

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 Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 11th January, 2022** commencing at 6.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews
Chief Executive

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Although social distancing requirements have been lifted there is still limited available for members of the public. If you would like to reserve a seat please contact the Governance Team at governance@rutland.gov.uk. We are also now asking attendees to wear face coverings at all times and masks and sanitiser will be available at the meeting. The meeting will also be available for listening live on Zoom using the following link: <https://us06web.zoom.us/j/94690028953>

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 23 November 2021.
(Pages 3 - 10)

3) DECLARATIONS OF INTERESTS

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

4) PETITIONS, DEPUTATIONS AND QUESTIONS

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

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

5) PLANNING APPLICATIONS

To receive Report No. 10/2022 from the Strategic Director of Places.
(Pages 11 - 98)

6) APPEALS REPORT

To receive Report No. 11/2022 from the Strategic Director of Places.
(Pages 99 - 102)

7) ANY OTHER URGENT BUSINESS

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

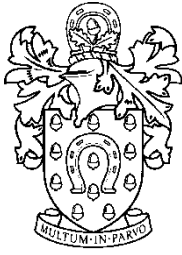
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DISTRIBUTION

MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Councillor E Baines (Chairman)	Councillor N Begy (Vice-Chair)
Councillor D Blanksby	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor P Browne	Councillor W Cross
Councillor J Dale	Councillor A MacCartney
Councillor M Oxley	Councillor K Payne

OTHER MEMBERS FOR INFORMATION



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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

Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 23rd November, 2021 at 6.00 pm

PRESENT:

Councillor E Baines (Chair)
Councillor K Bool
Councillor G Brown
Councillor W Cross
Councillor M Oxley

Councillor N Begy (Vice Chair)
Councillor A Brown
Councillor P Browne
Councillor A MacCartney
Councillor K Payne

**OFFICERS
PRESENT:**

Justin Johnson
Julie Smith
Nick Hodgett
Paul Milne
Darren Burbeary
Sherrie Grant
Tom Delaney

Development Manager
Interim Highways Engineer
Principal Planning Officer
Planning Officer
Planning Officer
Planning Solicitor
Governance Officer

1 APOLOGIES

Apologies for absence were received from Councillor D Blanksby.

2 MINUTES

Consideration was given to the minutes of the meetings held on 2 October, 19 October and 2 November 2021.

RESOLVED

That the minutes of the meetings held on 2 October, 19 October and 2 November 2021 be **APPROVED**.

3 DECLARATIONS OF INTERESTS

Councillor G Brown declared a non-pecuniary interest item 6 – Planning Applications, application 2020/0059/FUL having previously employed a neighbour to the site as a carpenter.

Councillor A Brown declared a non-pecuniary interest in item 6 – Planning Applications, application 2021/0816/FUL as his recent application for a similar proposal was referenced in the officer's report.

Councillors A Brown, N Begy and W Cross declared non-pecuniary interests in item 6 – Planning Applications, application 2021/0698/FUL, as family members had attended Brooke Priory School as pupils, and Councillor Cross declared a further interest as a family member had also been previously employed by the school as a teacher.

Councillor P Browne declared a pecuniary interest in item 6 – Planning Applications, application 2021/0698/FUL as a close friend of the applicant and that he would take no part in the debate, discussion, or vote on the application.

Councillor E Baines declared a pecuniary interest in item 6 – Planning Applications, application 2021/0698/FUL, due to knowing the applicant, and confirmed that he would leave the meeting for consideration of the item and Councillor N Begy would take the Chair.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received:

In relation to item 6 – Planning Applications, application 2020/0059/FUL, David Joyce would be speaking as a member of the public opposed to the recommendation, Andrew Johnson would be speaking on behalf of Morcott Parish Council, and Duncan Hartley would be speaking as the agent.

In relation to item 6 – Planning Applications, application 2021/0698/FUL, David Norell would be speaking as a member of the public in support of the recommendation and Karen Brightman would be speaking as the agent.

In relation to item 6 – Planning Applications, application 2021/0816/FUL, Richard Lees would be speaking as a member of the public opposed to the recommendation, Councillor S Harvey would be speaking as the Ward Member, and Richard Evans would be speaking as the applicant.

5 PLANNING APPLICATIONS

The Chair set out that he would be varying the order of business so that the Committee would first consider Planning Application 2021/0816/FUL so that the Ward Member could speak prior to a further engagement, and the remaining business would be considered in the order set out on the agenda.

Report No.163/2021 was received from the Strategic Director of Places.

Item 4 – 2021/0816/FUL – Land to the South of Teigh Road, Market Overton. Proposed construction of 2 no. dwellings, new vehicular access and associated works including demolition of existing buildings and foul water disposal.

(Parish: Market Overton; Ward: Cottesmore)

Paul Milne, Planning Officer, addressed to Committee and gave an executive summary of the application, recommending refusal subject to the conditions set out in the report.

Prior to the debate, the Committee received deputations from Richard Lees as a member of the public opposed to the application, Councillor S Harvey as the Ward Member, and Richard Evans as the applicant. The Committee also had the opportunity to ask questions of these speakers with Richard Evans supported by Roy Hammond as the agent for the application.

In response to a query raised by a Member asking why the original Class Q building was not built in materials that were now being proposed to enable the building to be in keeping with its surroundings, Roy Hammond stated that the building was not capable for the level of load required and this would have resulted in new structural works which would not have been in line with permitted development rules.

In response to a query raised by a Member as to why the development had been reduced from 3 dwellings to 2, Richard Evans stated that 2 dwellings was an optimal use for the size of the land, and this would retain the sympathetic rural Rutland development that was desired.

Speaking as Ward Member, Councillor A MacCartney stated that the Ward and Market Overton Parish Council were very much in favour of the application.

In response to queries from Members around the Class Q policies and previous applications being approved, Justin Johnson, Development Manager stated that a similar previous application in Thistleton was approved, and this was due to the buildings proposed being on a smaller footprint. The Planning Officer had been in contact with the applicant and discussed the need for the building footprints to be reduced but the applicant had refused to submit amended plans to this effect. The Development Manager affirmed that the recommendation was refusal as outlined within the report but if the applicant wanted to negotiate a slightly reduced scheme, then this could be a more appropriate way forward.

In response to a question from a Member regarding the inclusion of carports and whether these should not be included if there were no CIL contributions, Sherrie Grant, Planning Solicitor stated that from looking at the Design Code there was no reason as to why carports could not be included within the footprint when looking at the overall development. The Planning Officer confirmed that the application would not have been acceptable even if the carports were omitted.

In response to a question from a Member regarding the Council's 5-year housing supply following the withdrawal of the submitted Local Plan and whether the development would affect this, the Development Manager confirmed that Rutland did not have a 5-year housing supply at present and the reduction of 1 dwelling would not have a significant impact on this.

Concerns were raised by a Member that the proposal was for 2 dwellings with 5 bedrooms each and that this was not what the Authority needed for affordable homes when looking at the Strategic Market Assessment which outlined a requirement 2, 3 and 4 bedroom homes. In response the Planning Officer confirmed that the previous Class Q approval was for 3 to 4 bedroom dwellings.

It was moved by Councillor G Brown that the application be refused subject to the conditions in the report. This was seconded and upon being put to the vote with 4 votes in favour, 4 against and 2 abstentions the vote was tied. The Chair used his casting vote to defeat the motion.

The Development Manager then set out a number of recommended conditions should the application be approved. It was moved by the Chair that the application be approved subject to these conditions. This was seconded and upon being put to the vote with 5 in favour, 3 against and 2 abstentions the motion was carried.

RESOLVED:

That application 2021/0816/FUL be **APPROVED** subject to the following conditions:

- 1) Details to be provided on access, the removal of the redundant access and parking.
- 2) Landscape details to be submitted.
- 3) Samples of materials to be provided.
- 4) Drainage details to be submitted.
- 5) Permitted development rights to be removed for further extensions and outbuildings.

The list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

6 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Report No. 162/2021 was received from the Strategic Director of Places. Gareth Brighton, Licensing and Business Manager at Peterborough City Council, presented the report. The purpose of the report was to seek approval of the draft Statement of Principles and to seek the Committee's recommendation to Council for adoption at the meeting on 13 December 2021.

It was moved by Councillor W Cross that the report be approved. This was seconded and upon being put to the vote, with 11 votes in favour the motion was unanimously carried.

RESOLVED:

That the Committee:

- 1) **APPROVED** the proposed revised draft Gambling Act 2005 Statement of Principles, as attached at Appendix D; and
- 2) **RECOMMENDED**, the formal adoption of the proposed Gambling Act 2005 Statement of Principles for Rutland County Council at the meeting of the Council on 13 December.

7 PLANNING APPLICATIONS

Item 2 – 2020/0059/FUL – Land on the North East side of Pingle Lane, Morcott.
Erection of dwelling in line with Para 80 NPPF.

(Parish: Morcott; Ward: Braunston and Martinsthorpe)

Nick Hodgett, Principal Planning Officer, addressed the Committee and gave an executive summary of the application, recommending approval subject to the conditions set out in the report and addendum.

Prior to the debate, the Committee received deputations from David Joyce as a member of the public opposed to the application, Andrew Johnson on behalf of Morcott Parish Council and Duncan Hartley as the agent. The Committee also had the opportunity to ask questions of these speakers.

Duncan Hartley confirmed, as set out in paragraph 72 of the report that a verbal agreement was in place between 2 parties for construction traffic on the development to be routed from the north via Glebe Road. Sherrie Grant, Planning Solicitor confirmed that the lack of a written agreement would not be considered a material consideration to consider refusing the application as this was a civil matter. Justin Johnson, Development Manager stated that there were conditions outlined within the addendum whereby development could not commence until a Construction Management Plan was provided and construction access would only be used via Glebe Road as indicated on the approved plans.

Councillor W Cross, as Ward Member set out that having visited the site his view was that due to the impact on the pasture land and the stream and the comments received that the development was not suitable for the site proposed and he would not be able to support the application.

During the debate several Members praised the exceptional quality of the proposed development but some highlighted that the development could not be seen therefore would not enhance the immediate setting. In the NPPF it stated that outstanding or innovative designs should fit in with the overall form and layout of the surroundings and due to the development being adjacent to listed buildings and not remote, this was not the case.

Several Members raised concerns regarding the archaeological aspect of the site, the access to the site from Glebe Road due to its blind spots and narrow points and the location of the proposed development.

It was moved by Councillor P Browne that the application be approved subject to the conditions in the report and addendum. This was seconded and upon being put to the vote with 5 votes in favour and 5 against the vote was tied. The Chair then used his casting vote to defeat the motion.

It was moved by Councillor K Bool that the application be refused based on the reasons outlined by Councillor G Brown in the debate. This was seconded and upon being put to the vote and with 5 votes in favour and 5 against the vote was tied. The Chair then used his casting vote to carry the motion.

RESOLVED:

That application 2020/0059/FUL for the following reasons, with the exact wording to be agreed with Councillor G Brown:

- 1) The application did not meet the test of paragraph 80e of the National Planning Policy Framework.
- 2) The application did not fit in with the overall form or layout of its surrounding as outlined in paragraph 134 of the National Planning Policy Framework.
- 3) The potential impact would be greater than anticipated.
- 4) The loss of ridge and furrow.
- 5) The village Design Statement had not been addressed in the documentation.

The full list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

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Councillor W Cross left the meeting at this point and did not return

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Item 3 – 2021/0091/FUL – Development on Land at Hawksmead Business Park, Lands End Way, Oakham. Application for coffee shop with drive thru facility and ancillary works.

(Parish: Oakham; Ward: Barleythorpe)

Darren Burbeary, Senior Planning Officer, addressed the Committee and gave an executive summary of the application, recommending approval subject to the conditions set out in the report and addendum.

During the debate, in response to Members the Senior Planning Officer confirmed that the advertising for the site would be considered under a separate application that had already been submitted, that a Litter Management Plan would be required prior to the commencement of the development and 3 electric car charging points would be included on the site.

In response to Members questions regarding a letter that had been submitted by Leicestershire Police requesting CCTV and the storage of the commercial wheelie bins to avoid arson, the Senior Planning Officer confirmed that 2 informatives would be added to the conditions regarding CCTV and the storage of the commercial wheelie bin.

In response to a query regarding whether identifiable packaging could be used to help prevent littering, the Development Manager confirmed that an informative could be provided to the applicant requesting this, but this could not be enforced.

Members requested that the site utilise a mixed species hedgerow on the edge of the site and that this be included in the conditions.

It was moved by the Councillor N Begy that the application be approved subject to the conditions outlined in the report and additional conditions as outlined within the debate. This was seconded and upon being put to the vote, with 10 votes in favour the motion was unanimously carried.

RESOLVED:

That application 2021/0091/FUL be **APPROVED** subject to the conditions in the report and the following additional conditions outlined during the debate:

- 1) Informatives to be added to the conditions in relation to CCTV and safe storage of the commercial wheelie bin.
- 2) A mixed species hedgerow to be required.

The list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

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Having declaring interests in the following application, Councillor P Browne stepped away from the Committee and took no part in the debate or vote on the item, and Councillor E Baines left the meeting and Councillor N Begy took the chair.

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Item 3 – 2021/0698/FUL – Brooke Priory School, Station Approach, Oakham, Rutland, LE15 6QW. Construction of a new artificial multi use games area (MUGA) with associated sports lighting, fencing and ancillary features for pupils at Brooke Priory School. Included a change of use from domestic gardens to school.

(Parish: Oakham; Ward: Oakham North East)

Darren Burbeary, Senior Planning Officer, addressed the Committee and gave an executive summary of the application, recommending refusal subject to the conditions set out in the report.

Prior to the debate, the Committee received deputations from David Norell as a member of the public in support of the recommendation to refuse, and Karen Brightman as the agent. The Committee also had the opportunity to ask questions of these speakers.

In response to questions from Members, Karen Brightman confirmed that pitches were now required as there were some issues at times with Brooke Priory being able to use Oakham School facilities. It was confirmed that flood lighting was now required, and these would possibly be used during the winter months for after school clubs due to

Health and Safety reasons, but this would only be in use up until 5pm. The area would not be used during weekends or school holiday periods.

Members raised concern that the previous application had been refused and that this application only showed the fences being placed closer to the school. Concerns were also raised in regard to the flood lighting and loss of residential amenity.

It was moved by the Councillor G Brown that the application be refused for the reasons set out in the report. This was seconded and upon being put to the vote with six votes in favour and one abstention, the motion was carried.

RESOLVED:

That application 2021/0698/FUL be **REFUSED** for the reasons outlined within the report.

The list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

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Councillor E Baines returned to the meeting and resumed the Chair.

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8 APPEALS REPORT

Report No. 164/2021 was received from the Strategic Director of Places. Justin Johnson, Development Manager, presented the report which listed the appeals received since the 19 October 2021 meeting of the Planning & Licensing Committee and summarised the decisions made.

RESOLVED

That the Committee **NOTED** the contents of this report.

9 ANY OTHER URGENT BUSINESS

There were no items of urgent business.

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The Chair declared the meeting closed at 9.51 pm.

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REPORT NO: 10/2022

PLANNING AND LICENSING COMMITTEE

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

REPORT OF THE DIRECTOR OF PLACES

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Rutland County Council

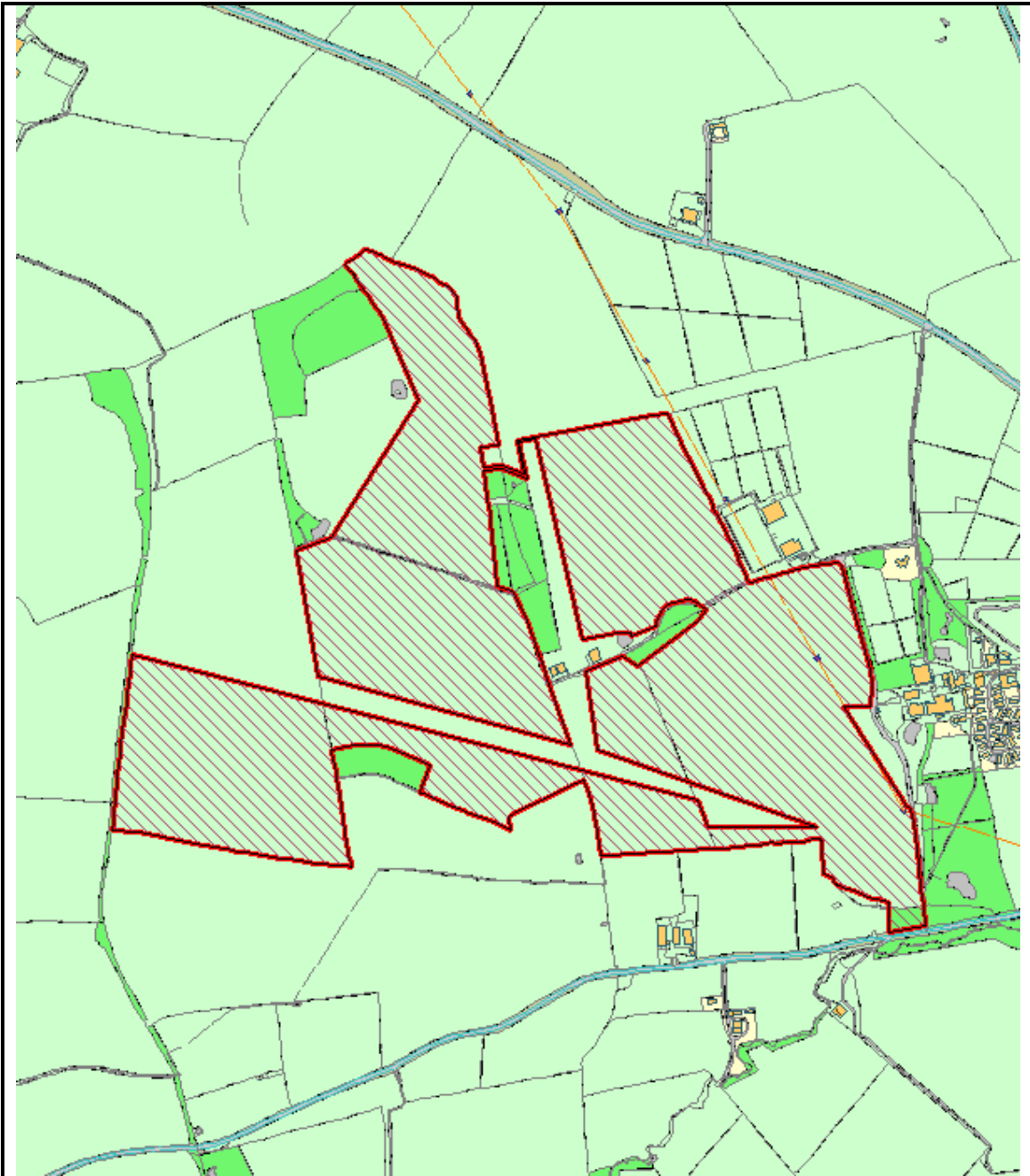
Planning & Licensing Committee – Tuesday 11 January 2022

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation	Page
1	2019/1249/MAF	Mr David Meehan Land At Ranksborough Farm Melton Road Langham Construction of a solar park, to include the installation of solar photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works, together with retention and extension of existing hedgerow.	Approval	15-38
2	2020/0706/FUL	Mr James Tusting Stamford Osteopathy Clinic Old Great North Road Great Casterton Erection of 4 No. residential two-storey dwellings and introduction of an access road on the western side of the existing Stamford Osteopathic Clinic car park. Introduction of new public footpath on the eastern boundary of the site and new children's play area.	Approval	39-56
3	2020/1254/MAF & 2020/1249/LBA	Beeson Wright Ltd Home Farm High Street Ketton Demolition of Existing Modern Buildings, Conversion and Extension of Barns to 6 no. Dwellings and 2 no. offices, Erection of 9 no. Dwellings,	Approval	57-80

and Alteration to Access.

