation Area and would impact on the setting of Grade II Listed buildings fronting Crocket Lane.
14. A building in this location and of the design proposed would neither preserve nor enhance the character or appearance of the Conservation Area or the setting of nearby Listed Buildings. It would normally only be appropriate for a building such as that proposed to be located in such a sensitive position for a limited period until permanent accommodation could be provided.
15. However, if the building were to be clad in timber boarding of a natural finish, this might go some way to mitigating its harmful impact on the surroundings.
16. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
17. Paragraph 194 goes on to require that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
18. In instances where it is concluded that there would be less than substantial harm to the historic environment, paragraph 196 of the NPPF requires that harm be weighed against the public benefits of the proposal. This is a matter for the decision maker to come to a judgement on having regard to all the relevant issues.
19. I would assess the degree of harm to the historic environment in this instance to be less than substantial.
20. In response to additional information received from the applicant’s agent about the exterior appearance of the proposed building;

21. In the interests of mitigating the harmful impact on the immediate surroundings, I would suggest that in this instance the Facing Brickwork Wrap would be the most appropriate option for the exterior of the modular building.
22. Second choice would be Honesty with the grey windows.
23. Empingham Parish Council
24. Discussed this application at Parish Council meeting on 10 March. Empingham is a large village/Local Service Centre providing key services for other settlements. Probably the most important of these is medical services provided by the Medical Centre which is rated "good" with the best customer service, and customer satisfaction rating, in East Leicester and Rutland. Patient numbers have increased about 600 in the last eight months. The physical facilities urgently need to be increased to provide additional consulting rooms to meet current and future demand for high quality medical services from settlements in the Centre's extensive catchment area from Whissendine in the west to Stamford in the east.
25. The proposed use of a prefabricated modular building to consulting room standards is a sensible solution to meet an urgent need. EPC assumes that as a modular building it will be connected to existing services with no need for extensive foundations or groundworks. EPC also assumes it is "temporary" in so far as if the need arose it could be disconnected from those services and moved elsewhere.
26. Empingham Medical Centre is within the village Conservation Area (CA) at the southern edge of that Area. It is proposed to locate the modular building behind the Medical Centre in the car park to the south of the main building. It would not be visible from Main Street or the historic core of the village. Indeed it should only be visible from a limited stretch of Willoughby Drive opposite the entrance to the car park. The light grey colour of the building is not dissimilar to the grey of stone walls in the CA.
27. EPC considers it would not have an adverse effect on the CA. EPC supports the application and early implementation of the proposal to extend the physical facilities at the Medical Centre and good medical services to residents.
28. RCC Highways
29. Object to the proposal.
30. The practice currently only has 11 car parking spaces and 2 disabled bays. The parking currently serves the doctors, nurses, receptionist, pharmacist, and the patients. The practice does not have enough parking spaces for the current use

which results in on street parking along Main Street and Willoughby Gardens as shown in the google maps image below:



31. Due to the bends in the road of Willoughby Gardens there is limited forward visibility. The on street parking reduces the road width to 1 vehicle width. If two vehicles meet, going in opposite directions, one is forced to reverse a long distance before there is sufficient space for the other vehicle to park.
32. Additionally vehicles parking on both Main Street and Willoughby Gardens park either close to the junction or on the junction. This reduces the visibility of vehicles exiting Willoughby Gardens onto Main Street and is against rule 243 of the highway code

Proposed development

33. Application 2021/0117/FUL is proposing to remove all 11 car parking spaces and install 2 disabled bays; taking the total parking number to 4 disabled bays.
34. Any new development should keep the existing parking for the building and increase the parking for the new development. As per RCC site allocations and development plan documents the parking standards for a D1 non-residential institution (clinics, health centres, surgeries), require one space per member of staff employment plus two car parking. The proposed development has 3 consultation rooms and therefore will require 9 additional parking spaces. Bringing the total of parking spaces required for the site to 22 (disabled bays inclusive).
35. It should be noted that Empingham Parish Council have submitted a number of highway concerns to the highways and transport working group for Main Street and the surrounding areas. The proposed development will result in additional on street parking, possibly in dangerous location, and result in more vehicles coming to Empingham to use the services due to the size of the practices catchment area.

