

**PLANNING & LICENSING COMMITTEE**

**15<sup>TH</sup> DECEMBER 2020**

**ADDENDUM REPORT**

<b>Report no.</b>	<b>Item no.</b>	<b>Application no.</b>	<b>Applicant</b>	<b>Parish</b>
<b>158/2020</b>	<b>1</b>	<b>2019/0736/FUL</b>	<b>AIRFIELD TRAILER STORE LTD</b>	<b>EDITH WESTON &amp; NORTH LUFFENHAM</b>

**A Deputation has been received from Edith Weston Parish Council**

**Application Reference Number 2019/0736/FUL**

**Retrospective Temporary Planning Permission (10yrs) for change of use of golf club house to office and storage of vehicles (B8).**

My name is Peter Coe. I am Chartered Surveyor with some forty years of experience in planning matters. I am a resident of Edith Weston and sit on Edith Weston Parish Council.

This deputation is submitted on behalf of Edith Weston Parish Council who objected to the planning application and that objection still stands as no material additional information has been supplied by the applicant to justify the development.

This deputation concentrates on the highways, parking and vehicle movements element of the proposed use as it is understood other deputations will cover ecology, landscape and other matters.

The Planning Officer's Report recommends approval, subject to conditions, stating that the application complies with the relevant policies. The report gives no justification as to why the application complies with policies. The application does not comply with policies and, in fact, the planning application does not provide Rutland county Council with sufficient and clear information to determine the application.

It is important that the Planning Committee understand that this application does not comply with the National Planning Policy Framework, the Rutland Core Strategy, the Site Allocations Local and Policies DPD and the Edith Weston Neighbourhood Plan. I will explain the conflict with policies, but would first comment on the planning application itself.

The application was submitted with an Operational Plan (April 2020). A subsequent Operational Plan was submitted in November 2020, but the only difference was some additional information as to how complaints would be handled. No other information changed.

**Highways Improvement**

On 14/4/2020, the applicant submitted a layout of the proposed improvement at the junction of Normanton Road and Pennine Drive (Plan 4646-SK-01A). At the same time they submitted a plan (4646-TR-04), clearly showing an articulated lorry turning left into Pennine Drive having to cross the central line and going into the oncoming carriageway.

On 21/9/2020, the applicant submitted a proposed and assumed revised layout of the proposed improvement at the junction of Normanton Road and Pennine Drive (Plan 4646-SK-01B). However, when reviewing this layout plan against the one submitted on 14/4/2020, it appears

clear that both the plans are the same. However, they submitted another plan (4646-TR-05) showing the tracking of an articulated vehicle again turning left into Pennine Drive, but this time not crossing the central line and going into the oncoming carriageway. How can this be the case as there is no change to the proposed improvement?

The Highways department has had repeated concerns regarding the application and these include:

- An email from Highways (10/5/2020) expressing concern and suggesting to achieve safe movement of vehicles that a redesign of the junction is undertaken so that a new roundabout is created to serve all four roads (Manton Road, Normanton Road, Edith Weston Road and Pennine Drive).
- An email from Highways (Devinder Singh – Highways or planning?) to Chris Capps (26/5/2020) stating *“If this application is to be considered for approval then it is important that all the information is fully submitted for appraisal in order to substantiate any form of approval”*. The information requested comprised a transport plan which would include existing HGV numbers along all proposed routes so that a comparison can be made, records of incidents, swept path manoeuvring for Pennine Way/Normanton Road and Normanton Road/A606, a more comprehensive improvement scheme.

The applicant has supplied only a revised layout plan for the improvement and tracking but the revised layout plan is no different to the one submitted on 14/4/2020. Therefore, none of the above requests have been met and as stated above, Highways required this to be able to appraise the application.

The applicant has not provided an improved road improvement design and has been given ample time to submit the additional requested by the Council to allow them to consider the application. For this reason alone, the application is incomplete and RCC cannot, therefore, make an informed decision to recommend approval. The application should be refused.

#### Operational Hours and Vehicle Movements

The application is ambiguous and misleading as regards the number of HGV movements.

The Operational Plan refers to average movements which are considered to be grossly understated. Therefore, the impact of peak movements should be considered.

It refers to 26 tractor two way movements and 68 trailer two way movements per day. This means, in actual fact, 52 one way tractor movements and 136 one way trailer movements, a total of 188 movements per day. Taking into account the avoidance of the hours when school trips will take place the weekly working day will be 9 hours resulting in the potential of 20 movements per hour (or 1 every three minutes).

Even these figures are not stated as the maximum but the likely movements at peak times.