4	2021/0083/FUL	Mr Daniel Lount Church Farm 2 Church Lane Ridlington Development of the land on the south side of Church Farm, Ridlington to create 1 no. detached 2.5 storey C3 dwellinghouse with associated driveway, parking and garage with first floor habitable space.	Approval	81-98
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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/1249/MAF		ITEM 1
Proposal:	Construction of a solar park, to include the installation of solar photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works, together with retention and extension of existing hedgerow.		
Address:	Land at Ranksborough Farm, Cold Overton Road, Langham		
Applicant:	Elgin Energy EsCo Ltd	Parish	Langham
Agent:	Pegasus Group	Ward	Langham
Reason for presenting to Committee:		Major development with objections	
Date of Committee:		11 January 2022	
Agreed Extension of Time:		24 December 2021	

EXECUTIVE SUMMARY

This large solar farm is planned for open countryside to the west of Langham. It would be well screened from the public realm apart from a public footpath that crosses the site. It would be visible from a footpath east of Cold Overton but against a backdrop of trees and the distances involved mean that the harm is limited. There would be no harm to the setting of listed buildings in Cold Overton.

The Panels would be below the height of Ranksborough Hill allowing longer views over the site to be retained. The benefits of the scheme, contributing towards reducing the impact on climate change, outweigh the minor harm to the users of the footpath and any less than substantial harm to heritage assets.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P17_2021_01 Rev D, P17_2021_07 Rev I, P17_2021_13 (Sheets 1/7, 2/7, 6/7 and 7/7), P17_2021_15, P17_2021_18, BHA_377_02 (Tree Retention and Removal Plan), BHA_377_03 (Tree Protection Plan), Un-numbered Plan 'Steel Building',
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.
Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.
4. Before any works commence on site other than forming the access, the trees shown to be protected on Plan BHA_377_03 shall be protected in accordance with that plan and shall remain so protected until all construction on site is complete. The trees shall

be similarly protected during the de-commissioning of the site.

Reason: To ensure that important habitat and tree screening is not damaged during construction and decommissioning, in the interests of bio-diversity and visual amenity.

5. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

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

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

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

7. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. route for construction vehicles
- iii. delivery periods
- iv. details of any construction compound
- v. loading and unloading of plant and materials
- vi. storage of plant and materials used in constructing the development
- vii. Construction timeline
- viii. Traffic management measures such as temporary signing
- ix. Banksman managing site access during construction and decommissioning
- x. A pre-commencement condition survey of Cold Overton Road together with measures to repair identified damage

Reason: To ensure that the construction period causes minimal disruption to the local highway network and any areas of archaeological interest.

8. Within 2 months of the solar panels no longer being required for energy generation, all panels, structures, fencing and any other equipment shall be removed from the site and the land re-instated to agricultural use.

Reason: To ensure that the land is restored to agricultural use and not left in a derelict state becoming detrimental to visual amenity and in accordance with Planning Policy Guidance Paragraph: 013 Reference ID: 5-013-20150327.

Notes to Applicant:

This permission does not entitle you to block, obstruct or otherwise alter the public right of way across the site with the relevant part of the development, until a formal diversion has been approved and is in place.

Site & Surroundings

1. The application site occupies approximately 51.6 hectares of land and is located directly west of Langham, with the villages of Cold Overton (c.0.9km west), Barleythorpe (c.1.5km southeast) and Oakham (c.2.1km southeast). The site is presently in agricultural use and comprises a number of arable fields of various shapes and sizes, separated by grass 'runways' running north-south and east-west within the site. The A606 and Cold Overton Road also pass within close proximity north and south of the site boundary respectively, converging in Langham to the east.
2. The site is not subject to any statutory designations, it is not located within a Conservation Area and nor are there any Listed Buildings or environmental designations within or immediately adjacent to the site. The site is immediately surrounded by agricultural land, with the settlement of Langham to the east.
3. Public footpath D85 runs across the site and would need to be diverted.
4. The site is fully within the Rutland County Council administrative area, the western extent of the site adjoins the Councils administrative boundary with Melton Borough Council. The village of Cold Overton with some GI and GII listed buildings is situated to the west.
5. The site is bounded by a combination of hedgerows and trees. The nearest 3rd party dwelling is The Homestead, (and its associated Racing Stables) approximately 100 metres to the east of the nearest solar panel.
6. A single farm business operates within the Site with the entirety of the land being owned and farmed by one business.
7. The total land farmed by the farm business amounts to approximately 200 hectares of which the Site occupies approximately 52 hectares. Approximately 100 hectares is owned at Ranksborough and a further 100 hectares at Melton Mowbray. The land is farmed as arable with wheat, barley, oil seed rape and beans on rotation.
8. Contractors are used to farm the majority of the land and little grain is stored on the farm.
9. The main farm buildings are located within the farm yard complex on the edge of the village. The farmyard comprises several agricultural buildings including a small grain store, two storage buildings and a workshop. There are also various other buildings within the farmyard that are no longer in agricultural use but are rented out. There are two off-lying buildings. No buildings will be affected by the proposed solar development and all can continue in their current use.
10. A detailed Agricultural land survey has determined that the Site comprises 47.5 ha of agricultural land, none of which is best and most versatile. Some 4.1 ha has not been surveyed but is also likely to comprise Subgrade 3b.

Proposal

11. It is proposed that the use of the site will be for the development of a Solar Park to generate approximately 28MW of renewable energy, sufficient for the energy supply for c8400 homes.
12. The proposed Solar Park will involve the temporary change of use of the land, but due to the time restricted nature of the development (30 years following first export of energy), the agricultural use will be retained in the long term. The site will be capable of dual use,

farming, small livestock (such as sheep) will be able to graze the land between and amongst the panels while they generate renewable energy.

13. The nature of the development would mean that the panels can be removed after their 30 year life time; the land will revert to agricultural use, unless a further permission is granted. In this respect the proposed scheme will result in a less permanent impact than most other forms of development, including some alternative methods of renewable energy production.
14. The proposed development on site will consist primarily of a steel framework to support the panels and the panels themselves. In addition, small inverter buildings and electrical infrastructure will be introduced across the site adjacent to internal access road. Deer (security) fencing to restrict access and protect the scheme from theft and vandalism will be installed, with CCTV also installed around the site boundary. A Substation compound will also be necessary, which is to be located to the south east of the site (near the access from Cold Overton Road), and will need to fulfil the technical and operational requirements of the Distribution Network Operator (DNO) in their Substation and the adjoining Applicant Substation which connects the Solar Park inverters (both Substation buildings are of the same design). This is the minimal level of development necessary to ensure that the site performs effectively with regards to its main purpose of generating renewable energy.
15. Within the fields the panels will be arranged in long rows running from east to west. Each array will be mounted 4 or 6 in landscape or 3 in portrait on a simple steel framework so that panels are facing true south, in order to maximise the energy output.
16. Small control buildings (inverters) no more than 3m in height are required to allow the DC electricity produced by the PV panels to be converted to AC electricity, and equipment as required by the DNO, to allow energy to be transferred from low to medium voltage. The submitted Site Layout drawing outlines the position of these structures within the site and accompanying drawings set out their dimensions.
17. The perimeter fencing serves an important purpose in protecting the valuable equipment within the application site. Its siting has however also considered the impact on the appearance of the area and has been set away from the boundaries of the fields, ensuring that there is separation from the existing vegetation and any sensitive ecological features. The fencing is proposed to be deer fencing with wooden posts and thin wire mesh which is agricultural in character and is considered to blend into the existing landscape pattern. The existing and proposed vegetation will largely screen the fencing and Solar Park from most viewpoints.
18. The specification for the location, positioning and height of the solar panels is also based on the considerations relating to achieving a maximum electrical output of the panels, while minimising any detriment to the landscape and wider visual amenity, and also adhering to the safe working practices as recommended by the manufacturer. The layout retains the grass 'runways' which are adjacent to the site boundaries which aids in breaking up the mass of the site a whole.
19. A new access would be formed just west of the existing access to Ranksborough Farm.
20. It is anticipated that the construction period will be approximately 16 weeks. Staff will arrive by car or mini bus. A compound and turning area will be provided. HGV movements will be busier in weeks 1-3 when equipment is delivered, estimated at 6 per day. Weeks 4-13 will likely be around 7 per day when the main panels and equipment is delivered. The final 3 weeks will see lower HGV movements, apart from removal of the compound and site buildings. Total deliveries will be c470 over 4 months, maximum estimated 7 per day (14 movements).

21. The applicant has indicated that the scheme would be connected to the grid at Stamford Road Oakham, with cable being laid along the highway through Langham and along Oakham By-pass to the site on Stamford Road. Western Power confirms that it has previously given an undertaking to accept the output from this scheme.
22. The application is accompanied by a Statement of Community Involvement.
23. See Appendix for layout plans.

Relevant Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 6 - Building a strong, competitive economy

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change:

Para 158:

- Local Planning Authorities should not expect applications for renewable energy to demonstrate the overall need for the renewable energy and recognise that even small scale projects can make a valuable contribution to cutting greenhouse gas emissions; and LPA's should:
- Approve the application if its impacts are acceptable or can be made acceptable

Chapter 15 - Conserving and enhancing the natural environment

Core Strategy DPD (2011)

CS01 – Sustainable Development Principles

CS02 – The Spatial Strategy

CS04 - The Location of Development:

Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs.

CS16 – The Rural Economy

CS19 - Promoting Good Design

CS20 - Energy Efficiency and Low Carbon energy generation (extract):

Renewable, low carbon and de-centralised energy will be encouraged in all development. The design, layout, and orientation of buildings should aim to minimise energy consumption and promote energy efficiency and use of alternative energy sources.

(Wind turbines and other) low carbon energy generating developments will be supported where environmental, economic and social impacts can be addressed satisfactorily and where they address the following issues:

- a) landscape and visual impact, informed by the Rutland Landscape Character Assessment and the Rutland Historic Landscape Character assessment;
- b) effects on the natural and cultural environment including any potential impacts on the internationally designated nature conservation area of Rutland Water;
- c) effects on the built environment, public and residential amenity, including noise intrusion;

- d) the number and size of wind turbines and their cumulative impact;
- e) the contribution to national and international environmental objectives on climate change and national renewable energy targets.

CS21 – The Natural Environment

CS22 - The Historic and Cultural Environment

Site Allocations and Policies DPD (2014)

SP1 – Presumption in favour of sustainable development

SP7 – Non-residential development in the Countryside

SP15 - Design and Amenity

SP18 – Wind Turbines and low carbon energy developments (extract):

Other low carbon energy generating developments

Proposals for other low carbon energy developments will be supported where they are acceptable in terms of:

- a) impact on residential amenity;
- b) landscape and visual effects;
- c) the natural environment;
- d) the historic and cultural environment;
- e) noise;
- f) emissions to ground, watercourses and air;
- g) odour;
- h) vehicular access and traffic;
- i) proximity of generating plants to the renewable energy source;
- j) grid connection;
- k) form and siting;
- l) mitigation;
- m) the decommissioning of the development and reinstatement of land at the end of its operational life.

SP20 - The Historic Environment

SP23 - Landscape Character in the Countryside

Langham Neighbourhood Plan

No relevant planning policies but the Plan does contain an aspirational proposal:

Proposal PSS1c: Public Safety – Bypass

In line with RCC's objective, this Plan supports the protection of the preferred route, and the timely apportionment of CIL monies, for the Langham Bypass which, when built, will increase the physical safety and well-being of present and future Langham residents.

Whilst the Plan recognises that the bypass is not in RCC's current Corporate Plan, and that funding for such schemes will be directed via the Local Enterprise Partnership (LEP), it urges Langham Parish Council to ensure that the building of a bypass for Langham remains high on RCC's agenda, ensuring its preferred route is protected from other development and that it is a major consideration when they are looking to invest CIL money.

Other Considerations

On-line Government Planning Practice Guidance (extract):

What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a [speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013](#) and [written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015](#).
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see [guidance on landscape assessment](#)) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the [impact of wind turbines](#). However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

(Paragraph: 013 Reference ID: 5-013-20150327)

British Research Establishment - 'Planning Guidance for the development of large scale ground mounted solar PV systems'

Current National Position on Climate Change

The Government announced in December 2020 a new ambitious target to reduce the UK's emissions by at least 68% by 2030, compared to 1990 levels. The Climate Change Act, 2008, requires UK net zero emissions by 2050.

Recognising the urgency to go further to tackle climate change, the UK's new target to reduce greenhouse gas emissions – the UK's Nationally Determined Contribution (NDC) under the Paris Climate Agreement – is among the highest in the world and commits the UK to cutting emissions at the fastest rate of any major economy so far.

At COP26, recently held in Glasgow, the need to reduce global greenhouse-gas emissions by 45% by 2030 was formally recognised.

A recent report from Solar Energy UK, 'Lighting the way', predicts that at least 40GW of solar is needed in the UK by 2030 to meet our sustainability goals – tripling our current installed capacity, an ambition reflected in the Climate Change Committee's 2021 Progress Report to Parliament. This is a mammoth endeavour, especially as developers and operators of large scale solar developments and the associated infrastructure are faced with significant barriers.

Viable solar farms require large portions of land. Local plans often do not allocate specific land for solar, or when they do it does not actually meet these requirements. So most of the obvious locations have now been used, and remaining brownfield sites are frequently too small or inappropriately located to be viable.

In 2019 this Council adopted a motion on Climate Change which included the following commitment:

- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2050.

In January 2021 this Council adopted a Climate Crisis motion.

DEFRA Circular 1/09 (Rights of Way)

The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered.

The grant of planning permission does not entitle developers to obstruct a public right of way. It cannot be assumed that because planning permission has been granted that an order under section 247 or 257 of the 1990 Act, for the diversion or extinguishment of the right of way, will invariably be made or confirmed. Development, in so far as it affects a right of way, should not be started and the right of way should be kept open for public use, unless or until the necessary order has come into effect. The requirement to keep a public right of way open for public use will preclude the developer from using the existing footpath, bridleway or restricted byway as a vehicular access to the site unless there are existing additional private rights. Planning authorities must ensure that applicants whose proposals may affect public rights of way are made aware of the limitations to their entitlement to start work at the time planning permission is granted. Authorities have on occasion granted planning permission on the condition that an order to stop-up or divert a right of way is obtained before the development commences. The view is taken that such a condition is unnecessary in that it duplicates the separate statutory procedure that exists for diverting or stopping-up the right of way, and would require the developer to do something outside his or her control.

Planning Assessment

24. The main issues are related to whether the scheme complies with the development plan and in particular the policies set out above. Primarily these are:

CS4 – Development in the Countryside
CS20 – Energy Efficiency and Low Carbon energy generation
SP1 – Presumption in favour of sustainable development
SP7 – Non-residential development in the Countryside

SP15 - Design and Amenity
SP18 – Wind Turbines and low carbon energy developments: (extract):
SP20 - The Historic Environment
SP23 - Landscape Character in the Countryside

Location

25. This is development that can only realistically be located in the countryside. Some objectors have suggested it should be on previously developed land but on this scale that is impossible. The only other example in Rutland is on the worked out floor of Ketton quarry. The current Rutland Brownfield Register extends to only 3.37 Hectares over 5 sites put forward for development, all for potential residential development, some already approved, the maximum individual site is 1.31Ha. The location is therefore supported by CS4.

Residential Amenity

26. The site is well screened from the immediate closest neighbour, The Homestead. It is approximately 100m from the nearest panel but has extensive tree screening in between.
27. The panels would otherwise only be glimpsed from small gaps in the Cold Overton Road hedge and from dwellings in Cold Overton at a distance of over 1km and against a backdrop of trees and higher land in the distance. The panels would be partially screened from that view. The glint and glare assessment below suggests this would not be an issue to an unacceptable degree.
28. The panels would not be visible from any dwellings in Langham.

Landscape and Visual Impacts

29. The application is accompanied by a Landscape Visual Impact Appraisal. This shows the site in year 1 and year 5 after new landscape planting has established and looks at the site from identified points, following the Guidelines for such assessments by the Landscape Institute. Whilst some panels would still be visible from longer views, they are not so prominent that they are deemed to be unacceptable. There is no policy or guidance that states panels have to be invisible. It is good practice not to site them immediately next to a road and in this case they are well away from the public highway.
30. Those panels that creep slightly up the slope of Ranksborough Hill would stop below a line defined by 2 prominent trees within the cultivated field and hence would not be as prominent as might first appear.
31. The main visual impact is from the public footpath that runs across the actual site (D85). This would have to be diverted around the north side of the site. The diversion would be approximately 740m in total in 2 separate lengths. This would replace an existing length of 468m, so an increase of 272 metres over its entire length. In the overall scheme of this footpath this is not excessive, but the panels would block longer views from the path over a short distance in this immediate area, until the higher ground on the hill was reached. Once past the panels, the path runs onto higher ground so users of the path would look over the site and down onto the panels themselves whilst still maintaining long distance views. There is an argument that the panels would attract additional footpath users simply to see the scheme up close. Illustrative interpretation boards could be provided along the route for this purpose and is encouraged in the guidance.
32. Objectors have suggested that the site is larger than the village itself. This is not in itself a reason for refusal and a balance needs to be taken regarding the actual impact, mainly

visual, from longer distances, that the scheme would have. As stated it would have no visual impact on the main part of the village at all.

33. There needs to be a balance against loss of amenity for users of this relatively short section of path and the provision of renewable energy to contribute towards national targets and combatting climate change generally. The scheme would contribute a significant amount toward the consumption of energy as it provides for the equivalent of almost half of the households in the County and therefore significant weight should be given to this element of this scheme.

Heritage

34. The site is well outside Langham Conservation Area and does not have any impact on that area or any listed buildings in the village and there is no visual interaction between the 2. Any long distance views of the site from the west are not seen in the context of the conservation area.
35. There are listed buildings in Cold Overton, some 1000m away from the site. Views of the site from those buildings is limited to a footpath crossing the paddock at the rear of the one listed building on the east side of Main Street. Trees screen most of the site from the dwelling itself. The land is at a lower level, partially screened and set against a backdrop of trees. All other listed buildings are on the west side of Main Street and have no visual interaction with the site. These Officer conclusions concur with the comments of the Conservation Officer which are set out below. If it is concluded that the scheme has a 'less than substantial' impact on Cold Overton or Langham (and if so it is very much at the lower end of less than substantial), the impact has to be weighed against the benefits of the proposal. In this case significant weight can be given to the proposal in the fight to combat climate change and provide a significant source of renewable energy. The use of land is temporary and is also reversible over time.

The Natural Environment

36. The scheme utilises primarily arable agricultural land which has little ecological interest. There are an abundance of hedges and trees around and within the site most of which would be retained. The scheme proposes to introduce new planting as well. The Ecology consultant has withdrawn an original holding objection having seen the details submitted for new works.

Highway Safety

37. The existing access from the A606 was reviewed with respect to achievable visibility splays. At a set-back of 2.4m, visibility of approximately 130m was achievable to the northwest, which potentially could be increased to 160m by trimming back vegetation; to the southeast approximately 115m was achievable, again, it could potentially be increased to 130m by trimming back vegetation along the highway verge boundary. Any further improvements to visibility require removal of hedgerow in third party land.
38. The survey recorded 85th percentile traffic speeds of 62.4mph at Site 1 for southeast bound traffic towards the access, and 53.3mph at Site 2 for northwest bound traffic towards the access.
39. Based on exit visibility requirements, roads with speeds of between 85-100kph (52.8-62.1mph) require exit visibility of 215m, for 62.1mph and above this increases to 295m, though this is not typically applied for roads with a 60mph design speed. This results in a requirement of a visibility splay of 215m to the northwest and southeast from the existing access. As set out above this is not achievable within public highway land.