36. Things the applicant could look at to try and mitigate the highway issues
1. Travel plan for staff
This must include parking facilities for all the staff
The applicant could propose an off-site parking area within the village and provide a bus service to the practice for the staff
 2. -Parking for patients
 3. Possible highway improvements (to be carried out under a S278 agreement, or through RCC funded by the applicant)
 - It should be noted that the current parking strategy does not support double yellow lines in villages. This document is currently under review.
 - Double yellow lines could be considered to guide drivers where to safely park on street. At present drivers in this area do not park safely and park on/near the junctions and on bends. This reduces the visibility and road width
 - Enforcement will rely on resources available. Double yellow lines and dangerous/inconsiderate parking can be enforced by the police, however police resources are very limited.
- Provide 22 car parking spaces at another location near the practice
37. Environmental Protection
38. No objection subject to conditions.
39. Ecology Unit
40. It appears from the plans that the development will not result in the removal of any trees. There are some boundary hedgerows and trees which may need some maintenance e.g. pruning, therefore I recommend that the following note to applicant is added to any planning permission, should it be granted:
41. 'Vegetation clearance must either take place outside the bird-nesting season (March to July inclusive), or within 24 hours of the 'all-clear' from an appropriately qualified ecologist following a negative bird-nesting survey. Netting to prevent bird nesting may only be done with prior approval of the LPA.'
42. Rutland Access group
43. 'I am writing on behalf of Rutland Access group who have concerns about the proposed additional consulting rooms at Empingham Medical centre. It is noted that a portacabin solution is being proposed and this results in a ground floor level 309mm above external ground level. There is no indication of a ramp being created to provide full disabled access to the building. At the 1:15 maximum slope this would require a ramp of over 4.5m long. This is not shown on any drawings so I would presume that this is not to be provided. The Rutland Access Group thus object very strongly to this proposal.
44. Parking is already an issue at this surgery and there is no indication of how this proposal will affect the parking arrangements. I would hope that the disabled parking facilities will not be removed as a result.'

Neighbour Representations

45. Mr Allun Evans

I have no objections to the propose plans. I would only ask that consideration to lighting in the remaining car park is installed with sympathy to our property in that it does not shine directly into our windows as it does at present.

46. Mr & Mrs Evelyn and Gavin Burns

As the long term occupiers of Hallstones my wife and I are concerned at the proposal to park a visually intrusive commercial building on the car park adjacent to our garden in a conservation area. This adds nothing to the value of our house. Will there be further buildings until we are obliged to move?

47. Mr Neil Johannessen

Have selected 'Neutral' as my stance because, whilst in no way 'objecting' to the intention of this proposal, nor can I 'support' the proposal as detailed in the application.

No one should doubt the potential benefit that will come from adding more consulting rooms to the Medical Centre, and certainly, given the obvious constraints of the site and the conservation area location, the challenges of doing so are many and various. But, from the perspective of the local community and the users of the Centre, there is not enough detail in the application for a full understanding of the outcome and its implications.

For example, whilst it is abundantly clear that there will be fewer car parking spaces (with obvious consequences for street parking) precisely how many will there be? How will they be laid out and marked? Will there still be three disabled bays?

And how will the site work in terms of pedestrians, deliveries and collections? There is already little enough room for the vans that visit to manoeuvre. The Site Plan drawing shows a simple rectangle for the structure, but there is a canopy over the door (and presumably also some sort of ramp for wheelchair access?) and there are Air-Con units and other services along the back, all of which will require service access. Is the position and are the extremities and protrusions really as simple and certain as the simple as the submitted drawing shows? Presumably there will also need to be clearly defined and marked (and protected?) pedestrian pathways between the annexe building and the Centre?

Any and all of these factors could make for a very different layout and functionality of the site than the current level of detail gets near to providing. And the time to be sure is now, not after a unit arrives.

Planning Assessment

48. The main issues are the visual impact on the character and appearance of the Empingham Conservation Area and setting of nearby Listed Buildings, the loss of existing on site car parking and no additional car parking provision to serve the proposed development.

Impact on the Conservation Area and setting of Listed Buildings

49. A building in this location and of the design proposed would neither preserve nor enhance the character or appearance of the Conservation Area or the setting of nearby listed buildings. It would normally only be appropriate for a building such as that proposed to be located in such a sensitive position for a limited period until permanent accommodation could be provided.
50. The Conservation Area officer originally stated that 'if the building were to be clad in timber boarding of a natural finish, this might go some way to mitigating its harmful impact on the surroundings. In response to this request
51. The applicant's agent has stated that with regards to the external finish of the proposed building that the vertical timber cladding would be too expensive for a building required for such a short period of time.
52. As an alternative, following further discussions with the Conservation Area Officer, in the interests of mitigating the harmful impact on the immediate surroundings, The Conservation Area Officer has stated that that he would suggest that in this instance the Facing Brickwork Wrap would be the most appropriate option for the exterior of the modular building. Second choice would be Honesty with the grey windows
53. In response the applicant's agent has stated that 'Portakabin (manufacturer of the prefabricated building) have confirmed to have a plain colour the additional cost to the client is £645.00, (Honey Colour – The Conservation Area officers third preference) however, for the brick wrap there is an uplift of £9000.00. The applicant has not included for this in their budget for the project therefore they would prefer the external walls to be 'Honesty' colour.
54. In the interests of mitigating the harmful impact on the immediate surroundings, although a timber clad building or a building finished in a brick wrap would be preferable in this instance the proposal to finish the exterior of the building in a colour known as 'Honesty' with the grey windows is considered acceptable to in the interests of mitigating the harmful impact on the immediate surroundings, subject to permission been granted for a temporary period.