As referred to above, the Highways Department have requested a transport plan which should include existing movements to enable RCC to assess the cumulative effect of the proposal on the road system and road network. The preparation and submission of a transport plan is a normal requirement for any development involving vehicle movements and it is not understood why such a plan has not been insisted on.

Further, the Highways department in their response have requested that no operations take place on Sunday. This has not been reflected in the Planning Officer's comments on the Highways response.

No account has been made of tourism, particularly at the weekends when the County sees considerable numbers of vehicle movements as tourists travel to and from Rutland Water.

Therefore, the true position regarding the level of vehicle numbers is not clear and precise and for this reason the application should be refused. In addition, the adverse effect of HGV movements on tourism has not been analysed.

#### Vehicle Waiting

It has also been noticed that the existing unpermitted use is resulting in vehicles queuing on Pennine Way near residential dwellings.

#### POLICIES

The Planning Officer's conclusion states "Having had regard to the relevant policies of the development plan and all relevant material planning considerations. It is recommended that the application is approved subject to the attached conditions and for a temporary period of 10 years. The proposed development would not be detrimental to highway safety, residential amenity nor would it materially harm the setting of the nearby listed structures. The development is acceptable in all other planning respects".

The Officer's Planning Assessment in the report to committee in many cases covers a number of policies in one comment and does not, it is considered, correctly reflect an assessment of the exact wording and consideration of each policy element.

Also, the Planning Officer's assessment does not comment on the National Planning Policy Framework (NPPF)

Therefore, I provide below the policy references referred to by the planning officer (as well as others) and comment on each as to how the application does not comply.

#### National Planning Policy Framework

It is stated within the application that the proposed application is in accordance with National Planning Policy Framework (NPPF). Certain policies need to be referred to.

#### Chapter 8

This section states: -

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

*Comment: - Under a) the application may assist in the economy in a wider context, but will, according to the Operational Plan, only provide one on site job locally.*

*As regards b) this paragraph is in relation to housing and communities and is therefore not relevant.*

*Under paragraph c) the application does not contribute to the environmental objective.*

## Chapter 9

Paragraph 108 states :

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

*Comment:- The application does not comply with sub-paragraph a) as it does not promote sustainable transport modes, b) the access to the site is not safe nor suitable as evidenced by the Highways Department's comments in October 2019 and May 2020 and c) the impacts have not been assessed as no Traffic Assessment has been undertaken as requested by the Highways Department.*

Paragraph 111 states:

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

*Comment:- The proposed use will generate significant amounts of HG V movements yet as required under this part of the NPPF no transport statement or traffic assessment has been submitted (particularly on existing traffic numbers) so the impacts cannot be assessed.*

## Chapter 6

Paragraph 84 states:-

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

*Comment:- Whilst on previously developed land, the application does not meet local business and community needs as it will only employ one person on site, the development is not sensitive to its surroundings and does have a unacceptable impact on local roads.*

Rutland County Council - Core Strategy

Policy CS1 Policy CS1 states that any new development in Rutland will be expected to:-

- a) minimise the impact on climate change and include measures to take account of future changes in the climate; (see Policy CS19 and 20)
- b) maintain and wherever possible enhance the county's environmental, cultural and heritage assets;(see Policies CS21 and 22)
- c) be located where it minimises the need to travel and wherever possible where services and facilities can be accessed safely on foot, by bicycle or public transport; (see Policy CS4 and CS18)
- d) make use of previously developed land or conversion or redevelopment of vacant and under-used land and buildings within settlements before development of new green field land;(see Policy CS4)
- e) respect and wherever possible enhance the character of the towns, villages and landscape; (see Policies CS19, 20, 21, 22)
- f) minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste; (see Policies CS19 and 20)
- g) avoid development of land at risk of flooding or where it would exacerbate the risk of flooding elsewhere (see Policy CS19);
- h) contribute towards creating a strong, stable and more diverse economy (see Policies CS13, 14, 15, 16, and 17) include provision, or contribute towards any services and infrastructure needed to support the development (see Policy CS8)

*Comment: - Whilst it is acknowledged that the application may comply with sub paragraph d) it does not comply with sub paragraphs a), b), e) and h) of this policy, particularly because of the impact of increased HGV movements.*

#### Policy CS2

This policy refers to various strategies which include: -

- i) supporting small scale developments for appropriate employment and tourism uses in the towns, villages and rural areas; (see Policies CS15,16)
- j) supporting and focussing retail and service development within the town centres of Oakham and Uppingham; (see Policies CS14, 17)
- k) promoting sustainable transport measures and focus improving accessibility around the key transport hubs of Oakham and Uppingham and linkages to the villages and nearby cities and towns; (see Policy 18)

*Comment: - The proposed development cannot be considered a small-scale development and does not have direct link to the key main arterial roads.*

#### Policy CS6

This policy refers to the re-use or redevelopment of bases. It states: -

The Council will seek to ensure that any re-use or redevelopment of former military bases or prisons is planned and developed in a comprehensive and co-ordinated manner.