40. Furthermore, a review of historic personal injury road traffic collisions revealed that over the past 5 years three collisions have occurred within 500m of the existing access. Two resulted in serious injuries and one in a fatality.
41. The existing access off Cold Overton Road is not within the control of the applicant, therefore provision of a new access west of the existing access was considered within the 50m land frontage within the applicant's control.
42. Surveys recorded 85th percentile traffic speeds of 51.8mph at Site 3 for eastbound traffic towards the access location, and 51.6mph at Site 4 for westbound traffic towards the access location.
43. Based on exit visibility requirements in TD 42/95 roads with speeds of between 85-100kph (52.8- 62.1mph) require exit visibility of 215m, below 52.8mph this decreases to 160m. This results in a requirement of a visibility splay of 160m to the west and east.
44. At a set-back of 2.4m visibility of approximately 215m was achievable to the west, and to the east approximately 200m was achievable within the highway verge.
45. A review of historic personal injury road traffic collisions on Crashmap identified only one collision of a slight nature has occurred in the last 5-year period within 500m of the Cold Overton Road access.
46. It is therefore proposed to create a new access to the site off Cold Overton Road where adequate visibility splays can be achieved and where traffic levels are lower and slower.
47. Swept Path Analysis has been undertaken to show HGV turning movements can be accommodated at the proposed access
48. The Transport Assessment states that a banksman will manage the access during construction, ensuring arriving vehicles have priority along the circa 50m stretch of the access track between Cold Overton Road and the construction compound. This will ensure that no vehicles will need to wait on the public highway.
49. The Banksman will also ensure there is no conflict between the site access and existing accesses, though conflict is unlikely given the low number of movements at both accesses.
50. The location and nature of any construction warning signage will be agreed with the Local Highway Authority.
51. A condition survey will be undertaken of Cold Overton Road, between the site access and the A606 documenting the existing state of the carriageways and verges, a further condition survey will be undertaken after construction and any resulting damage to the carriageway repaired by the contractor as part of Section 59 of the Highways Act.
52. All traffic management measures will be set out in a Construction Traffic Management Plan, which can be conditioned as part of a planning approval. It will include, but not be limited to, the following:
 - Construction Timeline;
 - Route for construction vehicles;
 - Traffic management measures such as temporary signage;
 - 'Banksman' managing the site access;
 - Any restrictions to delivery periods;
 - Survey of Cold Overton Road; and
 - Details of the construction compound

53. Surveys on Cold Overton Road showed an average weekday flow of 2365 vehicles, at the peak of construction this will be increased by 1.9% which is insignificant.
54. Vehicle movements following commissioning of the site will thereafter be very low.

Glint & Glare Assessment

55. The assessment based on potential impact on residential receptors, road users, public rights of way, cultural receptors and viewpoint receptors concludes that existing screening by vegetation, topography and buildings will eliminate glint effects at the majority of the receptor points analysed. Potential residual glint effects on residential properties, roads, public rights of way, cultural heritage receptors and selected viewpoints are not considered to be significant and therefore no additional mitigation measures are recommended or required.
56. No significant impacts are predicted as a result of glint effects from the proposal.
57. Infilling of the existing hedgerows around the site will enhance the existing screening and further reduce any potential residual glint effects.
58. It is recommended in the assessment that new and existing planting surrounding the site is maintained to provide continued screening benefits throughout the operation of the solar farm.

Agricultural Land

59. The proposed solar farm will have no significant adverse effects upon the occupying farm business and will provide a steady income for the duration of the solar tenancy in line with farm diversification policies in CS16. Furthermore, the site will remain available for agricultural use as sheep could graze around the panels. The land will not be able to be used for arable production but the value of the land will not be lost for the future. The land will thereby remain capable of remaining in agricultural use as set out in the PPG. The scheme would not result in the loss of most versatile land.

Grid Connection

60. The applicant has indicated that the scheme would be connected to the grid at Stamford Road Oakham, with cable being laid along the highway through Langham and along Oakham By-pass to the site on Stamford Road. Western Power has previously given an undertaking to accept the output from this scheme. From a planning point of view, there is no objection to this proposal for a connection. The route would need to be agreed with the highway authority.

Other Issues

61. Many objections have been received, in particular from the Parish Council that the applicant has not carried out adequate public consultation or offered a sufficient community benefit package. Neither of these are a requirement of planning policy. Community consultation has been carried out although the extent of it varies according to differing sources. A Community Engagement Statement accompanies the application.
62. The payment of a community benefit fund is clearly not a planning requirement, would not meet the tests in the Community Infrastructure Levy Regulations and would be seen as 'buying a planning permission' if required to so. The fund that has been offered is not as high as for smaller schemes elsewhere but planning permission cannot be refused for this reason.

63. Reference has been made to a Langham bypass. There is an aspirational policy in the Neighbourhood Plan for this. However, there is no planning policy in the Development Plan and there has been no preferred specific route identified that might have been protected by a policy. On this basis and given that this proposal is for a temporary, reversible use of the land, it is not an issue that can prevent the grant of planning permission.

Consultations

64. Langham Parish Council

No objection in principle to a solar farm but has serious objections to the proposal as submitted in terms of:

- Visual impact from footpaths crossing the site and those further afield
- Failure to adhere to the NPPF regarding lack of public participation.
- Failure to adhere to NPPF in terms of information, inaccuracies, omissions
- Failure to follow correct procedure in Building Research Establishment documents

Later objection to revised photomontages and landscaping details, grid connection, grid capacity.

The full detailed document is on the web site.

65. RCC Highways

Holding Objection

Not enough information has been provided to highways to make an informed comment on the scoping application.

Highways require the following information

- how will the site be assessed
- during construction how many vehicle movements per day
- once constructed how many vehicle movements per day
- If the access is onto Cold Overton Road and vehicle movements towards Melton Road - how will this be managed (how will large vehicle movements be managed at the junction with Melton Road, will there be a foreman directing vehicles in and out of the site, how will you prevent 2 vehicles meeting on the 3.5m access road, will passing bays be provided)
- If the access is direct onto Melton Road A606, (how will large vehicle movements be managed at the junction with Melton Road, will there be a foreman directing vehicles in and out of the site, how will you prevent 2 vehicles meeting on the 3.5m access road, will passing bays be provided)

The applicant has advised that they will set out a suitable construction traffic management plan through conditions, however highways will have a holding objection until the construction traffic management plan is in place.

The main concerns of highways are at the junction with the A606.

Further comments Jan 2021

A separate document is not now required - the applicant has answered most questions in their TA.

They have specified in their TA that a construction traffic management plan can be conditioned as part of the planning approval which will include but not limited to: Construction Timeline; Route for construction vehicles; Traffic management measures such as temporary signage; Banksman' managing the site access; Any restrictions to delivery periods; Condition Survey of Cold Overton Road; and Details of the construction compound

Highways are happy to remove their holding objection subject to a condition No development shall commence until the construction traffic management plan has been submitted and approved by the planning authority to include:

Construction Timeline; Route for construction vehicles; Traffic management measures such as temporary signage; Banksman' managing the site access; Any restrictions to delivery periods; Condition Survey of Cold Overton Road; and
Details of the construction compound

Highways would like to put emphasis on the condition survey of Cold Overton Road. Over the 16 week construction time frame there is up to 470 HGV deliveries to the site. This is a rural country road and therefore damage to the lane by the HGVs must be repaired by the developer

If we can condition a construction traffic management plan, then we will be able to do it as we can state in that document that its required

66. Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

67. Conservation Officer

The application site is on gently undulating agricultural land on the north-western side of Langham and is slightly elevated in relation to that village.

The proposed development could potentially impact on the setting of Langham Conservation Area and its ensemble of listed buildings.

The development would not directly impact on any designated heritage assets.

Although the solar farm would be visible in long-distance views of Langham from the elevated land to the west it is sufficiently removed from the Conservation Area as to not detract from the setting of the designated Area or any of its individually designated heritage assets, the most prominent of which is the Grade 1 Listed Parish Church of St Peter and St Paul.

Cold Overton, is a settlement on elevated land approximately 1km to the west of the site. That settlement lies within the neighbouring County of Leicestershire (District of Melton Borough) and whilst I note that Melton Borough have objected to the proposal because, in their view, the development would have an adverse impact on the setting of that settlement, those comments are not made by a heritage specialist and there is no reference to any impact on specific heritage assets. The Grade II Listed Old Rectory on the eastern side of Cold Overton is the only designated heritage asset that could, potentially, be affected by the development. However, views of the site from the vicinity of the Old Rectory are confined to the paddock at the rear of that property and not the Old Rectory itself are subject to seasonal variation by intervening groups of mature trees.

The solar panels themselves have a low profile and it is the accompanying paraphernalia of fencing, post mounted CCTV cameras and sub-stations that have undue prominence in views close to these installations rather than in distant views.

The Cultural Heritage section of the Environmental Assessment accompanying the application discusses the likely impacts on heritage assets and concludes that there would be, at worst, a slight adverse or neutral impact on some heritage assets. If one concludes the impact to be the former (slight adverse), then in accordance with paragraph 202 of the NPPF (July 2021), the decision maker must weigh any less than substantial harm against public benefits arising from the proposal, which in this instance must be quite significant.

68. RCC PROW Officer

(a) Viewpoints: Seems curious that when considering the visual effect of the proposed development the public highway (footpath) that will need to be diverted and the route from which the development will be most visible is not considered

(b) Impact on the character of footpath D85: The proposed diversion will have a significant impact on the overall character of public footpath D85. What is currently a cross-field rural path will become fully enclosed and (without careful positioning) constantly monitored by CCTV cameras

(c) Outstanding legal order process: There is, as the applicant is no doubt aware, an application for a definitive map modification order (DMMO) that has still to be determined that affects the footpath across the proposed site. The effect of the legal order that has been made, if confirmed, would be to record the affected part of the footpath as a bridleway. I would recommend that we don't consider the requested diversion until this application for a DMMO is resolved one way or the other

(d) Insufficient information (material consideration): 'The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered.' (DEFRA Circular 1/09): The scant information provided in relation to the proposed footpath diversion will not allow an accurate assessment of the potential consequences. At the very least I would have expected for the applicant to have provided a walk over the proposed route with representatives from the highway authority (there is no indication of width, surface treatment, structures etc.)

(e) Consultation: 'Any potential disadvantages to the public arising from alternative arrangements proposed for an affected right of way can be minimised by means of the early liaison between the developer, planning and highway authorities, local amenity groups, prescribed organisations (Appendix A) and affected individuals.' (Circular 1/09). At paragraph 2.8 in the Planning Statement the applicant makes reference to their efforts to engage with members of the parish council and the public so that, wherever possible, their suggestions might be incorporated in to the design. As far as I'm aware there has not been any attempt to consult with the 'prescribed organisations'.

69. Ecology

At the moment I am unsure of the final use of the site and any habitat creation that is proposed. Section 4.4.20 of the Ecological Assessment Report (Avian Ecology, August 2019) indicates that a 'Site Layout and Planting Plan' has been produced, showing the proposed habitat creation for the site. I am unable to find a copy of this plan within the documentation; please can one be provided for comment. I would place a Holding Objection on this application, pending the submission of the above document, which will allow us to consider the application fully.

Update:

Having seen a subsequent Ecology Mitigation Plan, (P17-2021_07Rev 1) the holding objection is withdrawn.

70. Langham History Group

The members of Langham Village History Group wish to express their grave concern that no in-depth archaeological survey is planned for the site of the proposed solar farm.

Given that Neolithic, Bronze Age, Iron Age and Roman archaeology has been found within the environs of the village/parish and close to the proposed site, we believe that such a survey is imperative.

There is also concern that part of the ancient landscape of our village, including Anglo-Saxon trackways and views of Langham from surrounding high ground will be significantly marred.

71. Cold Overton Parish Council

Whilst the Parish Council support renewable energy it strongly objects to the application on the following grounds:

1. There has been no formal consultation on this application even though the site is adjoining the Knossington and Cold Overton Parish boundary
2. The size and scale of the proposed development, equivalent to 15,337 parked cars, in the open countryside
3. The proposed application is detrimental to the rural landscape. The site is situated in attractive open countryside and is visible to residents of Cold Overton who have an elevated view of the application site
4. The proposed application is harmful to the rural character from the public footpath, bridle and highway prospective
5. The proposed application will result in a considerable period of disruption during the proposed construction with excessive movements of lorries and personnel
6. The Parish Council question the view taken that there is no requirement for an environmental or ecological impact assessment
7. The Parish Council are very concerned regarding the proposed landscaping/treatment of the boundaries to the site should the application be permitted.

72. Archaeology

Thank you for consulting us on the application. Whilst the submission of a desk based assessment is welcomed, the site lies in an area which is under surveyed archaeologically. For this reason we would recommend that a geophysical survey is undertaken across the site in order to identify any buried archaeological remains.

The preservation of archaeological remains is, of course, a 'material consideration' in the determination of planning applications. 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, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

This will require provision by the applicant for:

A field evaluation, by appropriate techniques commencing with geophysical survey and likely to include trial trenching, if identified necessary in the assessment, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this.

This information should be submitted to the planning authority before any decision on the planning application is taken, so that an informed decision can be made, and the application

refused or modified in the light of the results as appropriate.

Further Response

Thank you for the opportunity to update our comments (13 December 2019) on the above scheme. As we have previously recommended, the applicant should be required to undertake a thorough assessment of the archaeological implications of their proposals. The assessment to date has combined the preparation of a desk-based Heritage Impact Assessment (Foundations Heritage, ref.: 1285) and geophysical survey (Magnitude Surveys, ref.: MSSK 603). We now recommend that the applicant is required to undertake a further stage of trial trenching to investigate and establish the character and significance of both the known and anticipated archaeological remains within the development area. Please refer to our email of the 28 April, which outlines the archaeological requirements for a trial trenching investigation.

The Heritage Impact Assessment (HIA) encompasses the entire development area and also considers the setting impact of the scheme on a range of designated assets. Overall the assessment concluded there were no known designated or non-designated heritage assets within the application area. Aerial photographic analysis referenced in the document, indicated a potential for buried archaeological remains in the NW corner of the development area, however, despite this the overall conclusion was that the archaeological potential for as yet unidentified buried remains lay within the low to moderate range. In response the assessment concluded a need for partial geophysical survey of the application area, and recommended no trial trenching in the absence of known archaeological remains.

Subsequently, the applicant has commissioned a full geophysical survey of the application site, as outlined above. This survey has demonstrated the former extensive of the medieval and post-medieval open field system, together with a variety of other unrecorded anomalies of probable agricultural origin. In additional areas of both possible and probable archaeological remains have been identified, to the north and south of application site.

The Assessment also considered the impact of the proposals upon the setting of a variety of designated heritage assets, notably including the listed Old Rectory, Cold Overton. It is recommend the views of your conservation officer are considered in respect of the adequacy of the assessment and the assessment of impact identified.

Taking into account the HIA and the geophysical survey, we recommended that the assessment now progresses to a trial trenching investigation of the application site. This should target the identified possible and probably area of archaeological interest, as well as sampling the wider application site to confirm, and/or clarify the current survey results. This is entirely in line with both national guidance, and in accordance with previous and on-going advice offered in Leicestershire and Rutland.

Final Comments 31 August 2021

Following receipt of the evaluation report (Foundations Archaeology ref.: 1439), we are now able to update our previous archaeological comments (dated 8th June 2020, also attached).

In accordance with National Planning Policy Framework (NPPF), Section 16, paragraph 194, consideration of the Leicestershire and Rutland Historic Environment Record (HER) and the results of the submitted evaluation (geophysical survey and trial trenching), indicates the development area contains remains of archaeological interest and also has the potential for as yet further unidentified archaeological deposits to exist within the site. Considering NPPF paragraph 195, based upon the available information, notable the recent trial trenching, it is expected that these remains whilst significant and warranting further archaeological mitigation prior to the impact of development notes, are not of such importance to represent an obstacle to development. It should however be underlined that, while the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order

to define the full extent and character of the necessary archaeological mitigation programme.

NPPF paragraph 205, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development, and to make this evidence (and any archive generated) publicly accessible. In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording. The Historic & Natural Environment Team (HNET) will provide a formal Brief for the latter work at the applicant's request.

If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority. The WSI must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before the start of development. They should comply with the above mentioned Brief, with this Department's "Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland" and with relevant Institute for Archaeologists "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

We therefore recommend that any planning permission be granted subject to the following planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present:

1. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. 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 mitigation WSI, which shall include the statement of significance and research objectives, and

- 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 avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal and, where impact cannot be avoided to ensure satisfactory archaeological investigation, recording, dissemination and archiving.

Each Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of the 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.

73. Public Protection

No objection

74. Melton Borough Council

No objection but forwarded a letter of concern from a resident.

75. Forestry Officer

Woodlands and hedgerows are to be adequately protected throughout development. TPO consideration recommended

76. Anglian Water

The applicant has indicated on their application form that their method of foul and surface water drainage is not to an Anglian Water sewer. Therefore, this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency, Internal Drainage Board and Local Lead Flood Authority to gauge whether the solutions identified are acceptable from their perspective.

77. Leics Police

I am writing to you in my capacity as the Leicestershire Police Designing out Crime Officer (DOCO). Leicestershire Police have no formal objections in principle to the application however we would like to make the following observations.

In relation to the Construction of a Solar Park, to include the installation of Solar Photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV, Landscaping and other associated works, together with retention and extension of existing hedgerow.

I have now visited the site which is proposed to have a single vehicle entry point at Ranksborough Drive, which leads into the development. The proposed Solar Park is situated at the rear of the site, west of existing dwellings which form the Longsborough Garden Mobile Homes Park.

A Section 38 Agreement is recommended to provide an electrical spur on the nearest lamppost to the entry point. This will allow consideration of CCTV coverage to prevent crime, which in this case involves a significant amount of high value Solar Photovoltaic equipment. I recommend coverage of key vehicle entry points with the capability to record number plate images. This would provide the Police with a direct line of enquiry in the event of crime.

Lighting at the key entry point and throughout the development is recommended to be to BS5489 including approaches to open space as well as the space itself. Also the creation of a distinctive entry point with deter unauthorised entry to this area using signage, change of materials and colour is recommended. Parking is likely to be in designated areas which should also benefit from appropriate lighting and CCTV coverage as there are not likely to be occupied buildings in close proximity.

Wheelie bins and Waste disposal is recommended to be stored secure areas to reduce the risk of use in criminal activity such as equipment removal. Site permeability is not excessive due to the single entry point and the fact the site leads to the Mobile Homes Housing Park. Foliage within the site is recommended to be to 1m high with trees trimmed to have foliage no lower than 2m from the ground to allow a clear 1m field of vision. Perimeter enclosure boundaries are recommended to be 2.4m in a material in keeping with the development but to provide effective

enclosure (Security Fencing).

All door sets will be to PAS 24 which is now included in building regulations for doors and windows. There are other considerations such as BS 6375 Security Locking and Fire Security and BS EN 50486 in relation to Audio and Video door entry systems. Consideration should be made to identify the most appropriate option for this site. On the Secured by Design portal it includes BS6799 in relation to wire free alarm systems. Also BS EN 50131 and PD 6662 in relation to wired systems. In this case unattended buildings may benefit from monitored alarm coverage in line with recommendations.

General Recommendations

1. Street lighting columns to BS 5489 are recommended.
2. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing.
3. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This would allow vehicle and facial recognition in key areas. Appropriate signage should be in place to be compliant with the Data Protection Act.
4. Lampposts at vehicle entry points recommended to have electrical spur to allow power supply for CCTV.
5. Natural surveillance should be possible via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision.
6. Vehicular parking is recommended to be in curtilage as part of the dwellings where possible. Communal parking should be supported by natural observation, lighting and be set in clearly defined areas to deter unauthorised access.
7. Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request.
8. Opportunities to explore the potential for S106/CIL funding should be undertaken with relevant parties if appropriate.
9. Dwellings are recommended to have an Alarm System to BS7958 with coverage of garages included where applicable.
10. Commercial sites may benefit from smoke cloaking devices to deter access and reduce potential loss.