Car Parking

55. The application as referred to in the response from RCC Highways, proposes to remove all 11 car parking spaces and install 2 disabled bays; taking the total parking number to 4 disabled bays.
56. In addition to retaining the existing on-site parking, The Adopted Parking standards require an increase in on-site parking to meet the demands of the new development. For non-residential institution (clinics, health centres, surgeries), the standards require one space per member of staff employment plus two car parking. The proposed development has 3 consultation rooms and therefore would require 9 additional parking spaces. This would bring the total number of parking spaces required on site to 22 (disabled bays inclusive). This represents a significant shortfall, with only 4 spaces being able to be accommodated on site. Due to the lack of any alternative provision to address the shortfall of on-site parking on site, in combination with the on street parking issues identified in the consultation response from RCC Highways, it is considered that the proposed development would only result the existing on street parking being made worse.

Access into the building

57. In relation to the comments received from Rutland Access Group, the applicant's agent has submitted a revised drawing showing the provision of a ramp, 5m in length and has confirmed that the two existing disabled parking spaces would be retained together with the addition 2 additional spaces. Due to space constraints the existing two spaces are proposed to be relocated along the southern boundary. The existing area taken up by the two disabled spaces is identified on the revised drawings as being a pedestrian zone to allow safe movement of pedestrians between the proposed prefabricated building and the entrance to the existing medical centre.
58. A copy of the revised drawing had been sent to Rutland Access Group but at the time of writing the report to response had been received.

Noise

59. In relation to comments received from neighbours concerning the issues of potential noise nuisance the applicant's agent has provided additional information. In response to the information provided Environmental Protection have stated that 'the predicted noise levels 1m from the nearest noise sensitive facades of 37 Main Street and 2 Crocket Lane will be low in the order of 30 dBA, assuming all three units (make and model as specified by the applicant) are operating simultaneously. 30dBA is a low level of noise where houses and similar uses are already present such as the Surgery, therefore I don't think refusal could be justified on noise grounds. A low level of noise at times will be audible in neighbour's gardens, but this shouldn't be a significant impact given most forms of heating, cooling and ventilation generate low levels of noise that will be audible in neighbouring areas / gardens.
60. The predicted noise levels assumes the units are as specified 'Daiken and model RXM20M9' installed at ground level as shown in drawing reference OPP1172779 Rev. C. the orientation of the building is as shown in PTK20-02 Rev. A. and the 1.8m high boundary fence / wall or similar solid structure remains on the boundaries with 37 Main Street and 2 Crockets Lane. I would advise that if the application is approved, condition(s) should require that the proposals are followed as submitted and maintained for the life of the development to avoid unexpected impacts;
1. The heat exchange units installed are those specified by the applicant 'Daiken and model RXM20M9' and that they should be installed at ground level in the positions shown on the submitted drawings.
 2. The 1.8m high boundary fence / wall or equivalent solid structure on the site boundary with 37 Main Street and 2 Crockets Lane should be retained.

Impact on amenities of neighbouring properties

61. The modular building is surrounded by fence and/or stone walls on all sides. The fencing to the immediate north is an 1800mm high close boarded fence. On the western boundary is a stone wall and trellis fencing, and shrubs which run into a close boarded fence along the southern boundary, covered by ivy and other evergreen plant growth. There are also a number of trees to the south and in the south-east corner in which would limit any open views of the proposed new structure.
62. Although the prefabricated building would be located near to the rear garden boundary of No 37 Main Street only the top 0.2m of the proposed building will rise up above the existing boundary fence. This would be a similar relationship to the rear boundary of No 2 Crocket Lane. However there is also vegetation that will break up direct views of the end elevation.

63. In relation to the comments from Environmental Protecting it is considered that any noise nuisance could be mitigated by a suitably worded condition.
64. On this this it is considered that the proposed location of the prefabricated building would not have an adverse impact on the amenities of the neighbouring properties to justify refusal of the application.

Crime and Disorder

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

Human Rights Implications

66. 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.
67. It is considered that no relevant Article of that act will be breached.