Proposals will be subject to a development brief or masterplan setting out the main requirements. This will form part of a supplementary planning document or development plan document to be prepared in consultation with the prospective developers and local communities.

The key requirements for any proposals are that they should:

- a) re-use existing land and buildings and where appropriate minimise any built development on undeveloped airfield land;
- b) not lead to undue disturbance to nearby local communities through traffic, noise, aircraft activity or other uses;
- c) protect and where possible enhance the countryside and character of the landscape, natural and cultural heritage;
- d) be accessed satisfactorily and not generate unacceptable traffic on the surrounding road network

- e) be accessible by public transport and include measures to encourage walking and cycling;
- f) incorporate high quality design and construction including the need for energy efficiency, renewable energy and waste management.

*Comment: - The proposed development has not been developed in a comprehensive or co-ordinated manner as evidenced by the fact that this is a retrospective application which has been introduced without any planning consent. In addition, this is confirmed by the information included in the Operational Plan which in many areas conflicts and/or contradicts the original design and access statement.*

*Further it does not comply with sub paragraph b) in that vehicle movements will adversely affect the nearby local communities, particularly, but not limited to the operational hours commencing at 0700 hours and finishing at 1800.*

*It also does not comply with sub paragraph d) as the level of traffic could generate 188 movements per day or more and these levels of vehicle movements are considered unacceptable as the traffic will travel through Edith Weston and neighbouring villages (North Luffenham, Manton and Empingham).*

Policy CS16

Sub paragraph e) states: -

allow small scale developments for employment purposes in the local services centres and smaller services centres provided it is of a scale appropriate to the existing location where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness of the area;

*Comment:- Whilst it is acknowledged that the proposal is on a military base, it is immediately adjacent to a local service centre and, combined with the traffic movements through this service centre and further afield, it does not, therefore, comply with this policy as it is not small scale and does not maintain or enhance the environment, nor does it contribute to the local distinctiveness of the area in the form of not just storing a significant number of trailers and vehicles but also the significant associated traffic movements.*

Policy CS19 – Promoting good design

Policy CS 19 states: -

All new development will be expected to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

All new developments will be expected to meet high standards of design that:

- a) are sympathetic and make a positive contribution towards the unique character of Rutland's towns, villages and countryside;
- b) reduce the opportunity for crime and the fear of crime and support inclusive communities, particularly in terms of access and functionality;
- c) incorporate features to minimise energy consumption and maximise generation of renewable energy as part of the development (see Policy CS20);
- d) minimise water use and the risk of flooding to and from the development including the use of Sustainable Urban Drainage Systems wherever possible;
- e) minimise the production of waste during their construction and operation and maximise the re-use and recycling of materials arising from construction and demolition and;
- f) allow the sorting, recycling and biological processing of waste through the development's operational life.

*Comment: - The proposed development does not make any positive contribution and will create noise, light pollution through transport movements in a rural area having an adverse impact on local character and amenities.*

#### Policy CS21 - The natural environment

Development should be appropriate to the landscape character type within which it is situated and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.

The quality and diversity of the natural environment of Rutland will be conserved and enhanced. Conditions for biodiversity will be maintained and improved and important geodiversity assets will be protected.

Protected sites and species will be afforded the highest level of protection with priority also given to local aims and targets for the natural environment.

All developments, projects and activities will be expected to:

- a) Provide an appropriate level of protection to legally protected sites and species;
- b) Maintain and where appropriate enhance conditions for priority habitats and species identified in the Leicestershire, Leicester and Rutland Biodiversity Action Plan;
- c) Maintain and where appropriate enhance recognised geodiversity assets
- d) Maintain and where appropriate enhance other sites, features, species or networks of ecological interest and provide for appropriate management of these;
- e) Maximise opportunities for the restoration, enhancement and connection of ecological or geological assets, particularly in line with the Leicestershire, Leicester and Rutland Biodiversity Action Plan;
- f) Mitigate against any necessary impacts through appropriate habitat creation, restoration or enhancement on site or elsewhere;
- g) Respect and where appropriate enhance the character of the landscape identified in the Rutland Landscape Character assessment;
- h) Maintain and where appropriate enhance green infrastructure. (see Policy CS23)

*Comment:- As can be noted by the ecological commentary below, the application does not comply with paragraph a) above and the works undertaken on site appear to have adversely affected species.*

#### Site Allocations and Policies DPD

##### Policy SP15

Policy SP 15 largely compares to CS19.