Neighbour Representations

78. There have been approximately 75 representations from residents of both Langham and Cold Overton. The comments can be summarised as follows:

- No need for this in Rutland – query if climate change is real
- substantial and excessive scale; exposed location within the High Rutland/Vale of Catmose landscape character areas ; undulating landform of the application site within the open countryside; and, loss of productive arable land, when considered together, outweigh the benefits of the scheme and therefore comprise an inappropriate form of development for this location.
- Contrary to policy SP18 – Wind Turbines and low carbon energy developments in that its impacts on (2a) Residential amenity, (2b) 2 landscape and visual effects, (2c) the natural environment, (2d) the historic and cultural environment (principally Cold Overton Hall & Conservation Area), (2k) form and siting and (2l) mitigation, are unacceptable.
- Likely to negatively impact the ‘High Leicestershire (High Rutland)’ Landscape Character Area (LCA), by virtue of the surrounding landscape being HIGHLY sensitive to change, as a result of such a major development.
- The applicant has failed to consult fully (if at all) with those sections of the local community most affected by the proposal.
- Site includes areas up Ranksborough Hill which is the second highest point in

Rutland and will destroy the view from Ranksborough Hill and the view from several public footpaths in that area. Currently you can see Oakham, Rutland Water and Stamford from the top of the hill. With the proposed site, you will see swathes of solar panels.

- Their website says that they will protect the bypass. However their map shows the bypass in the wrong place! The solar farm would be built where the bypass (when it is built) is planned.

One recent letter of support has been received as follows:

Unfortunately I am unable to attend the proposed meeting on 21 December but wish to make it clear, as a Langham resident of approx 30 years, that I support this application.

I would also like to say that I am disgusted by the leaflet distributed around the village, presumably by Messrs Hemsley and Ovington which states that they will be representing my views by objecting against the application. They have never sought out my views and in all probability have no idea what most residents think.

I support the application as I fully understand that this country and county requires additional energy generation. As we purport to be a green country with the aim to quickly become carbon neutral, I am of the opinion that this proposed solar farm should be approved. The action of the councillors seem to be linked to the trusted methods of the "not in my backyard brigade" rather than the larger picture.

I feel that a rejection of the application jeopardises the futures of my children and my grandchildren and if the council bow to the opposition's wishes it fails in its greater responsibility.

Perhaps the councillors would prefer a nuclear power plant in Rutland in preference to a solar farm.

I strongly urge the planning committee to approve the application.

I am happy for my email and views to be made public and passed to Mr Hemsley.

Thank you for your time.

Nigel Southerington

KEY

- Site Boundary
- Existing Hedgerow/Vegetation
- 24 linear metres total to be removed to facilitate development
- Existing Tree
- Existing Woodland
- Proposed Tree
- 87 total proposed
- Proposed Hedgerow
- 919 linear metres total proposed
- Meadow Seed Mix
- 40.98ha total proposed
e.g. Emorsgate EM2 Standard General Purpose Meadow Mixture or similar sown at 4g/m²
- Solar Array
- Deer Fence (2.4m High)
- Public Right of Way
- Diverted Public Right of Way
- Overhead Line
- Proposed Area for Education
- Inverter
- Temporary Access and Storage Compound
- Existing Access Track
- Access Track
- Applicant/DNO Substation and Compound
- Gate
- 30m Wide Runway
- CCTV Camera

Note:

- 1) Separation distance between panel rows is from 2m-6m.
- 2) Offsets (5m from existing vegetation).

Revisions:
First Issue- 24/07/2018 JS
A - (31/07/2018 JS) Layout amendments
B - (02/08/2018 JS) Boundary updated
C - (19/11/2018 JS) Boundary and access track amendments
D - (26/11/2018 JS) Boundary amendments
E - (10/12/2018 JS) Boundary amended and runway added
F - (06/02/2019 JS) Layout amended
G - (11/04/2019 JS) Number of inverters reduced
H - (11/06/2020 JS) Proposed planting added
I - (21/10/2020 IHW) Quantities added to key

Site Layout and Planting Proposals

Ranksborough Farm, Langham

Client: Elgin Energy EsCo Ltd

DRWG No: P17-2021_07 Sheet No: REV: I

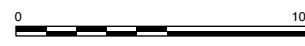
Drawn by : IHW

Approved by: AC

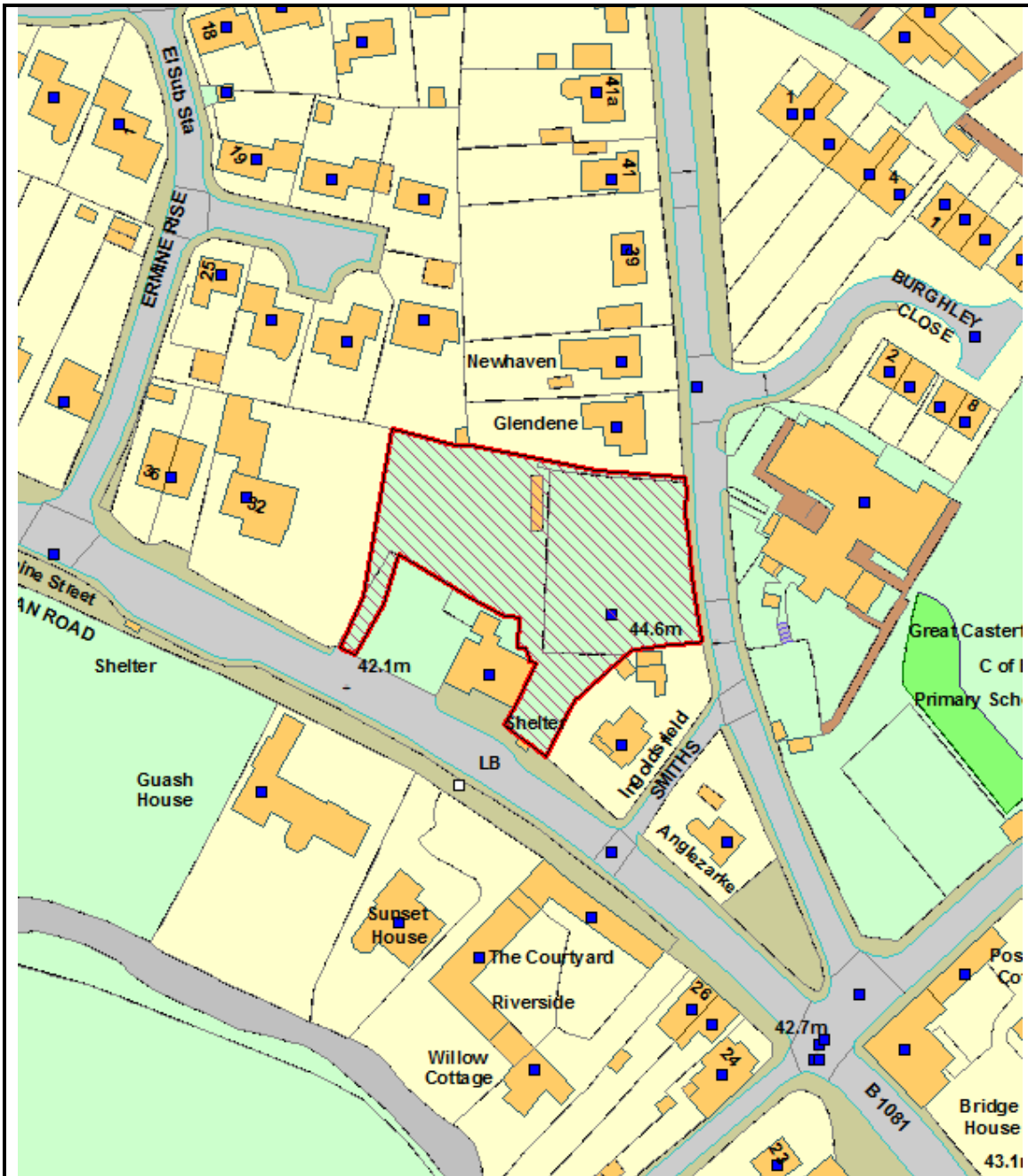
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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/0706/FUL		ITEM 2
Proposal:	Erection of 4 No. residential two-storey dwellings and introduction of an access road on the western side of the existing Stamford Osteopathic Clinic car park.		
Address:	Stamford Osteopathy Clinic, Old Great North Road, Great Casterton, Rutland, PE9 4AA		
Applicant:	Burghley Estate Preservation Trust	Parish	Great Casterton
Agent:		Ward	Casterton & Ryhall
Reason for presenting to Committee:		Policy/objections	
Date of Committee:		11 January 2022	
Agreed Extension of Time Date:		24 December 2021	

EXECUTIVE SUMMARY

The scheme has undergone several changes during the life of the application but is now in a position where 4 new dwellings within the Planned Limit to Development can be approved. The site has an Important Open Space designation but this is considered to be out of date

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1409-001B, 1409-002D, 1409-003B, 1409-004E, 1409-005E, 1409-008C, 1409-009C and 1409-011E.
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."
Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.
4. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously

	<p>damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>REASON: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.</p>
5.	<p>No development above damp course level shall be carried out 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>
6.	<p>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 shall be erected or carried out nor shall any structure be erected within the curtilage, except in accordance with the prior planning permission of the local planning authority.</p> <p>Reason: The dwellings are to be sited close to each other and their neighbours. Any further additions or windows would be likely to have a detrimental impact and hence need to be considered by the local planning authority.</p>
7.	<p>No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.</p> <p>Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.</p>
8.	<p>The communal play area shall be provided on site within 3 months of the occupation of the 4th dwelling on site, in accordance with details of its layout, landscaping and equipment, together with proposals for the maintenance of the site, which shall have been submitted for the approval of the local planning authority.</p> <p>Reason: To ensure that this part of the proposal is delivered in good time and is properly maintained thereafter.</p>
9.	<p>The obscure glazing in the top half of the landing window to Plot 2, shown on plan 002D shall be installed before the house is occupied and shall remain in perpetuity.</p> <p>Reason: In the interests of the amenities of adjacent residents.</p>
10.	<p>Before the 4th house is occupied, 3 swift nest boxes shall be installed on a suitable elevation of a dwelling(s) in accordance with the Swift Advice Note found at https://www.leicestershire.gov.uk/environment-andplanning/planning/leicestershire-and-rutland-environment-records-centre-lrerc.</p> <p>Reason: The site is within a Swift Alert area where the new boxes will add to the bio-diversity provision of the proposal.</p>
11.	<p>Off-site Highway Works</p> <p>A scheme of off-site highway works to install a footway along the site frontage through to the existing bus stop in front of Stamford Osteopathic Clinic incorporating a dropped vehicle crossing for both the application site and the reconfigured clinic carpark, to be submitted to and approved in writing by the</p>

	<p>LPA. The works will be completed prior to first occupation of the dwellings. Reason: In the interests of highway safety.</p>
12.	<p>Parking and Turning Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwellings to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles. Reason: In order to ensure that sufficient car parking and turning remains available on site.</p>
13.	<p>Lighting affecting the highway Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare. Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.</p>
14.	<p>Surface Water Drainage The vehicular and pedestrian accesses will be designed to prevent the discharge of surface water from the development onto the public highway. Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.</p>
15.	<p>Completion of roads No dwelling shall be occupied until the access road linking that dwelling to the public highway has been completed to a minimum of base course level and footways shall be completed to surface course level. Reason: In the interests of residential amenity.</p>
16.	<p>Construction Management Plan Condition No development shall take place, including any demolition work, until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:-</p> <ul style="list-style-type: none"> 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 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 during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers 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 parking, waiting, loading/unloading or 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) Details of site notice with contact details and a scheme for dealing with complaints.
 - k) Details of any temporary lighting which must not directly light the public highway.
 - l) Phasing plans where necessary.
 - m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
 - n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- 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.

Site & Surroundings

1. The site is located between the Old Great North Road and Pickworth Road, behind the former public house now used as an Osteopathic Clinic. The land formed part of the pub garden and the former bowls club. The latter has been closed for several years and is overgrown. The pub garden is not used by the Clinic. The site is bounded to Pickworth Road by a high hedge and sits at a lower level than this road. The site is slightly higher than the Old Great North Road but again is not prominent due to frontage buildings.
2. To the west is a vets practice and adjacent to the south east corner of the site is a separate dwelling known as Ingoldsfield.
3. To the north, at a higher level, is a recently extended bungalow called Glendene and a house at 22 Ermine Rise, approximately 16 metres from the north boundary of the site. Beyond Glendene on Pickworth Road is a dwelling known as Newhaven.
4. The site is within the Planned Limits to Development for Great Casterton. It is outside the designated Conservation Area. The land is subject to a designation in the Development plan that identifies it as Important Open Space.

Proposal

5. The proposal is to erect 4 dwellings with a new access alongside the former pub car park. The layout has changed since first submission. This included a larger play area and a footpath link to Pickworth Road. The footpath has been deleted due to difficulties with layout and levels. The play area is smaller but more central to the scheme and is now well overlooked.
6. The dwellings and the layout have been revised to minimise impact on adjacent dwellings.

Relevant Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 2 – Achieving Sustainable Development (Para 11d)

Chapter 5 - Delivering a sufficient supply of homes

Chapter 12 – Achieving well designed places

Site Allocations and Policies DPD (2014)

SP5 Built Development in the Towns and Villages

SP15 Design & Amenity

SP20 The Historic Environment

SP21 Open Spaces and Frontages

Core Strategy DPD (2011)

CS04 - The Location of Development

CS19 Promoting Good Design

CS22 The Historic Environment

Neighbourhood Plan

There is no NP for Great Casterton

Officer Evaluation

Principle of the use

Impact of the use on the character of the area

7. The site is set below the level of Pickworth Road, the outline of which is shown on the latest set of plans.
8. The review of important open spaces for the Local Plan review in 2017 retained this site as Important Open Space and states:
9. 'Bowls Club and beer garden to The Plough Inn. Provides green space for village and sets openness to village. Can be viewed from Old Great North Road and Pickworth Road. As planting between bowls club and beer garden. Important to character of the village.'
10. A closer examination of the site shows that it is barely visible along Pickworth Road due to the high hedge. The character of the site when used as a pub garden and Bowling Green has disappeared and the site contributes little to the public realm as there is no longer public access or significant views in or out of the site.
11. The dwellings would be at a lower level than Pickworth Road so would not be prominent. They would also be set well back from the Old Great North Road.
12. It is not considered that the designation could still be used as a reason for refusal. This is compounded by the 5 year housing land supply issue set out below.

Impact on the neighbouring properties

13. The dwellings on all plots would be close to adjacent boundaries. Plots 1 and 2 would have rear single storey elements relatively close to the side boundary of Glendene on Pickworth Road and the rear boundary of 22 Ermine Rise but revisions to the fenestration and confirmation sections through the site have revealed that they will not have a detrimental impact on Glendene such as to make the proposal unacceptable. The top half of the landing window on Plot 2 is obscure glazed. The entire landing window on Plot 1 is not annotated as obscure but this is approximately 25 metres from the rear of No.22 Ermine Rise, and at a lower level, which is within normal limits.
14. Plot 3 is largely unchanged and would not impact on its neighbours
15. Plot 4 has been turned through 90° from the original to sit parallel with Plot 3, backing onto Pickworth Road. This has reduced the impact on Ingoldsfield (from where there has been no objections).
16. The scheme now complies with SP15 in terms of neighbouring amenity.

Heritage

17. The site is not within the Conservation Area. The boundary runs partly along the Old Great North Road where properties on the southern side are within the CA. The set back of these proposals together with appropriate use of materials will not have an adverse impact on the character of the conservation area. There are many modern properties in the vicinity of the site including between the CA and the site.

Highway issues

18. The new access would use part of the former pub car park onto Old Great North Road. There is adequate width and visibility for 4 dwellings, which would represent a very modest increase in traffic on that road. The scheme complies with SP15.

5 Year Housing Land Supply

19. Following the withdrawal of the Replacement Local Plan from examination, members are aware that the Council can no longer demonstrate a 5 year HLS as required by the Framework. On that basis significant weight should be given to approving new housing unless there are breaches of other policies in the development plan that would outweigh approval.
20. The only policy that would now be breached is SP21, Important Open Space which Officers no longer consider can be defended.

Crime and Disorder

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

Human Rights Implications

22. 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.
23. It is considered that no relevant Article of that act will be breached.

Consultations

24. Great Casterton Parish Council

The Parish Council has reviewed the application and gives the project its full support.

We particularly appreciate the provision of a play area for the village. This has been lacking for some 25 years. It also supports the provision of a footpath through the site from the Primary School to the Bus Stop on the Old Great North Road.

The Parish Council particularly endorses the following paragraph in the design and Access Statement which summarises the provision of the Play Area well:

"The scheme offers a sought-after play area to the village, an amenity it currently lacks. It is considered the new play area would provide net increase in public benefit arising from the development. The play area would replace the loss of the Important Open Space land with a better provision in terms of quantity and quality in a suitable location. In addition, a new and safe footpath passing through the site will enable primary school children to walk directly from the Great Casterton C of E Primary School to the Great Casterton, o/s The Plough bus stop away from all rush hour traffic and busy roads. It is anticipated that the Parish Council would take up ownership of the playground and pathway and take on responsibility for maintenance and upkeep. "

The Parish Council is happy to take on the ownership of the Play Area land and footpath along with the maintenance and safety costs

Further comments

The Parish Council has reviewed the revised layout plans recently submitted, and continues to support this application. The comments made by the council in support of the original application still stands.

Further comments

Great Casterton Parish Council has been informed of the proposed rejection of planning application 2020/0706FUL.

Notwithstanding the meeting between Rutland Planners and the Developer, the Parish Council would like to confirm its continuing support of the planning application on the basis or provision that;

1. a) the developer identifies the play area on the drawings
2. b) the developer identifies the equipment to be installed on the drawings
3. c) the developer confirms that it they will bear the non-recurring procurement and installation costs associated with the play area underline its continuing support for this planning application which will also add a much-needed play area for the village. We have been without one for some 25 years.

Whilst we acknowledge that this site has been designated as an important open space in the local plan the bowls club closed a few years ago. The parish council attempted at that time to take it over for a play area; this was rejected by the Burghley Estates, the original owners of the land. Since then the area has become derelict, unkempt and not utilised.

The Parish Council therefore hopes that the proposed decision to reject the development can be reconsidered. Our comments in the previous two letters still stand.

The revised planning application has been reviewed by the Parish Council.

We continue to support these proposals but we are disappointed that the footpath through the site has been discontinued. This would have provided a safe passageway for children wishing to access the play area as well as the adjacent bus stop on the B1081. Its absence would encourage young children to enter the play area from the village's busiest road, the B1081, where it is not uncommon for the speed indication devices (SIDs) to record speeding motorists.

As the majority of the village's accommodation is to the east of the area access via the pathway would both encourage the use of the amenities and provide a safe way in, particularly for any unaccompanied children. We also believe the removal of access from the Pickworth Road would reduce the exploitation of this public amenity and urge a revised solution.

As stated in our original comments dated 7 September 2020 the Parish Council anticipates taking on the ownership of the Play Area land along with responsibility for maintenance and safety costs.

The Parish Council would wish that the development shall not commence until an approved layout and design plan of the play area, inclusive of the equipment to be installed, has been agreed in writing with Rutland County Council in conjunction with the Parish Council. We also recommend that the non-recurring procurement and installation costs associated with the play area should be implemented at the cost of the developer. Installation must also be completed and verified as safe to use by a competent authority prior to the first occupation of the dwellings.

All our previous comments still stand.

25. **Highways**

Following a full review of the information submitted under the above application number, and our discussion earlier, the LHA raise no objection to the proposal subject to the following conditions being appended to the decision notice:-

CONDITIONS

Off-site Highway Works

A scheme of off-site highway works to install a footway along the site frontage through to the existing bus stop in front of Stamford Osteopathic Clinic incorporating a dropped vehicle crossing for both the application site and the reconfigured clinic carpark, to be submitted to and approved in writing by the LPA. The works will be completed prior to first occupation of the dwellings.

Reason: In the interests of highway safety.

Parking and Turning

Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwellings to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.

Reason: In order to ensure that sufficient car parking and turning remains available on site.

Lighting affecting the highway

Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare.

Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.

Surface Water Drainage

The vehicular and pedestrian accesses will be designed to prevent the discharge of surface water from the development onto the public highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

Completion of roads

No dwelling shall be occupied until the access road linking that dwelling to the public highway has been completed to a minimum of base course level and footways shall be completed to surface course level.