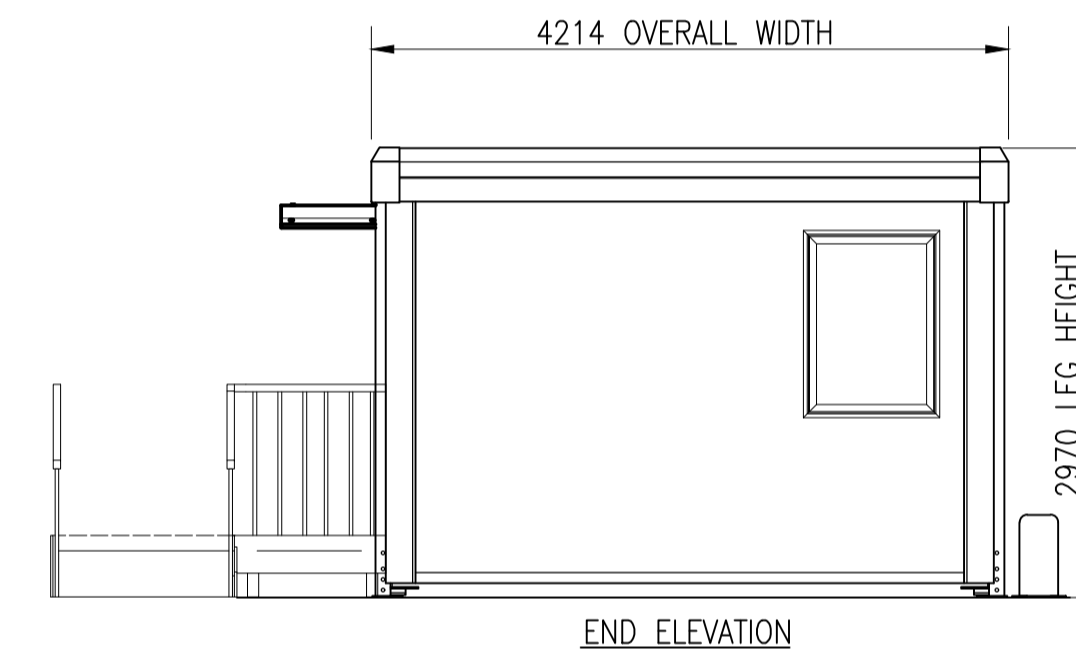
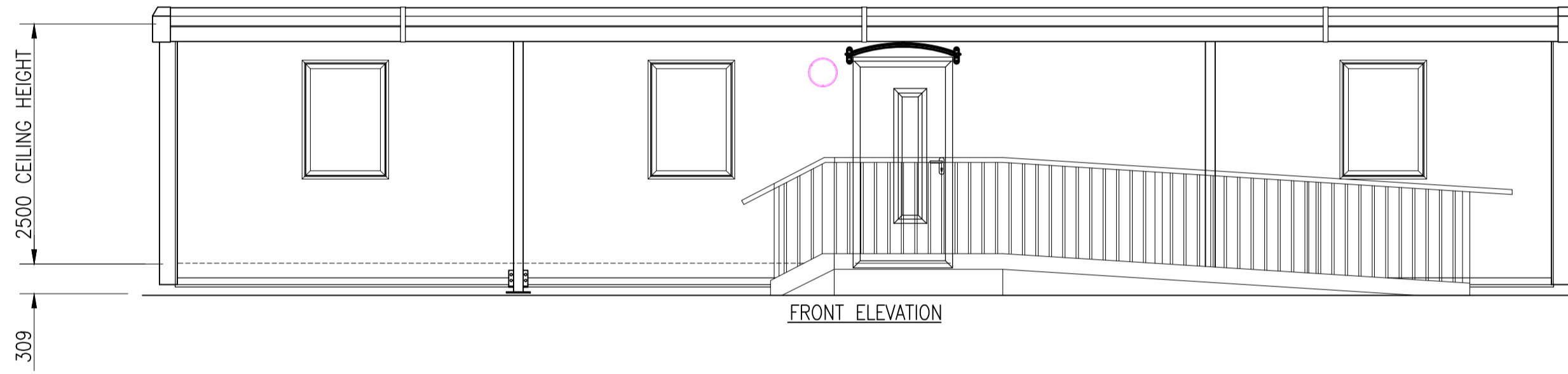
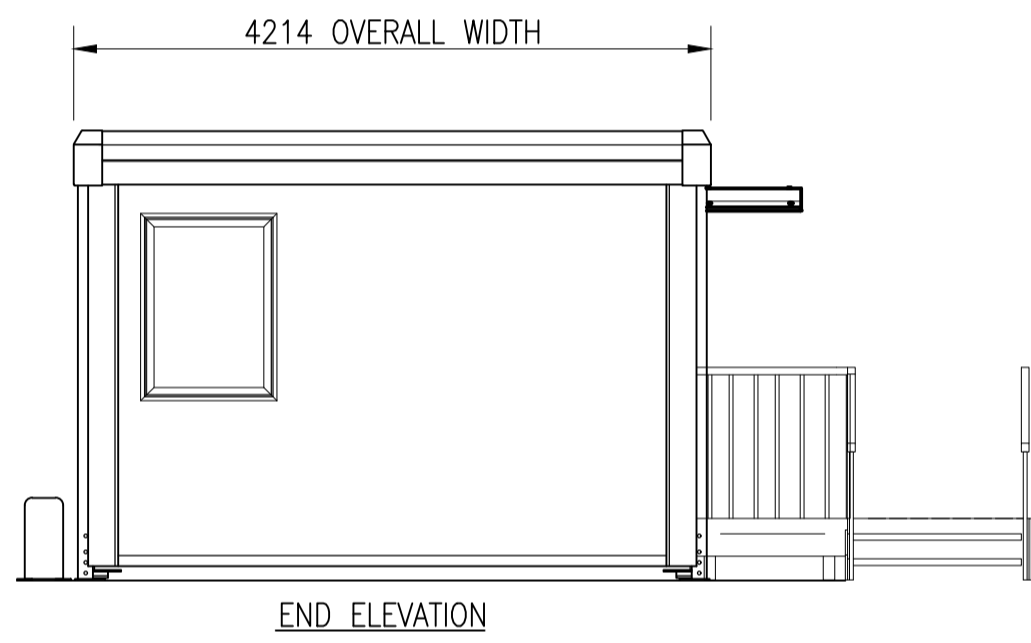
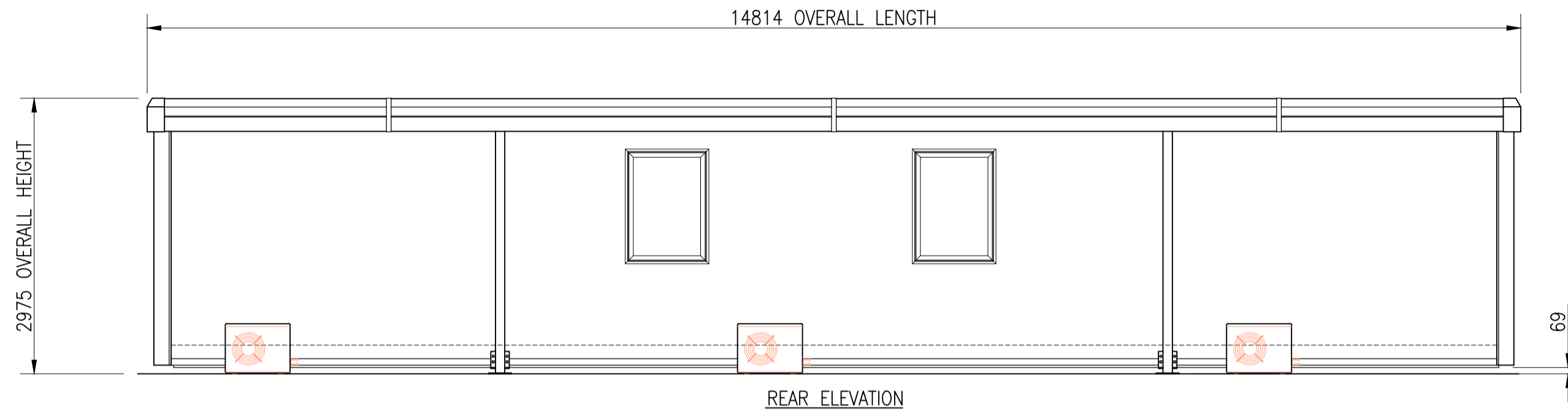
Conclusion