Sub paragraphs c) and m) state: -

c) Amenity. The development should protect the amenity of the wider environment, neighbouring uses and occupiers of the proposed development in terms of overlooking, loss of privacy, loss of light, pollution (including contaminated land, light pollution or emissions), odour, noise and other forms of disturbance.

m) Impact on the highway network Development should be designed and located so that it does not have unacceptable adverse impact on the highway network. Where necessary mitigation measures will be required to ensure that any impact is kept within acceptable limits. Development that would have an unacceptable adverse impact on the highway network will not be permitted.

*Comment: - The proposed development does not protect the wider environment nor neighbouring uses (nearby neighbouring residential dwellings and Edith Weston village itself) and will also affect safety of pedestrians and cyclists.*

*Further it is considered that the development will have an unacceptable impact on the highways particularly due to the likely significant vehicle movement numbers, particularly Pennine Drive, Normanton Road, Manton Road and Edith Weston Road which do not form part of the County's main arterial road network.*

#### Edith Weston Neighbourhood Plan

The Edith Weston Neighbourhood Plan remains a legally binding document and is, therefore, a material consideration when assessing this application and policy EW2 is relevant to this application. However, in the Planning Officer's assessment, he makes no mention of these policies.

#### Policy EW2. Commercial and Industrial Development, including tourism and recreation

In supporting additional economic growth new development will be expected to:

- a) fall within the boundary of planned limits of development for the village unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location or there are proven exceptional circumstances, and
- b) where possible, development should be sited in existing buildings or on areas of previously developed land, and
- c) be of a size and scale not adversely affect the character, infrastructure and environment of the village itself and the neighbourhood plan area, including the countryside, and
- d) meet the requirements of the relevant Core Strategy and other development plan policies.

*Comment:- Whilst the proposed development complies with sub paragraph b) it does not comply with sub paragraphs a), c) or d).*

#### Conclusion

The application should be refused in that it is incomplete in that there is no Transport Assessment (including existing traffic movements).

The application is incomplete and ambiguous and does not provide sufficient or clear information to enable RCC to approve the application including:-

- Not providing a more comprehensive road improvement scheme as previously requested by RCC Highways department and RCC have provided no detail as to why this is no longer needed,
- The proposed road improvements identifying tracking movements of vehicles entering Pennine Drive contradict each other,
- The application refers to average vehicle movements and then refers to two way movements rather than providing the much increased numbers that would apply if single traffic movements had been referenced,

The application does not comply with a considerable number of policies contained in the NPPF, RCC Core Strategy, RCC site allocations and the Edith Weston Neighbourhood Plan.

However, should the Committee resolve to approve the application additional conditions are requested to include:-

1. There should be a maximum number of vehicle movements per day to ensure traffic numbers can be controlled. The application refers to vehicle numbers but unless included as a condition it would not be enforceable.
2. Waiting/parking of vehicles along Pennine Way or anywhere else along Normanton Road, Manton Road and Edith Weston Road should be prohibited.
3. Prior to commencement, the applicant will enter a legal agreement to ensure the road improvements take place.
4. Prior to commencement the road improvements will be undertaken and completed.

5. That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below

### **Further consultation response**

#### **Councillor J Fox**

I wish to object to this proposal. Although Whitwell is not directly impacted as the villages of Edith Western and North Luffenham are, I am particularly concerned with the route highlighted in the operational plan presented by Marrons Planning dated November 2020, section 4.1. This shows vehicles being routed through the village of Whitwell on the A606.

The A606 is already an alternative source of rerouting traffic for when the A1 is closed due to an accident or roadworks. The village is mainly linear and as such residents are already subject to increased noise and vibrations due to A1 closures mainly throughout the night. Additional heavy haulage traffic is not acceptable and will cause long term damage to our numerous listed buildings which were not designed to be subject to continual vibration.

There is detailed correspondence from our highways department in an email from Chris Capps, Interim Head of Highways dated 26/5/20 and a subsequent transport document dated the 27<sup>th</sup> August 2020 by Darren Burbeary..

In both items of correspondence, the applicant is being asked to carry out a full transport assessment and this has not been done.

As a County Councillor I am very concerned that this business has been allowed to operate for 19 months without the appropriate planning permission in place. This site is clearly not being managed in an appropriate manner.