Reason: In the interests of residential amenity.

Construction Management Plan Condition

No development shall take place, including any demolition work, 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 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 during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers 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 parking, waiting, loading/unloading or 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) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

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.

INFORMATIVES

Street Naming & Numbering - Section 17 - 18 Public Health Act 1925

The development will result in the creation of new street(s) and/or new dwelling(s) and/or allocate appropriate street names and property numbers. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Before development is commenced an application should be made,

allowing 8 weeks to complete. Details are available on our website at the following link:- <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/street-name-and-numbering/>

Should you require assistance please email snn@rutland.gov.uk. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and must be dealt with as a separate matter following planning approval.

Utility Services - Section 50 NRSWA 1991

The development is likely to involve works within the public highway in order to provide services to the site or which will affect existing services. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Further details can be obtained from our website and any queries can be emailed to highways@rutland.gov.uk.

Off-site Highway Works – Section 278 Highways Act 1980

The development involves extensive works within the public highway. Such works must be the subject of a legal agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the design, contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Works must not commence until the legal agreement is in place and road space booked. Please email highways@rutland.gov.uk for further details.

Penalty for Depositing on the Highway - Section 148, Sub-Sec C Highways Act 1980

It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways and verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Removal of Deposits on the Highway – Section 149 Highways Act 1980

If anything is so deposited on a highway as to constitute a nuisance, the Local Highway Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event that the deposit is considered to constitute a danger, the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

26. **Archaeology**

Thank you for your consultation on this application. We recommend that you advise the applicant of the following archaeological requirements.

Assessment of the Leicestershire and Rutland Historic Environment Record (HER), supported by the results of the archaeological evaluation of the development area, undertaken by Wessex Archaeology (WA) on behalf of the applicant (WA document reference: 247880.03), shows that the site lies in an area of significant archaeological potential.

The archaeological evaluation found Roman agricultural remains across the western side of the application area.

In line with the National Planning Policy Framework (NPPF), Section 16, paragraph 190 and Annex 2), the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. This understanding should be used to avoid or minimise conflict between conservation of the historic environment and the archaeological impact of the proposals.

Paragraph 199 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. The archaeological obligations of the developer, including publication of the results and deposition of the archive, must be proportionate to the impact of the proposals upon the significance of the historic environment.

As a consequence, it is recommended that prior to the impact of development upon the identified heritage asset(s) the applicant must make arrangements for and implement an appropriate programme of archaeological investigation. This will involve an archaeological excavation on the western part of the site, with some contingency for expansions to the east if remains continue.

The Historic & Natural Environment Team (HNET) will provide a formal Brief for the work at the applicant's request.

If planning permission is granted, the applicant should obtain a suitable written scheme of investigation (WSI) for the necessary archaeological programme. The WSI must be obtained from an archaeological organisation acceptable to the planning authority, and be submitted for approval to both the LPA and HNET as archaeological advisers to your authority, before the implementation of the archaeological programme and in advance of the start of development.

The WSI should comply with the above mentioned Brief and with relevant Chartered Institute for Archaeologists' (CIfA) 'Standards' and 'Code of Practice'. It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

We therefore recommend that any planning permission be granted subject to the following planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present:

No demolition/development shall take place/commence until a written scheme of investigation (WSI) 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

' 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 and recording.

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.

27. Ecology

Further comments

The updated habitat survey for this site (C. Emms and L. Barnett, August 2020) provides a comprehensive species list for the site. It did not record the presence of Milk Thistle and it therefore seems highly likely that this was a mis-identification from the applicant's previous ecologist. The site was not found to meet Local Wildlife Site criteria.

I therefore would have no objections to this proposed development.

I note that no evidence of protected species was recorded throughout the site and that the site had been considered to have only a low potential to support protected species.

The application site falls within a 'Swift Alert Area' as there are recent records for breeding swifts close to the site. Swifts are a local Biodiversity Action Plan (BAP) species. This development provides the opportunity to install some swift nest boxes to provide additional nest sites for this species and to help achieve the aims of the BAP. I would therefore recommend that 3 swift nest boxes are installed on a suitable elevation of a building in accordance with the Swift Advice Note found at <https://www.leicestershire.gov.uk/environment-andplanning/planning/leicestershire-and-rutland-environment-records-centre-lrerc>.

This should be required as a condition of the development.

Neighbour Representations

Neighbour 1 One letter of support has been received. (The Courtyard)

Having lived directly opposite the site for over 10 years, the land has become messy, overgrown and unsightly since the pub closed and the bowls club seemingly disappeared.

If the land were developed, it would represent an improvement to the appearance of this part of the village. The children's play area would also be a benefit to the village as, so far as I see, there is nothing else of this type in Great Casterton or within walking distance; my children would have benefited greatly from it if there had been.

Neighbour 2 Newhaven: (Next up from Glendene)

What I'm worried about is the houses being built will overlook the property I'm living in.

My neighbours to the left of me have just had an extension put on the existing bungalow, and were told that they couldn't overlook me so we're restricted on the height they could build. I have a feeling looking at the plans, I will be overlooked.

So I definitely object to the houses being built, not only that but the traffic is horrendous in the morning and afternoon with parents collecting their children from the primary school, around the corner. And their parking on the pavement, down from the Osteopathy clinic. Is very dangerous. The last thing we need is more traffic, along this road.

Neighbour 3 Glendene May 2021

Following receipt of the revised planning notification from Rutland County Council, relating to the erection of 4 properties on the above site, we submit our objections to this proposal.

After significant effort and expense, we have created a lovely home adjacent to the proposed application site. We wish to object for the following reasons: -

- Even though Plot 1 and 2 have been angled differently to the original plan submitted they still invade on our privacy and overlook our garden and into our glass front rear of our property. This is our main living area which will sit directly in view of Plot 2 in particular and now sits closer to our boundary. It would be much better without Plot 2 at all.
- Although we understand that development and improvement on the area is needed, to have 4 large properties as these over exceeds what we feel would be acceptable.
- Plot 3 and 4 although closer to our boundaries, do not impede on our privacy as Plots 1 and 2 do.
- Within the revised plans, the planned play park has also disappeared, and this was the only positive to come out of these submitted plans and believe this was a persuading factor of the Parish Councils agreement.

Nov 2021

Following the submission of the latest revised drawings we still object to this project going ahead. The absence of any details relating to the play park and now the removal of the access entrance/walkway to the site via Pickworth Road will now mean more footfall on Smiths, which is already a busy road with a narrow pathway often hindered by growing hedges that cause people to walk on the road. Also our objections to Plots 1 & 2 invading our privacy and the fact that our home is in an elevated position to these two plots means that not only is our privacy invaded but that of the proposed properties too. We don't object to the site being developed but feel that our objections so far are not being taken into account. Please register our objection.

Neighbour 4 22 Ermine Rise

As none of the plans provided show a cross section of the ground level on which plots 1 and 2 are to be built it is assumed that the houses will be constructed at the present level. This would be a considerable disadvantage as it would block both the sunlight to the rear garden of 22 Ermine Rise as well as the view to the south.

If this is the case, it is suggested that the ground level, certainly for plots 1 and 2, be lowered to that of the car park of Stamford Osteopathic Clinic. This action would have the benefit of increasing the privacy of the occupants of both plots 1 and 2 not to mention the privacy of the present and future occupants of 22 Ermine Rise.

If the ground level at plots 1 and 2 is to be lowered then we have no objection. If however it is to remain at the current ground level then we would object on the grounds of loss of sunlight to our garden and loss of privacy and view.

Conclusion

The report sets out above that the development is now acceptable in all other respects and there is no reason to withhold permission for this proposal. The proposal complies with the relevant policies except SP21, where the designation is unlikely to be sufficient to withhold planning permission.



- DENOTES AREA OF PYRACANTHA AND BEECH HEDGING. TWO SPECIES USED FOR SECURITY AND AESTHETICS.
- DENOTES A STANDARD 1.2M METAL ESTATE RAILING BLACK
- DENOTES A STANDARD 2M TIMBER CLOSE BOARD FENCING
- DENOTES THE NEW HEDGE BOUNDARIES. GRADED/PLANTED STRIP.
- DENOTES THE EXISTING HEDGE ON BOUNDARY TO REMAIN.
- DENOTES AREA OF NEW PERMEABLE BLOCK PAVED SURFACING MIXED VEHICULAR/PEDESTRIAN USAGE. TWO COLOURS USED TO DISTINGUISH PEDESTRIAN AREAS
- DENOTES AREA OF NEW NATURAL YORK STONE PAVING FORMING EXTERNAL HARD-STANDING AREAS
- DENOTES AREA OF NEW GRASS (TURF or SEEDED) SMALL LOW LEVEL AREAS OF PLANTING INCORPORATED BY NEW RESIDENTS
- DENOTES NEW TREE (SPECIES AS DETAILED ELSEWHERE)

Landscaping Site Plan

Scale 1:200



VISUAL SCALE 1:200

FOR COMMENT

Comments/Revision Notes:

Job No.	1409	Gt Casterton Class Q
Drawing No.	005	Landscaping Site Plan
Revision	E	RTK Stamford Ltd.
Scale	1:200@A1	Issue Date 15/04/21
		Drawn TG/OH

01760 482453

No.20 - PE9 2ZF

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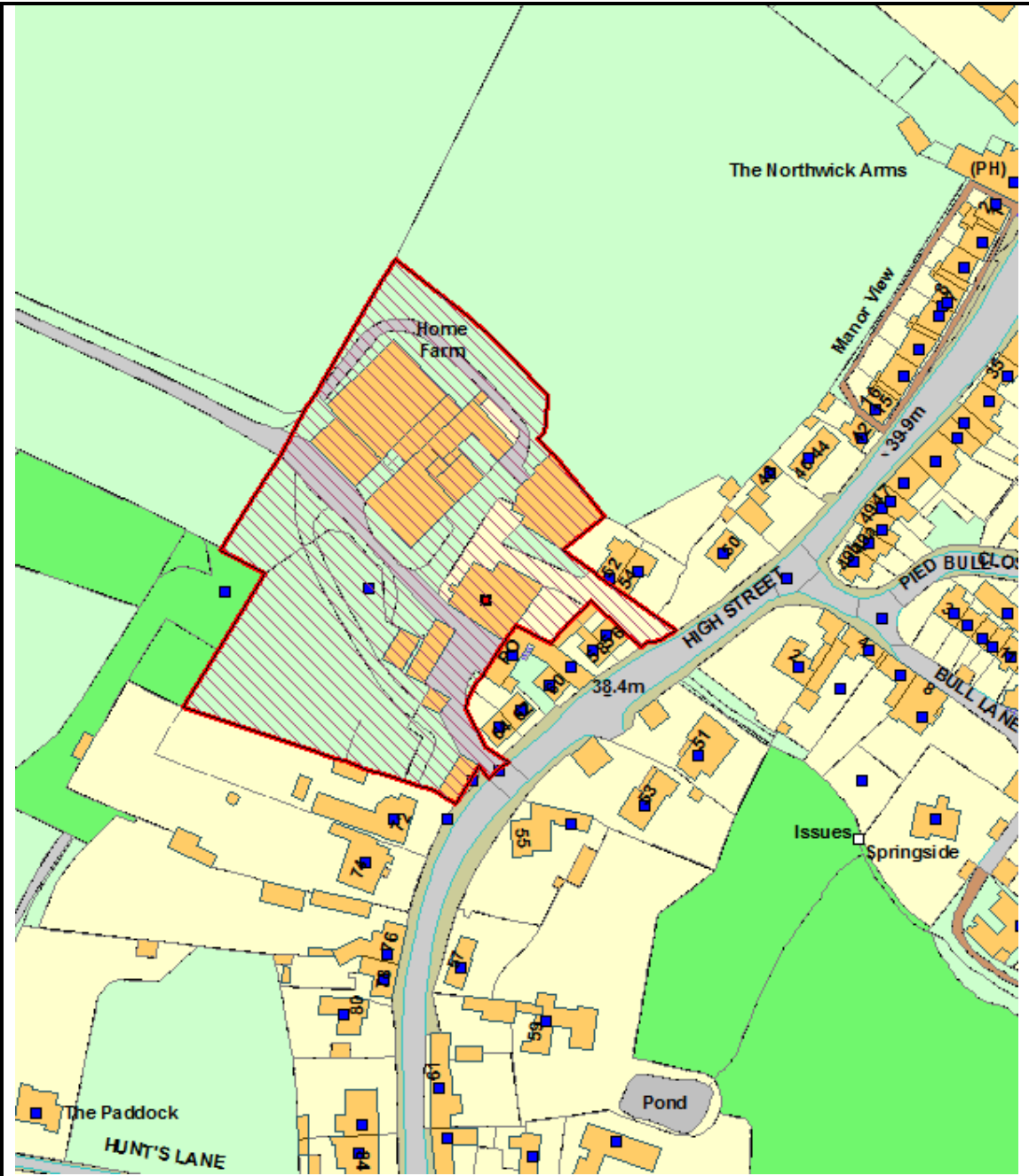
Drawing to be scaled for planning purposes only. All dimensions to be verified on site. All drawings are the copyright of RTK Stamford Ltd.





Plots 3 and 4

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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/1254/MAF & 2020/1249/LBA		ITEM 3
Proposal:	2020/1254/MAF - Demolition of Existing Modern Buildings, Conversion and Extension of Barns to 6 no. Dwellings and 2 no. offices, Erection of 9 no. Dwellings, and Alteration to Access. 2020/1249/LBA - Application for Listed Building Consent for the Conversion and Extension of Listed Dovecote to a Dwelling.		
Address:	Home Farm, High Street, Ketton, Rutland		
Applicant:	Beeson Wright Ltd	Parish	Ketton
Agent:	Barker Storey Matthews	Ward	Ketton
Reason for presenting to Committee:	Objections received		
Date of Committee:	11 January 2022		

EXECUTIVE SUMMARY

The site is allocated for development in the development plan. The scheme involves converting traditional buildings and the erection of new dwellings. The scheme has evolved during the lifetime of the application and matters of design, access and residential amenity have been satisfactorily resolved.

RECOMMENDATION

APPROVAL, subject to the completion of a S106 agreement to secure an off-site affordable housing contribution and the following conditions:

2020/1254/MAF conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; HF-PR-PL-01A, HF-PR-PL-02, HF-PR-PL-03, HF-PR-PL-04, HF-PR-PL-05 Rev A, HF-PR-PL-06, HF-PR-PL-07, HF-PR-PL-08, HF-PR-PL-09, HF-PR-PL-10, HF-PR-PL-11 Rev A, HF-PR-PL-20, HF-PR-PL-21, HF-PR-PL-22, HF-PR-PL-23, HF-PR-PL-24 Rev A, HF-PR-PL-25, HF-PR-PL-26, HF-PR-PL-27, HF-PR-PL-28, HF-PR-PL-100, 1116-PP02 Rev 06, Soft Landscape Specification, Landscape Maintenance Schedule, 20111-001 Rev P6, 20111-003 Rev P1 and the Inspired Ecology Report (August 2021).
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and the character and appearance of the conservation area, and because final details have not been submitted with the application.

4. Prior to occupation, at least 12 new swallow nest cups in groups of 3-4 in suitable locations shall be fitted on the site, in accordance with details previously submitted to and approved in writing by the Local Planning Authority and retained thereafter.
Reason: To mitigate against the loss of swallow nests that are present on site that would be lost as a result of the development, and because final details have not been supplied during the lifetime of the application.
5. Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwelling to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.
Reason: In order to ensure that sufficient car parking and turning remains available on site.
6. A scheme of off-site highway works shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in full prior to first occupation.
Reason: In the interest of highway safety.
7. No dwelling shall be occupied until the access road or driveway linking that dwelling to the public highway has been completed to a minimum of base course level and footways/cycleways shall be completed to surface course level. In the event any of the dwellings will be occupied prior to the access road serving that property being fully surfaced then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The access roads and driveways shall thereafter be completed in accordance with the approved timetable and phasing plan.
Reason: In the interests of highway safety
8. Prior to first occupation of any dwelling, vehicle to vehicle, vehicle to pedestrian and forward visibility splays shall be provided in accordance with the details shown on the approved layout plans and kept free of any obstructions over 600mm in height above ground level.
Reason: In the interest of highway safety.
9. The developer shall carry out a pre-condition highway survey and carry out a joint inspection of the condition with the highway authority of the public highway before site traffic commences. The extent and detail of the survey shall previously have been agreed in writing with the local planning authority. The results of the inspection will be provided by way of a photographic survey by the developer to the Local Highway Authority. A similar inspection will take place on completion of the development.
Reason: In the interests of highway safety.
10. No development shall take place, including any demolition work, 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 tarmacadam, to be maintained free of mud, slurry and any other form of contamination during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers 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 park, waiting, loading/unloading or 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) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

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.

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

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

12. The development hereby permitted shall not commence until details of the maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure that the SUDS Scheme is properly maintained to prevent flooding.

13. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on 1 to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
3. The results of the site investigation and the detailed risk assessment referred to in 2. and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3. are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

14. Prior to any part of the development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

15. The development shall be carried out in accordance with the recommendations in Para 5.1.2 of the Inspired Ecology Report (August 2021).

Reason: To ensure that protected species are dealt with in an appropriate manner.

Notes to applicant

1. With regard to the new swallow nest cups condition, please note that suitable locations would be within open sheds, carports, open fronted garages and stores, extended gables at eaves. It is not possible to install swallow replacement nests under 'normal' eaves; swallows need to go into a dark shelter in order to nest.
2. There are nests of other species (besides swallows) within other buildings on the site. Care is needed to ensure birds are not nesting when demolition takes place, or works begin on conversion. If works are planned within the bird-nesting season, a pre-demolition or pre-works check will be needed.
3. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
4. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
5. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
6. The developer should note that the site drainage details submitted have not been approved [by Anglian Water] for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Section 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with "Design and Construction Guidance for foul and surface water sewers" for developers, as supplemented by Anglian Water's requirements.
7. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website

www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

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

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

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

8. Street Naming & Numbering - Section 17 - 18 Public Health Act 1925

The development will result in the creation of new street(s) and/or new dwelling(s) and/or allocate appropriate street names and property numbers. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Before development is commenced an application should be made, allowing 8 weeks to complete. Details are available on our website at the following link:-

<https://www.rutland.gov.uk/myservices/planning-and-building-control/planning/street-name-and-numbering/>

Should you require assistance please email snn@rutland.gov.uk. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and must be dealt with as a separate matter following planning approval.

Pre-Commencement Highway Survey

Prior to the commencement of any work on the site, a joint inspection of the existing public highway, extent to be agreed, should be carried out with the Highway Authority, including photographic evidence. The route should then be inspected again, after completion of the development and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at nil cost to the Highway Authority. The Area Highway Manager may also wish to secure a commuted sum for special maintenance to cover the damage caused to the existing roads used as access for vehicles accessing the application site.

Utility Services - Section 50 NRSWA 1991

The development is likely to involve works within the public highway in order to provide services to the site or which will affect existing services. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Further details can be obtained from our website and any queries can be emailed to highways@rutland.gov.uk.

Off-site Highway Works - Section 278 Highways Act 1980

The development involves extensive works within the public highway. Such works must be the subject of a legal agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the design, contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Works must not commence until the legal agreement is in place and road space booked. Please email highways@rutland.gov.uk for

further details.