68. While the development is located within the planned limits of development for Empingham, and the proposal will have benefits for the users of Empingham Medical Centre. Although it is considered that an argument could be made that the proposed development would not have a significant adverse impact upon the character and appearance of the Empingham Conservation Area and setting of the neighbouring Listed Building due to the development been for a temporary period of time to meet an essential service use (provided the external finish is revised in accordance with the Conservation Officer comments) and that on balance the less than significant harm could be outweighed by the wider public benefits of the scheme, the objection from RCC Highways cannot be addressed satisfactory and with reference to need to provide additional car parking spaces to meet the proposed use and the existing parking problems referred to along Main Street and Willoughby Gardens, the proposal is therefore unacceptable in this respect, as it would be not be in accordance with Section 9 of the NPPF (2019) and SP15 of the Site Allocations and Policies Development Plan Document (2014)

That PLANNING PERMISSION BE REFUSED on the following ground:

69. The proposed prefabricated building would result in the loss of existing onsite parking space and does not make suitable alternative proposals for the loss of the existing parking bays or for the new parking spaces required to meet the need for 3 additional consultation rooms. The proposal would thereby result in a short fall of 18 car parking spaces not being able to be accommodated within the curtilage of the application site. This would result in vehicles parking on the public highway and or which would be detrimental to highway safety and contrary to Section 9 of the NPPF (2019), Policy SP15(I) ' Access and Parking' and Appendix 2 (Parking Standards) of the Site Allocations and Polices Development Plan Document Adopted 2014.

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STANDARD COLOURS

External:	Walls and wall trims	-	Goosewing grey nearest BS ref 10 A 05
	Corner trims	-	Silver
	Roof	-	White nearest BS 4800 ref 00 E 55
	Lodastrut legs	-	Grey BS 4800 ref 00 A 05
	Fascia	-	Grey RAL 7042
	Windows	-	Anthracite RAL 7016
	Door leaf	-	Anthracite RAL 7016
	Door Frame	-	Satin silver anodised aluminium



Portakabin Limited Huntington York YO32 9PT
Telephone 01904 611655 Fax 01904 611644