The applicant has had 19 months to produce all the paperwork required by the planning department and has still failed to produce a Full Transport Assessment as requested.

I would ask the planning committee to refuse this application.

#### **Response from Whitwell Parish Council**

Having consulted with the village there is a majority who wish to object to this planning application.

We have had a very short timeframe to prepare a document as it has only recently been brought to the Villages attention we have not had time to peruse all 116 documents so it has been impossible to gain a historical and chronological account of this application.

1. We note that all the Water Parishes that sit on the road's around the Water (Empingham, Manton, Edith Weston and North Luffenham) have made objections against this proposal – unfortunately the lack of knowledge regarding this application means that we are delayed in our response – we believe that some of these objections have yet to receive answers to the question they have raised from highways.
2. Could Rutland County Council (RCC) please provide an impact assessment for the houses that sit on the A606 within the Village of Whitwell – what damage could be caused because of the increase in HGV's that pass through the village?

Whitwell has a very specific Conservation Status - an Article 4 preservation order was placed on the Village – at the time of production of the new Conservation status in 2013 only 15 conservation areas in Rutland out of the 34 in Rutland had this clause attached – this must show the high regard the village was placed in (please see relevant points picked out from the 2013 Conservation Document 8.2, 10.1 and 14.1).

3. Conservation Document 2013

Could I please direct RCC planning team to the below points contained in the 2013 be preserved given that point 4 Preferred Route of HGV traffic it would significantly impact the village.

Since 2013 there has been considerable investment in the main Conservation area of Whitwell – many of the houses in Whitwell are Grade 2 Listed or are viewed as Heritage Assets many of these sit on the road. Since the Conservation Document was produced there has been considerable investment in the old Conference centre and all of these Listed houses have been significantly improved and there has been significant investment from the householders to maintain their character under strict conservation guidelines - therefore what assurances can be given by RCC that the heritage aspect of the village can be maintained and preserved.

*Below please see relevant points from the 2013 Conservation Document – Character Appraisal and Management Proposals:-*

8.2 Bends in the main road mean that distance views on the approach to the village are restricted. In particular, the view from the east as the road drops down into the village in a cutting from the plateau is constrained by reverse bends, which creates a sense of surprise as the village is entered.

10.1. An attractive feature of the village are the grass verges and trees, particularly along the main road frontage. Combined with views of surrounding countryside, the “green” character defines the rural location of the village.

14. LOSS OF CHARACTER 14.1 There are very few features within the village which have a negative impact on the overall quality and appearance of the conservation area. The most obvious negative feature is the high level of traffic along the A606, which detracts from the tranquillity of the village. In addition, the red road marking along the centre of the road to provide clear separation of the lanes, although necessary as a safety feature, is visually intrusive

4. Preferred Routing of HGV's.

On reading the document (the light blue line as appears on the map we believe is in fact grey) – the preferred Route for this application is through Whitwell in order to avoid turning right onto the A6003 at Manton.

- a. Has a full traffic assessment been conducted to inform our Parish of the increase in traffic movement?
- b. Have we been informed of the peak times that the HGV's will be moving through the village?
- c. Will further road improvements/signage be required?

## 4 ROUTING AGREEMENT AND HIGHWAY WORKS

### i. Routing Agreement

4.1 All HGV's tractor units and/or trailers will arrive and depart to/from Welland Road.



Figure 1: Agreed and preferred routing agreement for HGV's exiting the site

4.2 Figure 1 above shows a Routing Agreement Map, with the preferred exit route shown in blue; this accounts specifically for the requirements of Rutland County Council, as the Highways Authority with regards to junctions to be avoided by vehicles arriving/departing the site. The routing agreement has been chosen as it is the opinion of the applicant's highways consultant, and the Highways Authority that these routes are best suited to accommodate the HGV's and trailers using the site.

## 5. Danger in crossing the A606 for residents and the Public

Finally of great concern is the ability to cross the road in the village

As Rutland continues to develop the A606 Road is becoming ever more busy and therefore dangerous – the introduction of 2 SIT's at both ends of the village would help to signify this as a concern – however the village has recently developed and is becoming an ever more family orientated village - there are now a significant number of young families and a number of households have extended larger families - it is of massive concern that there is no crossing point for Villager's and the children to cross who as they grow older will use both sides of the village to take advantage either of the Water facilities or the Viking way. The Church is being increasing used as a communal centre and the Noel Whitwell kindly host regular community events (the Noel is now the only parking area for the village and is kindly gifted when appropriate when asked – for Church events crossing the A606 is imperative). The village is becoming ever more active as a village centre. Crossing the road is becoming ever more perilous and it should be noted that a number of rambling groups and Schools are now using the Viking way in increasing numbers – therefore the submitted plans give rise to great concern in this regard.