Penalty for Depositing on the Highway - Section 148, Sub-Sec C Highways Act 1980

It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways and verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Removal of Deposits on the Highway - Section 149 Highways Act 1980

If anything is so deposited on a highway as to constitute a nuisance, the Local Highway Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event that the deposit is considered to constitute a danger, the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period

2020/1249/LBA Conditions

1. The works shall begin before the expiration of 3 years from the date of this consent.
Reason: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. App plans condition as above (Plot 1 plans only)
3. Prior to the commencement of works to the dovecote, and notwithstanding the information submitted, a measured survey shall be undertaken of the existing roof structure and this, along with a survey drawing, shall be submitted to the Local Planning Authority, annotated to show the intensions for each component and, where proposed, details of any new structural members and their means of installation. The works shall be undertaken strictly in accordance with such details as may be approved in writing by the Local Planning Authority, unless the authority gives its written agreement to any variation to the approved scheme.
Reason: The building retains elements of the original roof structure that are of historic significance and this additional information is required in order to ensure that any works of alteration are undertaken in a manner that preserves as much of the original roof structure as possible, in the interests of preserving the historic significance of the building.
4. Notwithstanding the information submitted, the existing treble-roll pantiles on the dovecote shall be retained by salvaging existing tiles that are suitable for re-use and any shortfall made up with re-claimed treble-roll pantiles to match as closely as possible the existing pantiles.
Reason: The existing treble-roll pantiles are an important feature of the Listed building that need to be retained, in the interests of its historic significance.
5. Details of the roof structure on the listed Dovecote to be submitted for approval before works comments. All works to be in accordance with approved scheme.
Reason: To ensure that the integrity of the listed structure is maintained wherever possible.

Site & Surroundings

1. The existing site is Home Farm off High Street (behind the Post Office/shop) and comprises a range of traditional stone and modern agricultural buildings on an area of approximately 1.2 hectares. The site is mainly covered by buildings and hard surfacing, with little in the way of vegetation and trees, apart from the western side of the footpath which is overgrown.
2. Existing dwellings are located on High Street in front of the site, generally at a slightly lower level.
3. There is one listed building on site, a Grade II Dovecote.
4. The site is within the Planned Limit to Development and the Ketton Conservation Area.
5. A public footpath runs through the site leading up to, through and beyond the quarry.
6. The site is allocated for development in the Site Allocations and Policies DPD (2014) for the erection of 19 dwellings.

Proposal

7. The proposal is for the demolition of the modern buildings, conversion of the traditional stone buildings to dwellings (Plots 1, 2, 3, 5, 6 and 7) and offices (Buildings 1 and 5) and the erection of 9 new dwellings (Plots 4 and 8 to 15). Plot 1 is a conversion and extension of the existing listed Dovecote on site to form a 1 bed unit.
8. The application states that the number of dwellings allocated in the Development Plan has been reduced to allow a better overall scheme and includes 2 offices for employment use.
9. Access would be from the existing access on High Street where an existing road frontage barn would be retained and converted to offices with parking behind. Building 5 behind the Post Office would also be offices with parking.
10. A separate entrance would give access to Building 5 and provide off street parking for existing dwellings on High Street
11. The site plan is attached as an Appendix.

Relevant Planning History

No relevant planning history

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

CS02 – The spatial strategy
CS03 – The Settlement Hierarchy
CS04 - The Location of Development
CS09 – Provision and distribution of new housing
CS10 – Housing density and mix
CS11 – Affordable housing
CS18 – Sustainable transport and accessibility
CS19 - Promoting Good Design
CS21 - The Natural Environment
CS22 – The historic and cultural environment

Site Allocations and Policies DPD

SP2 – Sites for residential development – Allocation Site H6 – Home Farm Ketton – 19 Dwellings
SP5 – Built development in the towns and villages
SP9 – Affordable housing
SP15 - Design and Amenity
SP19 - Biodiversity and Geodiversity Conservation
SP20 – The historic environment

Planning Obligations Supplementary Planning Document (2016)

Note – Ketton and Tinwell had a neighbourhood area designated in September 2018, with a view of creating a neighbourhood plan, though a draft plan has not been published at the time of this report.

Planning Assessment

12. The main issues are the impact on the character and appearance of the area, impact on the identified heritage assets, residential amenity, highways, affordable housing and ecology considerations.

Impact on the character and appearance of the area

13. The site is allocated for development of up to 19 dwellings in the development plan. The scheme is at a lower density than was suggested. The site is not on the roadside in the village and has modern bungalows on the frontage adjacent to the Post Office/shop.
14. The conversions use existing building shells and appropriate new materials including corrugated metal sheeting for the roofs, reflecting the previous use. The new build units are well proportioned with relatively narrow gables in a traditional form.
15. The development is served by a narrow road, generally 3.5m wide, to give the impression of a 'lane' rather than a street or road. This would be for both vehicles and pedestrians to demonstrate that it is not a car led layout. There are passing places to minimise conflict on a narrow lane. There is a 1m wide footpath at the entrance to the site alongside a 4.8m roadway.
16. Overall, the scheme will make a neutral or positive contribution to the character of the area generally.

Heritage Assets

17. The Conservation Officer was concerned about the extension to the dovecote in that it should be provided by a lightweight link so that the existing rear wall of the building would remain exposed. The applicant has requested that the extension be approved as submitted as a link would make it difficult to retain privacy without blocking out the glazing.

18. With regard to the use of a concrete floor in the Dovecote, the Conservation Officer still considers that a Limecrete or similar floor should be used, thus allowing the building to continue to breathe. He states that evidence should be sought from the manufacturers that the material cannot carry the weight of new structures internally. This will be updated in the Addendum.
19. Subject to clarification of issues surrounding the dovecote, the overall scheme will preserve the character of the conservation area and the setting of the listed building.

Trees and Landscaping

20. The Arboricultural Assessment submitted with the application concludes that trees on site are in average condition at best and reflect the fact that the individual specimens have been neglected and naturally regenerating scrub has colonised parts of the site.
21. The Norway Maple should not be seen as a constraint to development due to the fact that it is growing out of a bank and the included union is a defect that cannot be managed via arboricultural works. As such, it would be best to replace this specimen in order to have a blank canvas in terms of the landscape design process.
22. G4, the Hazel stools, should be retained, if possible, these are of an impressive age and are in reasonable condition - they are retained as part of the scheme.
23. The off-site trees need to be considered in terms of RPAs and shade patterns, in particular, the mature Lombardy Poplar.
24. The Assessment suggests that in relation to sustainability and longevity, the rest of the site is cleared of the existing vegetation, in mitigation, a robust and more sustainable, detailed landscape scheme has been submitted with the planning application.
25. This Landscape Architect designed scheme will look to put forward a detailed proposal for the planting of significant native hedgerows, trees and low-level shrubs across the site that will ultimately offer a landscaping scheme of a quality, extent and life expectancy that will far exceed that of the existing overgrown and generally poor-quality specimens presently found on site.
26. The landscaping design and species have been chosen for ecological value and to facilitate a character of transition between built development and the rural character of the countryside beyond the site.
27. The submitted landscape scheme includes 48 new trees, over 3000 new hornbeam hedging plants to form boundaries, 600 new native hedge plants for external boundaries and over 1400 other shrubs. The landscaping plan is accompanied by a landscape specification and maintenance schedule.
28. Boundaries to plots facing the access lane would be defined by hedging.

Ecology

29. Surveys for protected species have been carried out to the satisfaction of the Ecology consultee. No further surveys are required but the mitigation in the report should be imposed as a condition (see above).

Impact on the neighbours' residential amenities

30. The numerous objections from local residents, the Parish Council and other consultees are noted and have been given due consideration.

31. The layout will have minimal impact on existing dwellings. The dwelling at 72 High Street is separated from the new building plots by an existing high stone wall.
32. The front of Plot 2 (conversion) would be 21m from the rear of the bungalows on High Street. Other buildings adjacent to e existing dwellings are for conversion and all new builds have no impact on the amenities of adjacent residents.
33. The occupier of the bungalow adjacent to the main access is concerned about the impact of the increased use of the access and use of the frontage barn as an office in that this will disrupt the use of the garden. The allocation of the site as a housing site will inevitably include the use of this access to the overall site. The office use will be relatively quiet, especially at night and weekends. It is not considered that this is a reason to refuse permission.
34. It is considered that the scheme would not result in an unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway issues

35. Ketton is one of the more larger sustainable settlements in the County.
36. The proposal uses a 4.8m wide access from High Street, allowing the retention of the frontage barn which makes an important contribution to the street scene and character of the conservation area.
37. As set out above the scheme uses a very low road heirarchy to retain a flavour of the character of a village lane. Whilst this makes it tight, it slows down vehicles and allows more of a shared use of the lane so has double benefits.
38. All plots have parking to meet adopted standards
39. In terms of the public footpath running through the site, the access lane does follow the existing route and whilst it would preferable be on a separated alignment to the road, in this case it would be difficult to disrupt the layout by providing a separate PROW route through the development. In terms of the overall length of the footpath this short section on the development is a minor part.
40. The applicant points out that part of the existing footpath is hard surfaced as would the new one be, and points out that walkers already follow the proposed line rather than the actual line as it is mis-signposted.
41. The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Drainage

42. Surface water drainage would be to soakaways and permeable paving. There would be grass filter strips alongside the main lane. All drainage is to the satisfaction of the Lead Local Flood Authority and is controlled by conditions set out above.

Affordable Housing

43. The scheme does not provide any affordable housing on site. It has been through an independent viability exercise by the District Valuer who has confirmed that an off-site contribution can be made in addition to CIL payments.
44. This contribution would be secured by a S106 agreement.

Crime and Disorder

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

Human Rights Implications

46. 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.

Consultee Responses

47. **Ketton Parish Council**
Objection, on the following grounds;

Access to site

- Concerns over highway safety due to width of access/road
- Visibility splays do not take account of parked cars
- Any proposed removal of on-street parking along High St would not be acceptable for existing residents
- Community parking within the the development could mitiage issue?

Public Right of Way

- Same points raised as PROW Officer's objection (contrary to DEFRA Rights of Way Circular – any alternative alignment should avoid the use of estate roads)
- 'Step off' points along the road onto raised verges to avoid traffic are not practicle for less mobile users of the footpath
- Contrary to (emerging) Policy EN3
- Disagree with prelim advice that the site should have 'tighter street with shared surfaces as fits with the local urban form of most historic parts of the village'.

Affordable housing

- No affordable housing or robust justification provided
- Proposes no homes below market cost and only 3 homes with 3 bedrooms or less

Sustainability

- Questions 'regular bus service to Stamford and Uppingham due to limitations of timetable
- The Transport Assessment states that a good range of shops and facilities, and a cafe, lie within an 800m walk from the site - there is only one shop/Post Office in Ketton, and no cafe.
- Questions results, and conclusions of Transport Assessment, conducted during pandemic restrictions and missing busy times (commute times and school runs)
- No electric vehicles charging points
- No mention of 'Fibre to the Premises' infrastructure (broadband)

Self build houses

- All new build houses (not the 6 conversions) are intended to be 'self-build', though will be built by the same developer/builder – i.e. not self build (owners would only decide house interiors) – Implications for CIL relating to self-build

Surface Water Drainage

- Concerns about possible impact on properties on the SE side of High St.
- note that Anglian Water require more details of the Surface Water Disposal Strategy on this site.

Cumulative effects of all 3 High Street developments

- If all 3 housing schemes go ahead, it will result in 86 more houses along a 600m stretch of the High Street, and a possible increase in population of at least 10%.
- Extra pressure on school, sewerage system, traffic through the village and doctors' surgeries
- If all 3 building at same time or consecutively, impact as a result of construction and traffic significant
- Essential all construction traffic from the East (A1 direction)

Long Paddock

- Long Paddock in same ownership as Home Farm
- Potential to plant a new, publicly accessible, community orchard on Long Paddock, in partial mitigation of the proposed destruction of the traditional orchard on the Chater Field site?
- Would see this a mitigation for development at Chater Field (2020/1263/MAF), which will result in the destruction of the traditional orchard,
- Essential that the new orchard is transferred to a trust (or Ketton Parish Council) in order that it should be for the community in perpetuity.

Other Issues

- Lack of detailed landscaping scheme to include mitigation, or ideally Biodiversity Net Gain, to compensate for tree and habitat loss, especially with respect to bats and swallows.
- The detrimental impact on the wall of no 72 High Street of any possible levelling of the ground on plots 10 and 11.
- The unsuitability of gravel as a surface for mobility scooters, pushchairs and those of limited mobility.
- Fuller archaeological survey required.
- The area with the fuel tank and pump needs to be assessed for contamination.

Further objection following revised plans:

Archaeology and site investigation reports 1 to 4, storm water calculations, exceedance flow diagrams and manhole detail - noted.

Plot 3 plans (revised) - no objections.

Proposed site plan (revised) - objections.

Although the revision to Plot 8 boundary will improve the width of the road as it curves through the site, we were disappointed to note that there are still no plans for a continuous dedicated footway/pavement through the site. Users of the popular Public Right of Way (part of the Hereward Way) will still be sharing the route with vehicles, with few options of 'step off' points for refuge.

We have no objections to the plans for 'flush laid cobblestones' and the drainage channel at the site entrance, and the stone boulder at the corner of building 1. However, the white line on the road, across a widened entrance to the site, will remove the only parking spaces available for 78 High Street. Providing some parking within the development site for nearby residents with no off-street parking options is essential in terms of safety and lessening the impact of this development on the village as a whole.

Proposed site plan (revised) - objections.

We were very disappointed to note that it was not possible to provide parking for the 2 bungalows and the shop (and see comment above).

The use of a 2016 Dept for Transport traffic survey data to justify not repeating their traffic survey out of lock down and at times to include the 'school run' is not acceptable. The DfT data is 5 years out of date, and there is no indication as to where between Ketton and Tinwell the survey was carried out - it could be missing traffic that turns off at Steadfold Lane, which is a well-used route to N Stamford from Ketton.

Drainage Strategy – objections

We refer to Anglian Water's comments from Nov 2020, section 4, with respect to surface water disposal plans for this site "The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to a sewer seen as the last option.....The environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse" We note that these proposals are for all surface water to drain into the main surface water/clean sewer which would take the water across the road and the field beyond, into Sinc Stream and thence into the R Chater, as based on the dye tracing exercise carried out. The dramatic effects of this dye tracing exercise on Sinc Stream and the Chater were observed by chance by several villagers, including parish councillors. The proposed surface water disposal system is unacceptable in terms of the possible detrimental effects on the water quality, and hence biodiversity, of Sinc Stream and the Chater.

48. **Ketton and Tinwell Neighbourhood PlanGroup**

- 1) The JNPSG opposes this application. Whilst recognising that this is a site designated for development by RCC, it is clear that this proposal falls on a number of counts. In our view it should be rejected by RCC. In taking this view, we are drawing on our evidence base for the Neighbourhood Plan (in preparation) and our information about residents' views obtained via public consultation, which included a Survey in 2020 across all residents of their opinions on a wide range of matters, to which we received 315 responses across Ketton and Tinwell, 293 being from Ketton residents.
- 2) In addition to our own views, set out below, we also completely endorse the submission made by Ketton Parish Council in opposing this Application, together with the series of very detailed points they make, which we will not repeat here.
- 3) Concerning Housing type, the Survey concluded that 88% of those with an opinion felt the village needed properties with two and three bedrooms, directly in line with RCC's own policy and the conclusions of the Strategic Housing Market Assessment for the area.

Complementary to this was a clear lack of appetite for developments with four or more bedrooms, which only 9% of those expressing an opinion supported. Yet only three of the dwellings proposed are of three or less bedrooms.

- 4) Affordability is another area in which the responses to our Survey supported both National and Local Policy. 72% of those with an opinion believed that the need was for housing NOT at a price set by the market. Yet no affordable housing is included here.
- 5) Parking issues and traffic management. In this part of Ketton these two issues are closely linked. The lack of provision for parking was perhaps the most vehemently felt area of response in our Survey. In terms of a wide range of perceived "needs" in the villages, off-road parking attracted the highest level of concern of all. In judging new developments for approval, 286 respondents felt the matter was very important, against only 9 who did not. Ketton already has a parking problem as noted in the response of Ketton Parish Council, and this development in its present form can only serve to increase that problem in several significant ways. We would also highlight the impact that these parking pressures will have on the management of traffic flow through Ketton, at a known pinch-point, with resultant safety concerns.
- 6) Heritage. We are unclear how the various self-build etc plans are intended to ensure no loss of the considerable heritage value of many of the buildings. In particular, attention should be paid to the internal structure of the old dove cote (a Listed Building) and any dwelling conversion should ensure that the design allows the preservation of its characteristic features.
- 7) Green space and Nature. Our Survey made clear the concerns of a substantial majority of residents on these matters, also supported by a number of RCC policies. This covered both Trees, hedgerows and woodlands, and also untended land of wildlife value. The Application impacts all such areas. The Survey showed that for Trees, hedgerows and woodlands, 289 respondents rated these as very important, a further 20 as slightly important, and a mere 6 as not at all important. Untended land of wildlife value rated 234 considering it to be very important, 63 slightly important and 18 as not at all important. The view of the village is clear, and yet there is no attempt in the proposal to offer mitigation in respect of the loss of biodiversity and crucially no attempt to provide biodiversity gain (see below) within the development site.
- 8) Biodiversity. Further to note 6) above, we are surprised and disappointed that there is no reference in the proposal for the requirement for "net Biodiversity gain". This is not an optional extra, or some kind of "nice to have", but rather a specific requirement of the National Planning Policy Framework (NPPF), paras 170 - 175, and specifically para 170(d). This is supported by RCC policy EN9. The Environment Bill currently going through Parliament is likely to elaborate further on these matters, and may well require a 10% biodiversity net gain. The Application's ecological survey, despite the problems with it that we identify below, itself identifies there is clearly a net loss to Biodiversity from the proposal as it stands, due not least to loss of habitat for a range of species in the trees, bushes and buildings presently on the site. Yet the Application makes no attempt to quantify this or suggest any mitigation process. We also have the following specific comments which in our viewpoint to difficulties in the Application relying in the ecological survey carried out:
 - a) The survey took the form of desk-checking records, and site visits in winter and early spring. Neither date would have allowed an adequate assessment of the utilisation of the whole site by wildlife, and in particular bats.
 - b) There are mentions of a possible bat hibernation roost, but no checks have been done for the possibility of summer and maternity roosts in the building.
 - c) Nor has any survey been done of the use of the buildings and surrounding area as foraging or flight corridors for the many bat species that are found in Ketton.
 - d) The lack of a summer surveys means that the presence of a large colony of mining bees in the old dove cote has not been taken into account. Whilst these are not protected species themselves, the catastrophic loss of bees, amongst other invertebrates, is widely recognised as being of extreme detriment to all ecosystems, and any loss of such a site is significant. If the current open stone structure in the old dove cote cannot be retained, lime mortar rather than conventional mortar should be

used in site works here, and should also be a condition of the works across the site as a whole.

Ann Tomlinson
Chair, Ketton and Tinwell Joint Neighbourhood Plan Steering Group

49. Highway Authority

No Objections if built in accordance with Drawing No. HF-PR-PL-01 Rev A submitted on 7/5/2021 and subject to the following conditions/informatives;
The Local Highways Authority understand that the access road will remain private however will have a PROW running from the south east of the site to the north west corner

Parking and Turning

Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwellings to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.
Reason: In order to ensure that sufficient car parking and turning remains available on site.

Off-site Highway Works

A scheme of off-site highway works shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in full prior to first occupation.
Reason: In the interest of highway safety.

Completion of roads

No dwelling shall be occupied until the access road or driveway linking that dwelling to the public highway has been completed to a minimum of base course level and footways/cycleways shall be completed to surface course level. In the event any of the dwellings will be occupied prior to the access road serving that property being fully surfaced then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The access roads and driveways shall thereafter be completed in accordance with the approved timetable and phasing plan.
Reason: In the interests of highway safety

Visibility Splays

Prior to first occupation of any dwelling, vehicle to vehicle, vehicle to pedestrian and forward visibility splays shall be provided in accordance with the details shown on the approved layout plans and kept free of any obstructions over 600mm in height above ground level.
Reason: In the interest of highway safety.

Pre-condition Highway Survey

The developer must contact the Local Highway Authority to agree the extent of a pre-condition highway survey and carry out a joint inspection of the condition of the public highway before site traffic commences. The results of the inspection will be provided by way of a photographic survey by the developer to the Local Highway Authority. A similar inspection will take place on completion of the development.
Reason: In the interests of highway safety.

Construction Management Plan Condition

No development shall take place, including any demolition work, 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 during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers 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 park, waiting, loading/unloading or 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) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

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.