Project Consultation Room
Building
Empingham Medical
Centre
Client

Title
TITAN TN154
SPECIFICATION
DRAWING

Date 11/09/20 Drawn RH

Scale 1:50 @ A1

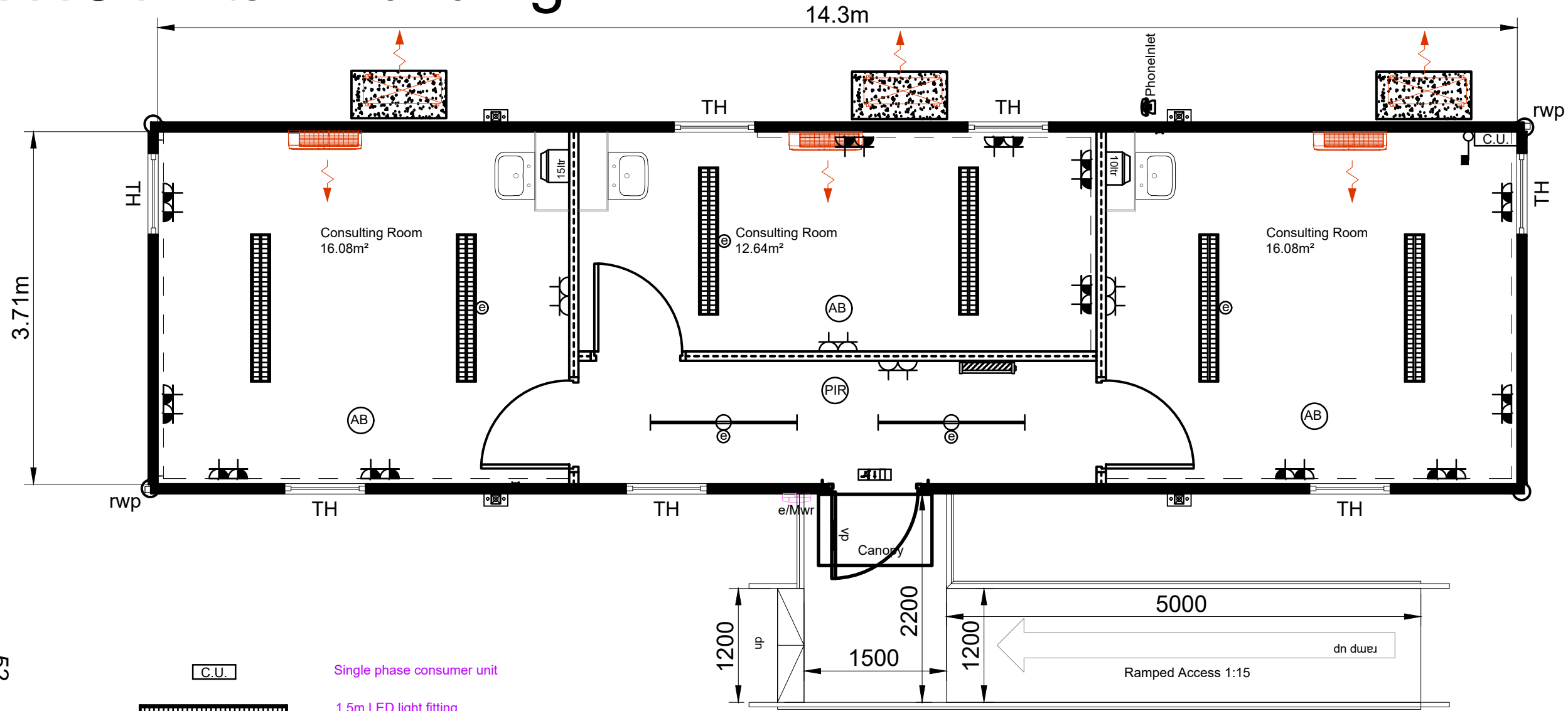
Drg. No. OPP1172779 Elevation Rev. A

TN154 Titan Building

2021/0117/FUL

APPENDIX 2

Do not scale off this drawing. All discrepancies to be reported to Portakabin Limited.



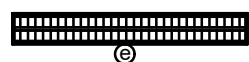
52

C.U.

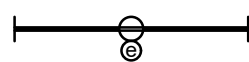


Single phase consumer unit

1.5m LED light fitting



1.5m LED light fitting with emergency light



1.5m LED light fitting with emergency light c/w diffuser



LED Bulkhead light fitting c/w emergency and Microwave sensor



PIR to light (presence)



Absence detector (office)



30min / Acoustic Partitioning



2KW convector heater



3hr, N/M emergency light c/w legend



Emergency light key test switch



15 litre unvented water heater



10 litre unvented water heater



3 compartment trunking CAT 5



2 gang switched socket



2 gang switched socket (Mounted above worktop/dado)

NOTE

- BUILDING & LEGS IN GOOSEWING GREY 10A05
- WINDOWS IN ANTHRACITE RAL 7016
- DOOR PANEL IN ANTHRACITE RAL 7016
- FASCIA IN TRAFFIC GREY RAL 7042
- HTM COMPLIANT WASH HAND BASINS
- FULL HEIGHT IPS TO HTM WASH HAND BASINS
- IPS COLOUR M134 MARBRE
- SELF COVERED AND WELDED NON-SLIP FLOOR VINYL WITH BLACK CAPPING STRIP FITTED THROUGHOUT IN LILAC BLUE 4580
- PLUMBING SERVICES THROUGH THE WALL
- FIRE AND INTRUDER ALARMS BY OTHERS
- CAGES TO EXTERNAL A/C UNITS
- FINGER GUARDS TO DOORS

