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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

APPROVAL, subject to the following conditions:

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

Notes to applicant

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

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

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

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

Site & Surroundings

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

Proposal

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

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Site Allocations and Policies DPD

SP6 - Housing in the countryside

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP23 - Landscape Character in the Countryside

Core Strategy DPD

CS4 – The location of development

CS19 - Promoting Good Design

CS21 - The Natural Environment

Supplementary Planning Document - Extension to Dwellings

Langham Neighbourhood Plan

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

D3a - Buildings

D3b - Layout

D3c - Boundaries

D3d - Roofs and Chimneys

D3e - Windows and Doors

D3h - Building Materials

Neighbour and Parish Representations

6. Langham Parish Council

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

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

11. LCC Ecology

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

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

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

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

Planning Assessment

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

Development in the open countryside

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

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

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

Residential amenity

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

Highway considerations

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

Crime and Disorder

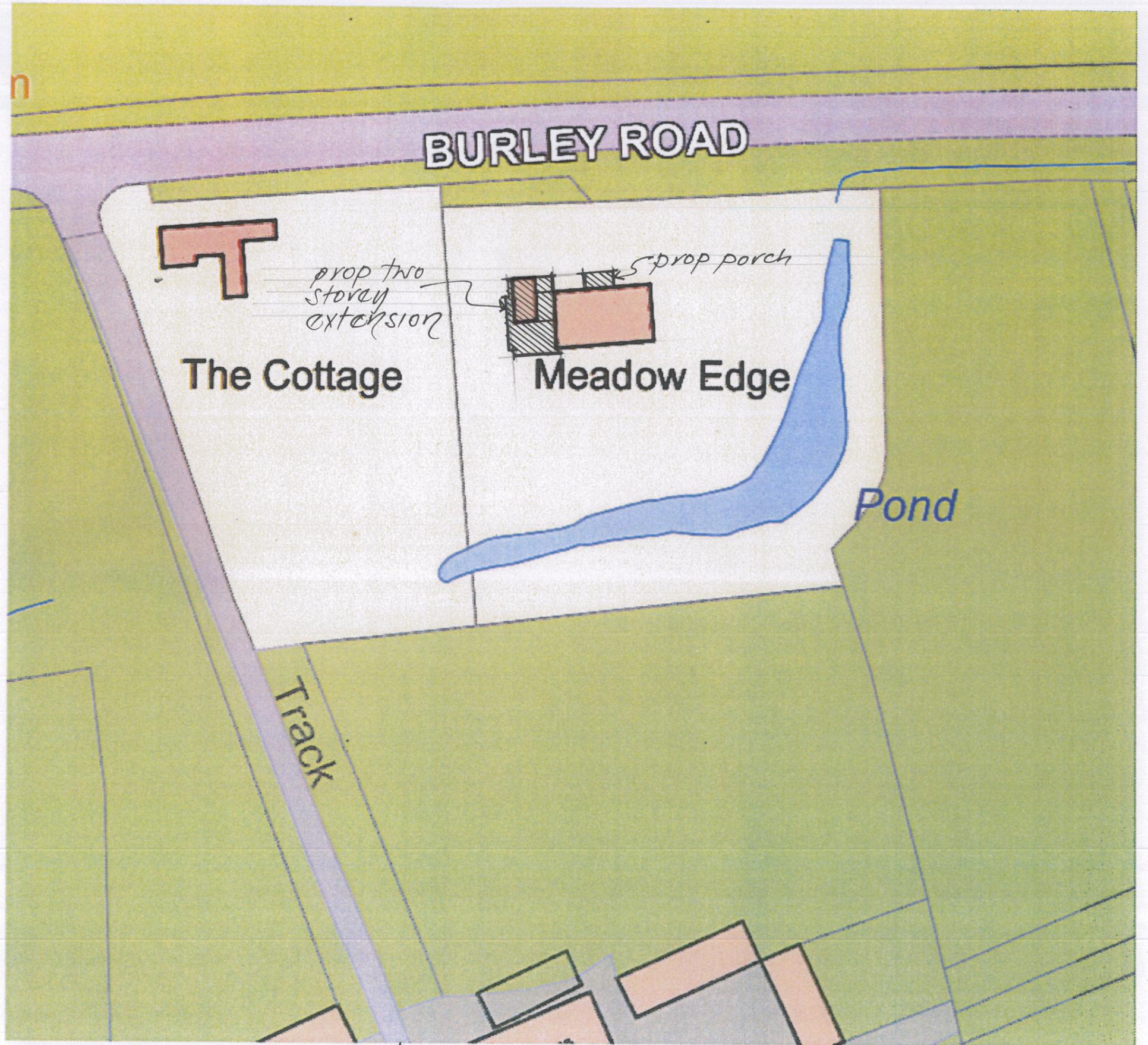
28. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

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

Conclusion

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

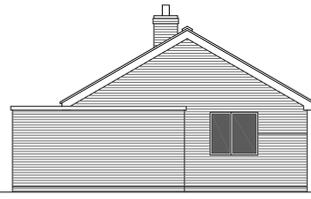


NB: ROOF PITCH TO BE INCREASED TO THE WHOLE DWELLING.