INFORMATIVES (See recommendation)

50. **Transport Strategy**

- Site permeability - for safety, to encourage travel by foot and ensure accessibility for all, the properties should have a suitable footway provision to the frontages and leading out to the High Street.
- Cycleway enhancement - the Parish have previously requested enhancements to the existing cycleway to the east of the village. As such, a contribution towards such improvements should be considered.

51. **Public Right of Way Officer**

Objection: Based on the proposal to divert existing public footpath E229, which features on a number of promoted routes (local and national) and construct a tarmac estate road over it. The applicant's design does not appear to have taken into consideration, or be contrary to, DEFRA Circular 1/09, Rutland County Council Rights of Way Improvement Plan (second edition), and Policy RLP42 (Green infrastructure, sport and recreation) of the emerging Local Plan

DEFRA Circular 1/09

7.8 In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any

alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made-up estate paths through landscaped or open space areas away from vehicular traffic.

Rutland County Council Rights of Way Improvement Plan (second edition)

Action 4B - Ensure that new development not only preserves but enhances the local rights of way network, either within the limits of development or beyond, and publish guidance for developers defining best practice. Existing paths within the limits of development should be improved by the dedication of additional width and/or higher rights, whilst off-site improvements should focus on the creation of new routes to integrate the development into the wider network:

Development is often seen as detrimental to the rights of way network, and perhaps in the past we haven't always fully appreciated its value. We believe that in the future developers should be required to enhance rights of way affected by their proposals in anticipation of increasing levels of use and raised expectations.

52. Rutland Ramblers

Objection, on the following grounds;

- Major concerns over the impact this proposed development will have for the Right of Way access that passes through it.
- This is an important and extremely well-used footpath.
- Concern over the safety of walkers, and the potential for that to be compromised. The proposal to divert the existing public footpath (E229) and essentially construct a tarmac road over it will inevitably increase risk.
- Other concern is about the quality of the footpath in the future, and the potential for walkers to enjoy using it. We should be taking every opportunity to enhance the 'open' and 'green' nature of our RoW network in Rutland; these proposals do not appear to do that.
- Cites; DEFRA RoW Circular - 1/09, Rutland County Council - RoW Improvement Plan - Action 4B and (emerging) Rutland Local Plan - Policy RLP42.

53. Local Lead Flood Authority (LLFA)

No Objections if built in accordance with Drawing 20111-001 Rev P6 Drainage Strategy; and subject to the following condition:

The development hereby permitted shall not commence until details of the maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include:

A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime

54. LCC Archaeology

Written Scheme of Investigation is acceptable – Trial trenching is underway

Further comments following re-consultation

The evaluation report shows that no significant archaeological evidence has been found. There is still the requirement for the historic building survey, however I am aware that this has been completed. Once the historic building report has been submitted there will be no further

archaeological requirements on this application and the previous suggested condition would not be needed.

55. **Georgian Group**

Comments limited to Dovecote and 'building 3' only. Concern over the conversion of the Dovecote – critical that the surviving nesting boxes remain both undisturbed and visible within any conversion scheme. Concern over the use of UPVC frames for the building 3, and three new openings within the first-floor principal façade.

56. **Conservation Officer**

Firstly, I can confirm that I have no objection in principle to the conversion and extension of this Grade II Listed dovecote to a dwelling although I do have several concerns about the scheme as currently proposed.

That said, I am pleased to see that the applicants are being realistic with regard to level of accommodation that is to be provided by the conversion and that the proposed extension is to be discreetly located on the northern side of the building.

However, whilst I have no issue with the proportions and proposed materials for the extension, I am concerned that there is no separation, in the form of a narrow glazed/partially glazed link between the existing and proposed elements, as usually the case with successful schemes involving this type of building. Such a link would better preserve the character and appearance of the dovecote than having virtually the entire width of the north wall concealed by the extension.

Also, the annotation on the 'proposed' drawing states that – "*Existing roof timbers retained and locally repaired where necessary*". This is good but I would still like to see photos of the roof structure just to confirm there is no feature associated with the buildings' original use that may need to be preserved.

It would also be helpful if the applicants could state their intentions with regard to damp-proofing and insulation. Ideally, I would like to see the internal walls remain exposed in their entirety, but I appreciate that may conflict with thermal insulation requirements.

Finally, I note that a concrete floor is proposed in the dovecote, and I would advise that in a building of this type the floor should be of a breathable material such as 'Limecrete', or a similar product, in the best interests of preserving the fabric of this building of traditional construction.

I would welcome opportunity to comment further should revised proposals addressing the above concerns.

Further comments

- Agree that the works to the roof structure can be dealt with by way of condition

Secondly, glazed links are an appropriate and commonly used design solution to provide a connection between historic buildings and additions. This Authority has approved several such schemes (including a link between a former dovecote and additional accommodation at Belmesthorpe). I maintain the view that a predominantly glazed link is the most appropriate solution to connecting the main body of the extension to the dovecote. Also, the link should be narrower, so as to obscure less of the external wall of the dovecote.

Thirdly, I note the intention to leave the internal surfaces, therefore the nest boxes, exposed but is this feasible in practice? Won't some insulation be required for energy efficiency

purposes? From my point of view, it would be preferable for the nest boxes to remain entirely exposed but I query whether this is practicable.

Fourthly, the applicants discount the use of Limecrete for the floor as it would not be suitable to support the load of the free-standing mezzanine, but a concrete floor would. Have they actually investigated whether it is the case that Limecrete could not perform the purpose of supporting the mezzanine? What do the manufacturers have to say on the matter?

Lastly, something I overlooked in my original comments was the proposal to change the roof covering. At present the covering is treble-roll pantiles and the annotation on the drawing specifies Sandtoft Old English Natural Red Clay Pantiles which have an entirely different profile. I would advise that the existing type of pantile should be retained, and this will involve salvaging existing tiles that are suitable for re-use and any shortfall made up with re-claims. This is required because the existing pantiles are an important feature of the building that need to be retained.

Final Comments 22 December 2021

I have not seen any technical information to confirm the Agent's assertion that Limecrete would not be suitable to support the load of the free-standing mezzanine. I repeat my suggestion that the manufacturers are asked to confirm if this is the case.

As for my suggestion for a glazed link, I have reconsidered the drawings with regard to this matter and take the point regarding privacy. Consequently, as the addition to the dovecote is now narrower than the existing building and predominantly clad in horizontal timber boarding, I accept that the use of this material (allowed to weather naturally) will adequately in this instance differentiate the extension from the Listed structure.

However, my concerns with the regard to the roof covering remain, this should be triple-roll pantiles as at present, and not the type currently specified. Also, the matter insulation and exposure of the nest boxes remains unresolved.

My email of the 19/2/2021 includes a suggested condition for the roof structure.

As for the roofing materials for the remainder of the site, blue slate and plain should predominate on the new build units with pantiles confined to outbuildings (garages). Corrugated metal has become part of the agricultural vernacular and I am not concerned about its use (subject to approval of samples) on some of the converted buildings. I am not sure about its use though on the taller buildings, such as that on Plot 4.

57. Public Protection

Following a phase II contaminated land assessment, it is required that the identified tanks are removed and allowance made for ground conditions identified in the report. Contaminated soil to be removed as work progresses. Final validation report required.

58. Affordable Housing

There is a 30% affordable housing requirement for this site under policies CS11 (Affordable housing), SP9 (affordable housing) and the Planning Obligations SPD 2016. There is substantial need for more affordable housing in Ketton. The affordable housing should normally be on site, unless the applicant can demonstrate that there are exceptional planning reasons [not to].

The applicant states that there is no affordable housing provision because the site is not viable but offers little justification stating that conversion is more expensive than new build. The SPD states:

A viability appraisal should be sought in line the SPD, with the applicant agreeing beforehand to pay the relevant fees.

59. **Severn Trent**

Confirm that the site is out of Severn Trent Water's area for sewerage

60. **Anglian Water**

- Assets Affected - Note to applicant requested regarding assets owned by Anglian Water or subject to an adoption agreement.
- Wastewater - The foul drainage from this development is in the catchment of Ketton Water Recycling Centre that will have available capacity for these flows
- Used water network – Based on the submitted Flood Risk Assessment, the sewerage system at present has available capacity for these flows. Notes to applicant requested.
- Surface water disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. Defer this point to the Local Lead Flood Authority.

61. **LCC Ecology**

Initial comments about number of surveys required.

All surveys have now been done. The applicant's ecologist was in touch in October and sent me the surveys. I don't know whether the surveys were ever submitted formally. It is now OK; no further surveys needed, but mitigation under conditions.

Neighbour Responses

62. 8 objections received, on the following grounds:
- Some support for the principle of development but;
 - No smaller/affordable properties
 - High risk of flooding
 - Width/capacity of access
 - Conflict for cyclists and pedestrians in the site
 - Public footpath not segregated/future impact
 - Difficulties for refuse vehicles
 - Character of conservation area
 - Loss of habitat
 - Loss of amenity for the bungalow adj the access

Conclusion

63. Taking the above into account, it is considered that the proposed scheme as amended complies with the relevant policies of the Development Plan and can therefore be recommended for approval subject to the completion of a legal agreement to secure the off-site financial contribution towards affordable housing.



NOTES	
REVISIONS	
A - General revisions in response to Highways comments: entrance details and Plot 8 boundary.	
Jon Richards Architectural Design	
Jarvine House 1 Red House Field Salisbury SP4 4JG	info@red.co.uk www.red.co.uk +44 (0) 1753 388276
CLIENT Beeson Wright Ltd	
PROJECT Home Farm 72 High Street Ketton Stamford PE9 3TE	
DRAWING TITLE Proposed Site Plan	
SCALE 1:200 @ A0	
DATE September 2020	
DRAWING NO HF-PR-PL-01	REV A

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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2021/0083/FUL		ITEM 4
Proposal:	Development of the land on the south side of Church Farm, Ridlington to create 1 no. detached 2.5 storey C3 dwellinghouse with associated driveway, parking and garage with first floor habitable space.		
Address:	Church Farm, 2 Church Lane, Ridlington, Rutland, LE15 9AL		
Applicant:	Daniel Lount	Parish	Ridlington
Agent:	Class Q Ltd	Ward	Braunston & Martinthorpe
Reason for presenting to Committee:		Policy considerations	
Date of Committee:		11 January 2022	
Determination Date:		22 March 2021	
Agreed Extension of Time Date:		24 December 2021	

EXECUTIVE SUMMARY

This scheme for a new house in Ridlington raises issues of policy and the impact on heritage assets.

Overall the scheme is recommended for approval because the locational policies of the development plan are out of date as the Council can no longer demonstrate a 5 year housing land supply and the design of the proposal is acceptable in terms of its impact on heritage assets.

RECOMMENDATION

APPROVAL, subject to the following conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers.
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."
REASON: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.
4. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of

being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.
REASON: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

5. No development above damp course level shall be carried out until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
REASON: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.
6. 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 shall be erected or carried out nor shall any structure be erected within the curtilage, except in accordance with the prior planning permission of the local planning authority.
Reason: The dwelling would be sited in a prominent position within the conservation area, adjacent to listed buildings. Any further additions or windows would be likely to have a detrimental impact on heritage assets and residential amenity and hence need to be considered by the local planning authority.
7. The development shall not be occupied until the applicant has made provision for the deposition of the archaeological archive from their investigation of the development site. The arrangements for the archive will be submitted to and approved by the planning authority.
Reason: To ensure satisfactory archaeological investigation and recording.
8. Provision and retention of visibility splays Prior to commencement of the development, the verge area to the northeast of the vehicular access between the new beech hedge and the channel line of the carriageway in Church Lane will be clear of all obstruction above 650mm above ground level for a distance of 50m along Church Lane from the channel line of Holygate Road, and thereafter maintained free of any obstruction at all times.
Reason: To provide adequate inter-visibility between vehicles using the access and those approaching along Church Lane in the interest of highway safety.
9. The design of the resurfaced existing access should incorporate measures to ensure that no loose surfacing material or surface water shall cross from the access onto the public highway.
Reason: To ensure that no loose material or private surface water flows on to the public highway in the interests of highway safety.

Site & Surroundings

1. The site is located on the corner of Church Lane and Holygate Road in Ridlington. The site is located within both the Planned Limit to Development (PLD) and the Article 4 Ridlington Conservation Area, the boundary of which runs along the opposite side of Holygate Road.
2. The site is raised above the level of the 2 roads and comprises open unkempt land.

There are conifer trees along the Holygate Lane frontage with an informal low dry stone wall on the Church Lane side.

3. To the rear is the yard to Church Farm which comprises utilitarian agricultural buildings. To the west is a substantial listed house known as The Dower House, which has a modern extension nearest the application site boundary, beyond which is The Old Rectory, also listed together with its front boundary wall.
4. To the north is Church Farm house, also listed, beyond which is the Parish Church (Grade II*). On the east side of Church Lane is the listed Ridlington House
5. The site is subject to an Important Frontage designation in the development plan. This applies to the boundary around the front and Church Lane sides of this site

Proposal

6. It is proposed to erect as new 2½ storey dwelling on the site, details of which are shown in the Appendix.
7. The materials would be ironstone and slate reflecting the local vernacular.
8. The scheme would involve the removal of the conifers along the Holygate Road boundary and replacement with more appropriate species.



CGI Image of proposal

Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 2 – Achieving Sustainable Development (inc Para 11(d))
Chapter 5 – Delivering a sufficient supply of homes
Chapter 12 – Achieving well designed places
Chapter 16 – Conserving the historic environment

Site Allocations and Policies DPD (2014)

SP1- Presumption in favour of Sustainable Development
SP5 - Built Development in the Towns and Villages
SP15 – Design & Amenity
SP20 – The Historic Environment
SP21 – Important Open Spaces and Frontages

Core Strategy DPD (2011)

CS03 - The Settlement Hierarchy
CS04 - The Location of Development
CS19 – Good Design
CS22 – Historic Environment

Neighbourhood Plan

There is no NP for Ridlington

Officer Evaluation

Principle of the use

9. Ridlington is classified as a Restraint Village in Policy CS3 of the Core Strategy. These were villages that were considered unsustainable. CS4 did not permit development in such areas.
10. The recently withdrawn Local Plan Review (LPR) had re-assessed the settlement hierarchy and Ridlington was to be designated as a Smaller Village. The criteria was not greatly dissimilar to CS4. However, other than the 'other villages' identified in the settlement hierarchy, all other settlements are considered sustainable in terms of applying control in the situation where there is an out of date policy (as per Para 11(d)). Whilst the LPR has been withdrawn, the settlement hierarchy has been appraised and can still be taken into consideration.
11. The Restraint Villages Policy is therefore out of date as this has now been superseded by National Planning Guidance and the NPPF.
12. The Site Allocations & Policies DPD, includes Policy SP1 – Presumption in Favour of Sustainable Development. This policy is now more relevant where the Council cannot demonstrate a 5 year supply of housing. The policy states the Council will take a positive approach when considering development proposals that reflect the Framework presumption in favour of sustainable development in line with Paragraph 11(d). This includes applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Where relevant policies are out of date then the Council will grant permission unless material considerations indicate otherwise, taking into account whether this proposal will lead to any adverse impacts, which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.
13. Given the current shortfall in the required five-year housing supply, consideration needs to be given whether the adverse impacts of developing the site significantly

outweighs its benefits. As such the development will need to be in compliance with the National Planning Policy Framework.

14. In terms of location of the site, the Framework advises that when planning for development i.e. through the Local Plan process, the focus should be on existing service centres and on land within or adjoining existing settlements. The National Planning Practice Guidance (NPPG) states that all settlements can play a role in delivering sustainable development and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.
15. The Council has produced a background paper 'Sustainability of Settlements Assessment Update' (November 2019). Ridlington is classed in the Smaller Village category. These villages tend to have only some of the key facilities and/or are less accessible to higher order centres than villages in the Local Service Centre category. Small scale development on infill sites, redevelopment of previously developed land and the conversion or reuse of existing buildings will be supported.
16. The site is thereby in a sustainable location and meets the Framework's core approach to sustainable development. The Council will need to consider whether the proposal will harm the character and setting of the countryside.
17. Overall, the Council will need to be satisfied that this proposal is sustainable development in accordance with the Framework and that it is unlikely to have an adverse impact on the surrounding environment or character of the area that would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole.
18. The site is within the PLD and whilst it may be former agricultural land, and thereby not classed as previously developed, other than the important frontages policy, it does not contribute positively to the character of the Conservation Area.
19. The opportunity therefore exists for the development of the site to make a positive contribution to the character, subject to design and other issues considered below.

Impact of the development on the character of the area

20. There is a statutory obligation on the Local Planning Authority to ensure that the character of the Conservation Area and the setting of Listed Buildings be preserved or enhanced by a new development.
21. Paragraph 134 of the Framework states:
22. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
 - a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

23. Overall, the principle for development in this location would have been contrary to the development plan, but the locational policies are now out of date. The council should be satisfied that the scheme meets the criteria set out in Para 134, Policies CS19, CS22, SP15 and SP20.
24. The scheme has been amended to reduce its impact in relation to the listed building next door. The design is of generally high quality using appropriate materials and detailing, reflecting a) above.
25. This is a large new dwelling, but it is on a large plot and is commensurate with the scale of the listed buildings adjacent.
26. The scheme does not impinge on this important frontage and landscaping can be designed to enhance its contribution to the conservation area, which is currently poorly defined, in accordance with Condition 3 in the recommendation.

Impact on the neighbouring properties

27. The proposed house would be set forward of the adjacent listed building (Dower House). This property has trees along its front side boundary that provide some screening effect. There would be one first floor window on that side, to an en-suite. There are also 2 rooflights to bedrooms on that side, a minimum of 1.6m above floor level. The floor level of the new house would be below existing site levels to reduce the impact.

Heritage

28. As set out below the Conservation Officer had some initial concerns about the scheme. These have now been addressed, including by reducing the height of the wing adjacent to the Dower House.
29. The proposal would preserve or enhance the character of the conservation area and would not detract from the setting of the nearby listed buildings.

Highway issues

30. No highway objections. The existing access is to be used which would have catered for farm machinery at one time. One additional dwelling will not have an undue impact on traffic in the village where traffic counts are actually very low.
31. This scheme does not warrant contributions to resolve other highway issues in the village.
32. For clarity, regarding Para 41 below, the recommended Condition 8 covers the requirements of the highway authority and there is no objection from a highway safety point of view.

Crime and Disorder

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

Human Rights Implications

34. 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.
35. It is considered that no relevant Article of that act will be breached.

Consultations

36. Conservation Officer

Initial Comments

Application site is prominently located within the Ridlington Article 4 Conservation Area amongst a group of several Listed buildings. There is a gentle fall across the site northwards from the Holygate Road frontage and it sits significantly higher than Church Lane that runs along the eastern boundary. Whilst old photographs show the site was once an open working yard associated with the agricultural buildings to the north. The site is currently laid to grass with a row of mature Leylandii on the Holygate Rd frontage, a few mature trees of differing species scattered across the site and newly planted saplings on the eastern boundary.

As stated at the time of the Pre-app enquiry, I see the proposal for a dwelling on this site to be an opportunity for enhancement as the views across the site from the south/south-east are marred by the group of unsightly agricultural buildings of various inappropriate materials occupying the land between the Dower House (Grade II) and Church Farm House (Grade II).

There are views across the site from the south-east and east to the Dower House (recently extended towards the application site) and roof of the, three storey, Old Rectory to the west and Church Farm House sits prominently views northwards along Church Lane.

The proposal is to erect a house with an L-shaped floor plan in the north-west corner of the site, close to the boundary with the Dower House. A detached triple garage with, as is frequently the case nowadays, accommodation in the roofspace accessed via an external staircase.

The proposed house would comprise a 2½ storey element on an east/west alignment and a 1½ storey element on slightly higher ground and aligned parallel with and in close proximity to the western site boundary with the Dower House. This latter element includes a floor to ridge height glazed dining area with a stone gable wall.