Floor Area 53.24 m²
Ceiling Height 2.5 m

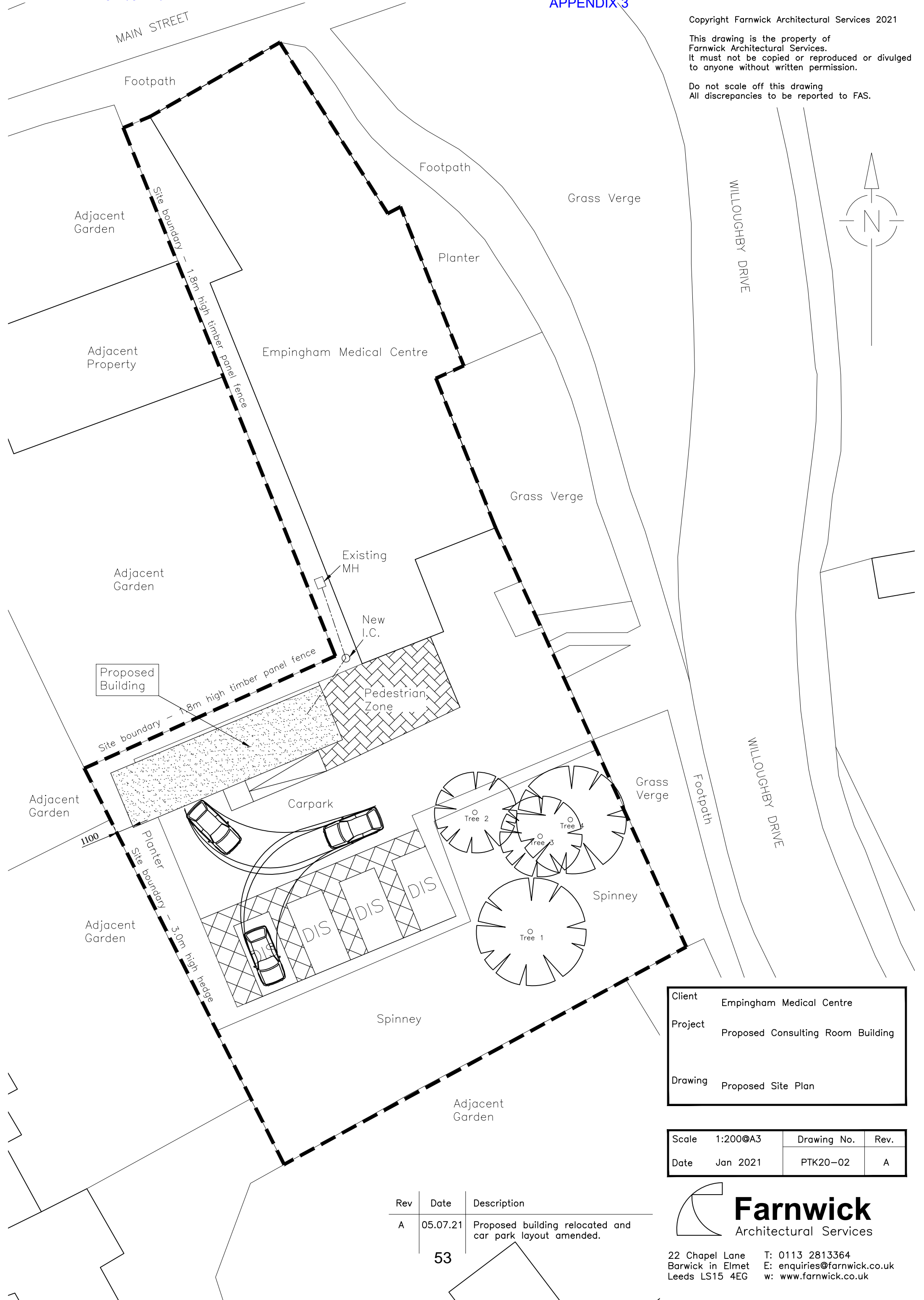
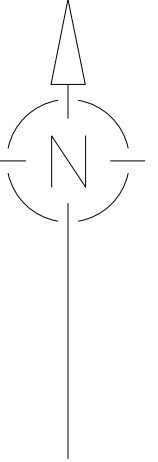
Window Key
TH = Top Hung

Rev	Item	Name	Date
A	Fascia colour amended to Traffic Grey in notes. IPS added to middle sink unit.	L Hodgson	21/01/21
B	Colour notes added.	L Hodgson	09/02/21
C	Ramp added.	HH	22/03/21



Portakabin Limited Huntington York YO32 9PT
Telephone 01904 611655 Fax 01904 611644

Project		Consulting Rooms	
Client		Empingham Medical Centre	
Title Floor Plan 400015384 FOR APPROVAL	Date	10/09/20	Drawn RH
	Scale		1:50 @ A3
	Drg. No.	OPP1172779	Rev.



Client	Empingham Medical Centre	
Project	Proposed Consulting Room Building	
Drawing	Proposed Site Plan	

Scale	1:200@A3	Drawing No.	Rev.
Date	Jan 2021	PTK20-02	A

Rev	Date	Description
A	05.07.21	Proposed building relocated and car park layout amended.