The below letter shows an example of the concern:-

Dear Mrs Mullins

As a family who have lived in whitwell for the past 14 years, we have seen the traffic - which includes lorries and heavy vehicles, increase immensely over that time. We now have a young child and are so fearful of his safety when crossing the road to get to our

local beauty spot of Rutland water

The pathway is very narrow on the A606 and the lorries that speed up and down the road make using this path near on impossible

We wholeheartedly object to any further increase in traffic using this road for this reason amongst others including increased pollution and noise

Kind regards

Claire & Mark Latham

**Comments have also been received from Mr C Jordan**

I would like to suggest that the planning and highway departments at Rutland County Council review the damage being caused to the Edith Weston Road behind my house in North Luffenham by the HGV traffic travelling to and from the SGB vehicle storage prior to the proposals going to the Planning Committee on the 15th December.

As can be seen on the attached photographs taken today the tyres of the trailers are running on and cutting away the grass verge due to the road not being of a width to allow two HGV's to pass each other whilst staying on the tarmac on this narrow bend.

In the last four weeks this section of road has been closed twice for repairs,

My concern is that this road is totally unsuitable for the level of HGV traffic seen on it since the unapproved storage of HGV's started 18 months ago and RCC are suggesting that this proposal be accepted for the next 10 years.

Photo 1



**Photo 2**



**Officer comments**

The comments received from Mr C Jordan have been forwarded to RCC Highways to carry out an inspection.

**Amended/new conditions**

None

Report no.	Item no.	Application no.	Applicant	Parish
158/2020	2	2020/0142/FUL	GODWIN DEVELOPMENTS	GREETHAM

### Further consultation responses

Following consultation on the revised plans showing the changes to the access arrangements between the Service Filling Station and Ram Jam, the following comments have been received.

#### Response from Greetham Parish Council

1. GPC is strongly in favour of maintaining the right of access from the B668 to the petrol forecourt, so that residents can use this facility.
2. We believe that Greetham Garage has a legal right of way which gives them and their customers access from the B668 to the petrol forecourt (Land Registry document LT39575 dated 09.09.2020).
3. GPC felt that the letter was confusing.

#### Response from Stretton Parish Council

1. SPC object to plan J32-3395-PS-500 on the grounds that access is prevented onto the garage forecourt from the B668.
2. SPC would support the two-way access as shown in Plan J32-3395-PS- 506.
3. The letter from Darren Burbeary dated 27th November, contained incorrect drawing numbers and this caused confusion as to what RCC wished the parish council to consider.

#### Response from Clipsham Parish Meeting.

Whilst we are not against some re-development on the Ram Jam site we are very much against closing full access to the petrol station from the B668.

This proposal constitutes over-development of the site, which is situated outside planned limits of development and is therefore in a location designated as "Open Countryside"

In Stretton, Clipsham and many of the neighbouring villages, we do not have village shops and petrol stations, so the Ram Jam garage, which also sells the 'basics', including newspapers, has always been our 'village shop' and petrol station. Therefore access to the Ram Jam Garage and Shop from the B668 provides 2 essential amenities to several villages in Rutland.

By introducing a 'no entry' system from the B668 (Greetham Road) to the petrol station and shop this facility would be denied to us. This would result in many people having to drive a lot further for petrol and provisions.

It would appear that the removal of access to the petrol station is to allow access to several fast food outlets which are for the benefit of A1 travellers and is not taking into account local needs. Perhaps the developers are trying to squeeze too many businesses onto the site, as there also seems to be inadequate parking for such businesses.

Furthermore, this site, including the former orchard and the remaining verges, hedgerows and fruit trees forms an important site for biodiversity. This was surveyed in 2018 by the Environment Bank and shown to be highly valued as a biodiversity site. Please refer to the attached report from the Environment Bank with specific reference to Table 1 and section 4.1.3 Planning conditions for this application and site should require the developer to finance a DEFRA METRIC analysis of the site and its surroundings to evaluate its biodiversity value and develop a mitigation hierarchy report. After proposed mitigation measures have been taken into

account any remaining loss of biodiversity will require compensation to be paid for by the developer. All this should be carried out before permission for any development is granted.