Church Farm House dates from the C18, is constructed of ironstone and has a thatched roof. It is understood to have been associated with the farm buildings to the north of the application site and the former use of the site itself. The application site has, therefore, a historical connection with the application site.

Materials are specified to be Ironstone for the external walls, natural blue slate for the roofs, timber doors and metal windows.

Timber gates, similar to those of the Dower House, and stone piers would be erected at the entrance at the south-east corner of the site. It is unclear what the boundary treatments are proposed in addition to restoration of the low boundary/retaining walls on the eastern and southern perimeters.

I would agree with the applicants' heritage consultant that "construction of a single dwelling within the defined plot is a continuation of a tradition which has resulted in the present village configuration." However, whilst I do not necessarily have any concerns with regard to the design of the house itself which should, over time, weather and blend in with its surroundings, I do have

concerns about the positioning of the house and its impact on the setting of nearby designated heritage assets. By positioning such a large house in close proximity to the western boundary it would obliterate the present view across the site to the Dower House and the Old Rectory, as the submitted 'Illustrative View' demonstrates.

The question is, therefore, to what extent does the setting of the Dower House and Church Farm House contribute to their significance as designated heritage assets? The submitted elevation drawings do not show how the proposed dwelling would sit in relation to the Dower House and Church Farm House I would really like to see a drawing showing the relationship of the proposed dwelling particularly to the Dower House before coming to a final conclusion on this scheme.

Further comments

I thank the Architect for providing the additional information regarding the impact of the proposed dwelling on the setting neighbouring Grade II listed Dower House.

Having reviewed this information I can confirm that I consider that the setting issue has been satisfactorily taken into account in the design and positioning of the proposed dwelling.

However, I suggest that we take up the Architect's offer to reduce the overall height of the south-east wing by 600mm, as anything that will lessen the impact on the neighbouring Listed building is welcome from a conservation point of view.

Otherwise, I no longer see any reason, from a conservation point of view, why permission should not be granted for proposed development, subject to the usual conditions (samples of materials, etc).

Further Comments

I note the latest amendments to the proposal, in particular the reduction in height of the west wing of the proposed dwelling and can confirm that this revision to the design is welcome and I have no further comments other than to suggest that, if the development is approved, consideration be given to the removal of permitted development rights for extensions and free-standing garden structures, as these could have a significant impact on the surroundings to this prominent site and so ought to be assessed by the LPA.

37. Ridlington Parish Council

Ridlington Parish Council raise the following concerns in objection to the application:

- a) The height of the proposed development, compared to properties in close proximity, is of concern and should be considered.
- b) The gateway is sited on the corner of a dangerous bend and this raises road safety concerns. See attached report for further information.
- c) Previous applications for new builds in Ridlington, a Conservation Area and subject to Article 4, have been declined - 2011/0663/FUL 1 Hannah's Field erection of a bungalow was refused. Fairness to all should be maintained.
- d) The application is not accompanied with developer contributions.

Addendum:

Dear Councillor Baines

I am writing on behalf of Ridlington Parish Council in order to bring to your attention our concerns in regard to, in our opinion, an increased danger to road safety caused by a substantial increase in traffic usage along Top Road and Holygate Lane in Ridlington.

This is not just about the numbers of cars travelling this route but mainly about the increased number of commercial vehicles of all types and especially by heavy and articulated lorries

coming in and out of the village from Brooke Road passing along Top Road, Holygate Lane and on up to the Parker farms properties at the top of Holygate Lane. These roads are already heavily used by agricultural traffic, the necessity for which is understood.

In June 2020 retrospective planning permission was granted by Rutland County Council for two businesses to operate from the barns situated within the Park Farm site with the possibility of further planning being approved in relation to business use at the barns.

The Parish Council sought the views of residents and the main issues identified were:

1. Top Road and Holygate Lane form part of very popular walking, cycling and riding routes in the area and are frequented not just by local villagers but by many visitors from further afield in Rutland.
2. Large sections of the route have no provision for vehicles approaching one another from opposite direction to pass safely and with large lorries this becomes an impossibility. It is difficult enough as well for walkers (often with dogs) and horse riders to get off the road to allow sufficient room for these vehicles to pass safely.
3. The narrowness of the blind double bend situated at the junction of Top Road and Church Lane makes this particularly hazardous not only to pedestrians but also cyclists, horse riders, farm traffic, cars, delivery vans and heavy commercial traffic.
4. Increased business traffic will risk increasing damage to the roadside ecology as vehicles are eroding the grass verges. The only pavement in existence starts and ends at Hannahs Field at the entrance to the village. Holygate Lane in particular is a single lane country road with no footpath and is, in our opinion, completely unsuitable for the increased usage of commercial traffic now being seen.
5. Residents of properties fronting Hannahs Field on entering the village have only limited off road parking resulting in several vehicles being parked along this stretch of road, narrowing this stretch even further.

As a minimum to mitigate this, if planning cannot be avoided, it has been suggested that developers should consider the installation of footpaths/bridle ways all along the route but especially along Holygate Lane. It is understood that this could be made possible by utilising Section 106 or equivalent before planning is granted.

We understand there is no substantiated data in existence of accident history along Top Road or Holygate Lane, but residents are aware of a number of "near misses" over recent time as well as there having been three known separate collisions between delivery vans over the last couple of years or so.

The voluntary recording of accidents, near misses and other incidents occurring along these roads is to be raised at our next Parish Council meeting and a suitable action plan agreed.

We are of course aware of the way in which Covid 19 has restricted working practices and officer time being diverted to Covid related work streams. However, we feel it essential to raise these safety concerns with you and that these be noted and actioned when possible.

We should emphasise that as a Parish, we are not against any future plans for change of use of disused agricultural buildings provided such use is within permitted boundaries but we feel RCC, in conjunction with our Parish Council, has a responsibility to ensure that individual's safety is not compromised by this increased traffic.

We would appreciate your views on this matter and how we might achieve a conclusion to all parties' satisfaction.

38. Historic England

Thank you for your letter of 9 February 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any

comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

39. **Archaeology**

Following appraisal of the above development scheme, we recommend that you advise the applicant of the following archaeological requirements.

The supplied desk based assessment and the Leicestershire and Rutland Historic Environment Record (HER) notes that the application lies within an area of high archaeological potential.

We suggest if you have not already, to consult with Historic England and the conservation officer regarding the setting impact on the scheduled monument and listed buildings. The preservation of archaeological remains is, of course, a 'material consideration' in the determination of planning applications. 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, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

This will require provision by the applicant for:

A field evaluation, by appropriate techniques including trial trenching, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this.

This information should be submitted to the planning authority before any decision on the planning application is taken, so that an informed decision can be made, and the application refused or modified in the light of the results as appropriate.

Without the information that such an Assessment would provide, it would be difficult in our view for the planning authority to assess the archaeological impact of the proposals.

Should the applicant be unwilling to supply this information as part of the application, it may be appropriate to consider directing the applicant to supply the information under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, or to refuse the application. These recommendations conform to the advice provided in DCLG National Planning Policy Framework (NPPF) Section 16, paras. 189 & 190).

Should you be minded to refuse this application on other grounds, the lack of archaeological information should be an additional reason for refusal, to ensure the archaeological potential is given future consideration.

The Historic & Natural Environment Team (HNET), Leicestershire County Council, as advisors to the planning authority, will provide a formal Brief for the work and approve a Specification for the Assessment at the request of the applicant. This will ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority, in a cost-effective manner and with minimum disturbance to the archaeological resource. The Specification should comply with relevant Chartered Institute for Archaeologists 'Standards' and 'Code of Practice', and should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable.

Final comments

Thank you for the final archaeology report. I can confirm it is satisfactory and no further archaeological work is needed.

I note the report includes a commitment to OASIS reporting with the Archaeological Data Service and an accession number for the Rutland Museums Service, and further confirmation of a physical archive being unnecessary. These provisions are in accordance with the approved Written Scheme of Investigation, and therefore no condition regarding archaeology will be needed on the application.

40. Ecology

Trees on site should be retained, where removal is unavoidable trees should be replaced with locally native species. Any other planting on site should be of locally native species attractive to pollinating insects.

41. Highways

Visibility splays

The LHA accept the visibility plays for Church Lane that the applicant have provided. However they have not provided any details relating to the visibility splays Church Lane that passes the eastern side of the site. This is a junction - how will vehicles from this site interact with the junction/those approaching from the north

Traffic generation

This is accepted - the level of traffic from 1 dwelling will not have a significant impact on the network

Collision data

This is accepted. Generally highways would want the developer to collect the accident stats from the Council Accs Maps which is a data base from the police. CrashMaps can be unreliable. However the LHA have recently undertaken a study in this area and can confirm there are no accidents

Gradient at site access

This is accepted

Drainage

This is accepted

Neighbour Representations

42. Comments have been received from 4 residents on the following grounds:

1. The scale and height of the proposed development is completely excessive, not only for the size of the plot and relative to the historic buildings surrounding it, but also in terms of the imposing elevation visible from the corner of Top Road /Hollygate Road / Church Lane. Not only would the new property (to quote the Architectural Contextual Analysis) "overshadow, completely, the agricultural site to the north" but it would completely dominate all neighbouring (listed) properties in the village.
2. The plans would suggest that the property will sit in front (i.e. to the south) of, and not in alignment with, the Dower House, allowing a new build to completely

dominate (and remove from view from the corner of Hollygate Road and Church Lane) a historically important and architecturally aesthetic Grade II listed building.

The location of the proposed development in an elevated position very close to the Dower House boundary must also be a very real concern for the owners of the Dower House. In the absence of any development being able to sit in alignment with the Dower House to the West, the aspect of any (more conservative) development would be less intrusive to the East of the site, running parallel to Church Lane (in alignment with the wider family's thatched house to the north of Church Lane) maintaining the current perspective of the Dower House.

3. The application seems to have little or no regard to the fact that Ridlington is:
i) in a Conservation Area and subject to Article 4 (in relation to which we understand previous applications in Ridlington have been declined); and (ii) classified in the Rutland County Council Local Plan 2018 - 2036 as a "Smaller Village" with the implications that (and Policy SD2 and SD3) has for the proposed development. In particular, the proposal is patently not:
- filling a small gap in a continuously built up frontage; nor
- small scale.

We would respectfully suggest that the Architectural Contextual Analysis has no objectivity to it at all; it is not based upon what is appropriate for Ridlington but on maximising returns and short term profit from land with no thought to the consequences for those living in the area (which is also evident from how the site has been maintained by the applicant's family to date).

4. We note the Highways Technical Note but we would take issue with that. The village of Ridlington and in particular, Top Road, Hollygate Road and Hollygate Lane have seen a significant increase in traffic over the last year or so, including industrial and heavy duty vehicles. The double bend to the south of the proposed development is already a hazard for walkers, cyclists and other drivers which will be further impacted by having a frequently used access point on one of those bends.
5. We note there are no Developer Contributions accompanying the application.

The proposed development is too large in relation to the land upon which it sits and its setting. It is a very extensively sized 3 storey, 6-bedroom potential property sitting on 0.15 hectares and as such is too big for the site.

- In the Rutland County Council Local Plan 2018 - 2036, Ridlington is classified as a "Smaller Village". Policy SD2 (The spatial strategy for development) and Policy SD3 (Development within planned limits of development) are relevant to the proposed development.

- Policy SD2, in relation to smaller villages states: "Small scale development on infill sites, redevelopment of previously developed land and the conversion or reuse of existing buildings. Development which is demonstrated to be necessary to support and/or enhance community facilities that are considered important to the maintenance or enhancement of a sustainable community will be supported". In clause 4.17 it states: "Infill development is defined as the filling of small gaps within the settlement and would normally involve development of a gap in a continuously built up frontage."

- Policy SD3 states that development must be: "appropriate in scale and design to its location and to the size and character of the settlement" and "the amenity of new and neighbouring occupants will be safeguarded through adequate separation and design of the development".

- The proposed development does not comply with Policy SD2 and SD3 for the

following reasons:

- The Design and Access Statement provided as part of the planning application claims that the proposal is a "small scale infill development". However, the proposal is not small scale, particularly in relation to the size and location of the site. The Design and Access Statement states that the proposed dwelling is designed as a "late 17th Century Manor House" and it comprises 6 bedrooms, three floors and a three-car garage. At its highest the height of the house is almost 10 metres (9.982m according to the Elevation drawings).
- According to the Heritage Statement provided as part of the application the land has been "free of structures in living memory" and as such the development is not a redevelopment of previously developed land or the conversion or reuse of existing buildings. The development is not filling a small gap in a continuously built up frontage, it is a prominent open site at the centre of the village.
- The siting of the house is too far out of alignment with the Dower House - it does not continue the East-West axis of the Dower House, rather it is located on higher ground to the South-East of the Dower House. As such it sits too far forward from the setting of the Dower House and will be a very dominant presence, in terms of scale, height and mass. Because the land upon which the development will sit is around 1.5 metres higher than the land upon which the Dower House sits, the size and height of the new development will be even more dominant. The development will damage the amenity of the Dower House through loss of privacy, view and light. Moreover, as a consequence of the siting of the proposed development, it would have a dominating visual impact on the neighbourhood.
- The proposed house would cause a loss of existing view to the neighbouring Dower House. The proposed development comprises three floors and at its highest is almost 10m and as such would have a very significant impact on views from the front windows of the Dower House. This loss of view and light would have an adverse impact on the residential amenity of the Dower House.
- The proposed development would be overbearing and lead to a loss of privacy by the neighbouring Dower House. The proposed development is too tall and out of proportion in relation to the site and location. The rear windows of the proposed development will have direct line of sight into the Dower House windows. The upstairs storey of the Dower House and the Dower House terrace and garden would be heavily overlooked. The proximity of the proposed house to the Dower House is also problematical as it is sited very close to the fence between the properties. The North West corner of the new proposed house is only 10.8 metres from the South East Corner of the Dower House whilst being on land about 1.5 metres higher than the Dower House.

6. Ms J Rivett

- The proposed buildings will tower above the thatched farm house as the ground is at a higher level than the farm and the proposed house has an additional floor. (The applicant is not the current occupier of Church Farm).
- The drive joins the road at a dangerous blind double bend at the junction with Church Lane.

7. Mr Nathan McAlindon

A fantastic looking scheme and a great way to optimise the land. Look forward to the land being put to good use.

8.0 Conclusion

The Restraint village policy is now out of date and Ridlington was considered as a smaller village in the Local Plan Review settlement hierarchy assessment. Weight can therefore be lent to approving housing proposals where a housing land supply cannot be demonstrated. The scheme is well designed and has limited impact on the setting of the listed buildings and the character of the conservation area.

EXISTING STONE WALL TO BE
RETAINED AND A NEW BEECH
HEDGE TO BE EXTENDED AROUND
THE PERIMETER OF THE SITE TO
THE NORTH. THE EXISTING DRIVE
WILL BE INFILLED TO THE
SURROUNDING LEVEL AND THE
AREA WILL GENERALLY BE
PLANTED WITH LOW LEVEL SPECIES
SUCH AS JUNIPER, PYROCANTHA
AND LAUREL.

EXISTING OAK TREE TO BE
RETAINED
(Indicative canopy size)

EXISTING OAK TREE TO BE
RETAINED

DEAD TREE TO BE REMOVED

DRIVEWAY TO BE HARDCORE,
TERRAM FABRIC AND 14mm
WASHED GRAVEL, HARD
COMPACTED TO THE ENTIRE AREA.

SPECIMEN WALNUT (*JUGLANS*),
MINIMUM HEIGHT 2.5 METERS, TO BE
SET IN THE CENTRE OF THE DRIVE.
ROOT PROTECTION AREA TO BE
ESTABLISHED THROUGH BLUE
ENGINEERING BRICK CIRCULAR
DETAIL, WITH BARK MULCH TO
BASE OF TREE.

NEW BEECH HEDGE TO BE PLANTED
AT THE TOP OF THE SLOPE, IN
TRIPLE STAGES, TO ENSURE
MAXIMUM DENSE GROWTH. HEIGHT
OF HEDGE TO BE 1.2 METERS AT
POINT OF PLANTING. LOWER PART
OF THE SLOPE TO BE SEEDED WITH
SLOW GROWING RYE GRASS WITH
SPRING BULBS (DAFFODILS,
CROCUS ETC.) TO CREATE A
MAINTAINED BANK.

EXISTING MATURE TREES TO
BE RETAINED AND ALL
CONSTRUCTION WORK TO BE
CARRIED OUT OUTSIDE THE ROOT
PROTECTION ZONES

LEYLANDII TO BE
REMOVED
PINE TREE TO BE
RETAINED

EXISTING ACCESS TO BE REUSED, WITH
FIRST 8 METERS OF THE DRIVE TO BE HARD
SURFACED TO AVOID GRAVEL SPILLING
OUT ONTO THE ROAD. LINE OF NEW TIMBER
GATES, SEE DETAIL, TO COINCIDE WITH
EXISTING DWARF STONE WALL.

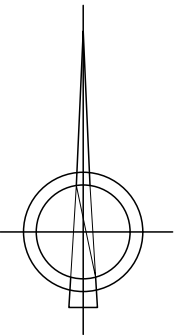
GENERAL NOTES:

ALL TREES TO BE RETAINED AND PROTECTED IN
ACCORDANCE WITH BS:5837:2012

CONTRACTORS COMPOUND AREA TO BE SET IN MIDDLE OF
DRIVE WITH SPECIMEN WALNUT TO BE PLANTED AT END OF
PROJECT, SUBJECT TO SUITABILITY OF MONTH

GRASSED AREAS TO BE SEEDED IN PREMIUM LAWN SEED
WITH METAL EDGING TO ABUTMENT WITH DRIVEWAY AREA

TERRACED AREAS TO BE LAID IN NATURAL STONE



Job No. 1442	Church Lane, Ridlington, LE15 9AL
Drawing No. 05	Proposed Site Plan - 1:200
Revision B	Ross Thain Architects Stamford. PE9 2EF 01780 482483 www.rossthain.co.uk
Scale 1:200 @A2	Issue Date: 14.10.2021 Drawn: RJ





SOUTH EAST ELEVATION
SCALE 1:200



NORTH EAST ELEVATION
SCALE 1:200

FOR COMMENT	1442	Church Lane, Ridlington, LE15 9AL
	09	Proposed South East & North East Elevations
	A	RTK S2a2 27rd177d2
	1:200@A2	14/10/2021 RJ

Drawing to be scaled for planning purposes only. All dimensions to be verified on site. All drawings are the copyright of RTK Stamford Ltd.



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REPORT NO:11/2022

PLANNING AND LICENSING COMMITTEE

11 January 2022

APPEALS

Report of the Director of Places

Strategic Aim:	Delivering Sustainable Development	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Ian Razzell - Portfolio Holder for Planning, Highways and Transport	
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

None

3. DECISIONS

- 3.1 **APP/A2470/D/21/3275746 – Mr Peter Woods – 2021/0101/FUL**

Waterlea, Brookdene, Ashwell, LE15 9LQ

Replace 2 no. windows on South Elevation and 5 no. windows plus 3 no. within bay window on East Elevation with Residence 7 PVCU flush sash casement windows.

Refused – delegated decision

Appeal decision: Allowed – 30/11/2021

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

- 4.1 **APP/A2470/C/21/3286572 – Mr Adrian Mark Hopkinson – 2021/0001/ENQ**
APP/A2470/C/21/3286573 – Mr Theresa Hopkinson – 2021/0001/ENQ
52 Burley Road, Langham, Oakham, Rutland

Without planning permission;

- (i) **The material change of use of agricultural land (“the Paddock Land”) shown hatched and edged pink on the attached Plan B, from agricultural use to the use of the Paddock Land as a garden for purposes incidental to the enjoyment of the dwellinghouse 52 Burley Road, Langham, Oakham.**
- (ii) **The erection of three timber buildings shown as red rectangles 1, 2 and 3 (“Buildings 1, 2 and 3”) on Plan A, Building 1 is sited within the curtilage and forward of the principal elevation of the dwellinghouse 52 Burley Road Langham, and Buildings 2 and 3 are sited within the Paddock Land.**

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.

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