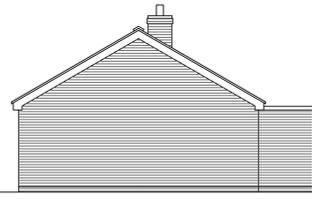
Block Plan 1:500 @ A3



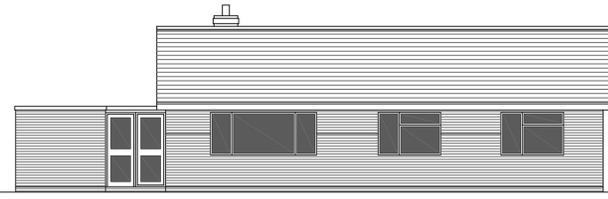
Existing Front Elevation 1:100



Existing Side Elevation 1:100



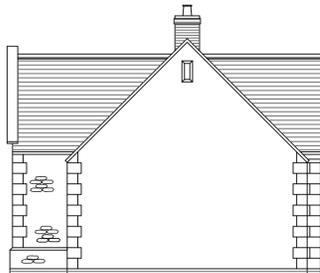
Existing Side Elevation 1:100



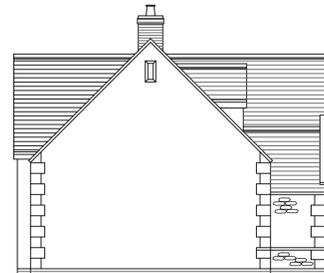
Existing Rear Elevation 1:100



Proposed Front Elevation 1:100



Proposed Side Elevation 1:100



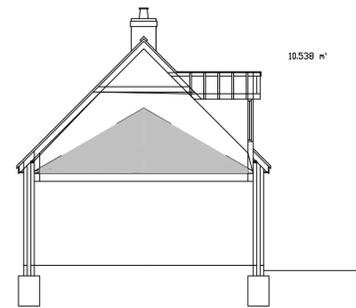
Proposed Side Elevation 1:100



Proposed Rear Elevation 1:100



Existing Ground Floor Plan 1:100



Proposed Section 1:100

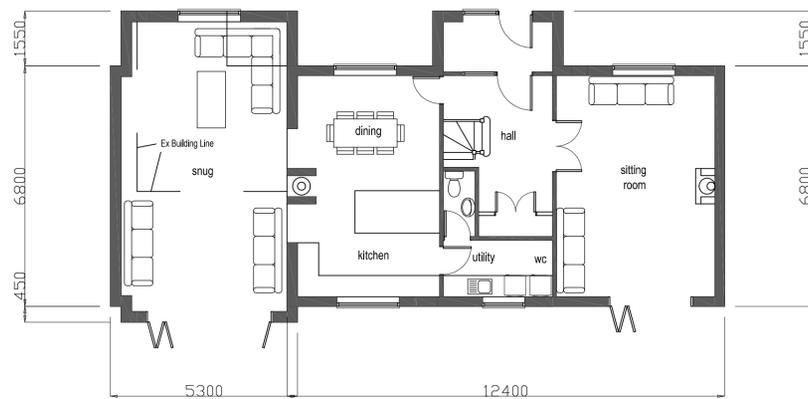
PLANNING NOTES

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

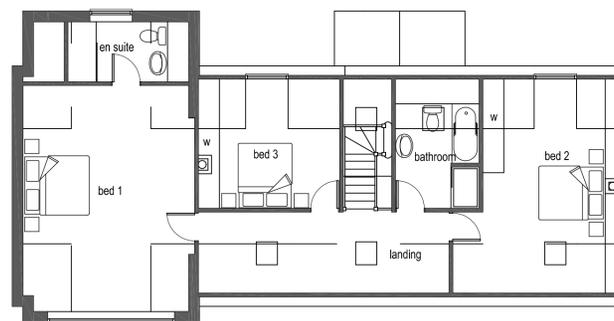
WALLS & PLINTHS TO BE LOCAL LIMESTONE WITH LIGHT GREY MONOCOUCHE MAIN GABLES

ANTHRACITE ANODISED ALUMINIUM WINDOWS AND DOORS

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



Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100

REV B: REAR DORMERS REPLACED WITH ROOF WINDOWS

Proposed extension increase of roof pitch and internal work

Meadow Edge

Burley Road Langham

Client: Mr L Coleman

REF: LC/PLANNING/01B/2020



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