**In addition 12 responses have been received from nearby residents objecting to the proposed change of the access and/or the proposed development or both and are copied in full below:**

**Comments have also been received from Mrs G Hodson and are reproduced in full below.**

As a resident of Greetham, I am currently able to drive along the B668 to use the garage for petrol and, occasionally, the shop for a few essentials. I know the people of Stretton regularly use the B668 to get to both garage and shop as they do not have a village shop. It seems to me to be a very unnecessary loss of valuable facilities to make visiting that petrol station and shop so much less convenient and straightforward for local people.

**Comments have also been received from Councillor Hodson:**

I am strongly in favour of maintaining there ability to access the petrol forecourt from the B668. This is a facility I use many times a year to get petrol. Previous planning applications were approved which maintained this right so why should it be withdrawn now? As stated in the applicant's documentation, there has been no record of accidents on the petrol forecourt and vehicles have been accessing the forecourt from the B668 for many years. I have been informed that there is a legal right of way for this access. There is a priority one way system on the B668 in Greetham so why should this not be equally acceptable on the forecourt access?

**Comments have also been received from Mrs M Harris**

There is no documentation that includes in detail how you came to the decision to close the access to the PFS from the B668.

I must thank the planning officer for the information to the nearest PFS for consideration but I would prefer to stay with my local one which I have used for the past 33 years.

It would be well received if just for once you could put Rutland residents before this large-scale quick food development, which should be much smaller in scale (as advised by Sharon Baker senior planning officer) and the traffic would be more manageable.

**Comments have also been received from Mr & Mrs R Harrison**

We would wish to object most strongly to the above Planning Application which is recommended for approval by RCC Planning Dept.

We submitted our earlier objection to the above on the 13th November, which we assume all members will have read.

Today's revised drawings showing Lewis Hamilton making a high speed, handbrake turn, around the forecourt petrol pumps is nothing more than a smoke screen to divert attention from the problems this development will make for our Rutland.

These drawings, J32-3395-PS-506 (April 20) and J32-3395-PS-506 (Jan 20) are not representative of the current Petrol station and shop. There is no diagonal parking and the square box annotated Garage does not exist.

But what is important is the misleading description for the development itself. This is NOT for Two drive-thru fast food outlets and Two separate classes of drive-to units but is for Three drive-thru units (Use Class A3/A5) and One drive-to unit (Use Class A1/A3) as clearly stated in Item 17 of your Public Reports Pack 15122020.

This has a fundamental and important impact on all of the evidence given by your expert

advisors; as this means all of the traffic flows and their affects are wrong, to the tune of at least 30% but more likely 50%. Its effect on vehicular traffic movement to and from, and on and around, the site are and must be incorrect.

RCC's own officer, Mr Chris Mead, said of the two drive-thru and two drive-to unit submission that he could not recommend that proposal. We would assume that in light of all the extra traffic this new development will generate he would positively refuse it.

RCC's own officer, Ms Sharon Baker, said the two drive-thru units may be acceptable in principle, provided it was of small scale and kept to a minimum. We would again assume, given the 30 to 50% increase of the development she would also be likely to say, it was now unacceptable and detrimental to the landscape and appearance and visual amenity.

Along with the new proposals we note that there are now plans to reduce the existing road side verges. These provide essential wild life habitats and essential corridors. Similar verges have been protected by Rutland in other parts of the County but seem to have been ignored on this occasion.

Having carefully read and studied all of the responses so far published on the Planning Application website we can find none actually supporting this development. Neither of the Parish Councils consulted have voted for it and neither have the local residents. Does public opinion no longer feature in decisions, presumably taken in or on their behalf?

We also feel it's unreasonable for RCC to suggest, in item 71 of your Public Reports Pack 15122020, that we now all do an extra 20 kilometres to get our fuel and shopping. We thought RCC were actively promoting the need to reduce all unnecessary travel and journeys. And where Great Casterworth is, we have no idea.

Everyone was happy with the approved development 2017/0278/FUL which would have given us offices, industrial, retail and we assume; a "Bettys of Harrogate" type of Café. This approved development, which has already been commenced to keep the planning permission alive, will provide skilled and higher paid jobs, lesser in number but with long term sustainability. A Rutland "Bettys" would attract visitors to the County who will stop, explore and spend tourist money supporting the local economy. All of this is now to be lost.

As the development 2017/0278/FUL has already commenced, in August of this year, should this current application be more properly treated as a change of use?

We would again ask that the Planning Committee refuse this application. It is both not an appropriate development for this site and its effects to the local infrastructure have not been fully or properly addressed.

**In addition a further response has been received stating;**

As you are all aware this application has been before you for consideration before and all we can ask is that you study carefully all the representations put before you by residents and others who are most concerned about the affects this development is going to have on our part of Rutland.