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PLANNING AND LICENSING COMMITTEE

1st June 2021

APPEALS

Report of the Strategic Director of Places

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No	
Cabinet Member Responsible:	Councillor I Razzell - Portfolio Holder for Economy, Infrastructure and Planning	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160 psharp@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

- 1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/W/21/3266583 – Mr Stephen Fenn – 2020/0612/FUL**
Land at Bridge Street, Ryhall
Construction of 1 no. single dwelling.
Delegated Decision

Reason 1. The land subject to this application is important in its present undeveloped state to both the setting of nearby historic buildings and to the character and appearance of the Conservation Area. The proposed development of this open land would result in a significant change of character to this part of the Conservation Area and would detract from the setting of nearby designated and non-designated heritage assets. The majority of the frontage to Bridge Street being used for car-parking/manoeuvring would also be harmful to the street scene. The harm to heritage assets would be less than substantial but this harm would not be outweighed by the public benefit of a couple of dwellings to the local housing stock. Given this, the proposal would be contrary to Sections 12 and Section 16 of the NPPF (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014).

Reason 2: The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies within the medieval and post-medieval historic settlement core of Ryhall (HER ref.: MLE10188), with the findspot of a Post-medieval (Civil War) coin hoard found immediately to the east (MLE7364). The survival of well preserved archaeological remains is indicated by an appraisal of the available historic maps and plans, which suggests the site has remained undeveloped since the 19th century. The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, an archaeological desk-based assessment and a field evaluation, is required. This has not been provided during the lifetime of the application, and therefore the proposal is contrary to planning policy CS22 of the adopted Core Strategy (2011), Policy SP20 of the Site Allocations and Policies Development Plan Document (2014), and paragraphs 189 & 190 of the National Planning Policy Framework (2019).

2.2 **APP/A2470/W/21/3271524 – Mr T Fiducia – 2020/1001/FUL**

Land North Of Holywell Road, Clipsham, Rutland
Proposed grain store and access track.

Delegated Decision

Reason 1. Noting that a need for the proposed development in this location has not been clearly demonstrated, the proposed track due to its siting and means of construction would involve excavation and laying of stone material on the land it crosses, an additional crossing point over the watercourse together with a wide length of hardstanding at the point of access, all of which would result in the proposed track having a significant detrimental impact on the character and appearance of the countryside in this location contrary to policies CS19 and CS21 of the Rutland Core Strategy (2011), SP7 and SP15 of the Site Allocations and Policies Development Plan Document (2014) which seek to ensure that proposals reflect the landscape character of their surroundings and are sympathetic to the unique character of Rutland's towns, villages and countryside and Sections 12 and 15 of the NPPF (2018).

Reason 2. The Grain Store would be better situated on land directly adjacent to where existing agricultural buildings are sited and not in the

proposed location which would result in the building and track having a significant detrimental impact on the character and appearance of the open countryside contrary to policies CS19 and CS21 of the Rutland Core Strategy (2011), SP7 and SP15 of the Site Allocations and Policies Development Plan Document (2014) which seek to ensure that proposals reflect the landscape character of their surroundings and are sympathetic to the unique character of Rutland's towns, villages and countryside and Sections 12 and 15 of the NPPF (2018).

2.3 APP/A2470/W/21/3271009 – Mr J Allen – 2020/1357/MAF

Land West of Lyndon Road, Manton, Rutland

Change of use from Camping and Caravan Club licenced campsite for 15 pitches (10 tent and 5 caravan or motorhome) to campsite site with 15 pitches for caravans or motor homes.

Delegated Decision:

Reason: The site is within the defined Rutland Water Area, but not within any of the designated Rutland Water Recreation Areas. Additionally, while the land is being used for caravan/camping, this use is run under a Camping or Touring Caravan Exemption Certificate, as opposed to an existing planning permission. As such, the proposed change of use of the site to a public touring caravan site would be contrary to Policy CS24 of the Adopted Core Strategy (2011), which states that 'Caravan and camping sites will not be acceptable outside of the defined recreation areas.'

3. DECISIONS

3.1 APP/A2470/W/21/3267468 – Mrs J Peach – 2020/0518/FUL

Bryher House, 1 Reeves Lane, Wing, LE15 8SD

Creation of new dwelling on land at 1 Reeves Lane, Wing

Delegated Decision

Appeal Dismissed – 7th May 2021

3.2 APP/A2470/W/21/3267469 – Mrs J Peach – 2020/1126/FUL

Bryher House, 1 Reeves Lane, Wing, LE15 8SD

Creation of new dwelling on land at 1 Reeves Lane, Wing

Delegated Decision

Appeal Dismissed – 7th May 2021

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

7.1 Alternatives have not been considered as this is an information report

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 As this is only a report for noting it has not needed to address authority, powers and duties.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment (EqIA) has not been completed for the following reason; because there are no relevant service, policy or organisational changes being proposed.

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 This report gives details of decisions received since the last meeting for noting.

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.