It would appear that from an environmental and safety aspect, this development will have severe consequences, not only in the short term but also in the long term.

For some reason there appears to be an "it will be all right on the night" attitude driving its acceptance, but this is unlikely to be the case. When you look at the need for 24 pre-development conditions it must signify that what is being proposed is fundamentally flawed. Everyone accepts that the site needs to be developed but that development should be one that is suitable and not one that will have a major detrimental impact to all of those surrounding it. There appears to be no major support from respondents which must give some indication as to its suitability.

The original two drive-thru and two drive-to units were deemed to be too much for the site and this has now been superseded by a three drive-thru and one drive-to units without any consideration being taken for all of the additional effects that this going to make. The site has extant planning permission and development has already been commenced. There is no reason why this cannot be delivered.

Thank you for taking the time to consider this written deputation.

### **Comments have also been received from Mr G Berriman**

Other respondents have made abundantly clear the considerable inconvenience that the proposed lack of access would cause the local residents. That same inconvenience would apply to motorists on the A1 travelling south. They would have the frustration of stopping at a services with a filling station next door, but no access to that filling station, which is, to my mind, ridiculous. This loss of access and custom would jeopardise the viability of the filling station which in turn would surely be detrimental to any adjoining services.

The informal "two way" arrangement has been successful and, as far as I know, incident free for at least the 18 years that I've been a local resident. If it was deemed to present a significant hazard restrictions to that access would have been imposed before now. Therefore to propose a one way system as part of the development suggests that the perceived hazard is due to that development and must call into question the suitability of the plan as a whole.

Any proposed development should be able to demonstrate at least some benefit to its neighbours. It certainly shouldn't be allowed to deprive that community of any of the few services it has.

### **Comments have also been received from Mr M Fairbairn**

Whilst there is no point in objecting to the whole development - which I do - I am commenting solely upon the access to this site. Like other objectors, I feel it is unnecessary and undesirable to remove the 2 way access from the B668. Like others say, the shop and forecourt are used by many locals and the nearest equivalent service station is too far away to be used instead. From what I can deduce from the drawings, there is no need to deny two way access, so why is it even being considered? The people who are inconvenienced by this - are they being considered?

### **Comments have also been received from Mr J Leefe**

I have looked at the application and am content with most of the application. However, I use the petrol filling station and shop on a regular basis and would like to continue using this very useful facility.

It is therefore important for local villagers to continue to have access from the Oakham road to the shop and petrol filling station.

Please ensure this access is maintained as part of the development plan

### **Comments have also been received from Miss Mary Merry**

I would like to object to the proposal to close the access road from B668 to the Ram Jam site, this would be very inconvenient for residents of surrounding villages who use it to access the petrol station, shop and Greetham Garage. These local facilities are very important to us

### **Comments have also been received from Miss P Isaacs**

Whilst I am not against some development on the Ram Jam site I strongly object to closing full access to the petrol station from the B668.

In Stretton and many of the neighbouring villages, we do not have village shops and petrol

stations, so the Ram Jam garage, which also sells the 'basics', including newspapers, has always been our 'village shop' and petrol station. Access to the Ram Jam garage provides 2 essential amenities to several villages in Rutland.

By introducing a 'no entry' system from the B668 (Greetham Road) to the petrol station and shop this facility would be denied to us. This would result in many people having to drive a lot further for petrol and provisions.

It would appear that the removal of access to the petrol station is to allow access to several fast food outlets which are for the benefit of A1 travellers and is not taking into account local needs. Perhaps the developers are trying to squeeze too many businesses onto the site, as there also seems to be inadequate parking for such businesses.

#### **Comments have also been received from Mr S Rigby**

I object to the intervention of local highways in respect of the drawing J32-3395-PS-500B which removes existing access from the B668 to the Ram Jam fuel station and shop. This would completely deprive both the business and the local community of this mutual trade.

Unless there is evidence of real issues with the existing arrangement then please leave things as they are. If it should become apparent that there are difficulties caused by the change of use across the site - this should be addressed later on.

#### **Comments have also been received from Mr P Partington**

I object the removal of 2 way traffic to the filling station from the B668, this is a really important facility to be able to access from Greetham.

I am generally supportive of the overall development of the area as long as it is done with due consideration to the residents of Greetham and Stretton, that use the filling station without needing to take the A1 south to the Empingham exit and back up the A1.

#### **Comments have also been received from A R Bianchi**

1. Many people from Greetham and Stretton Shop at the garage retail outlet. Indeed it has been suggested that this outlet be increased in size and scope.
2. The same people and others locally use the petrol station. If there is no access the site business will be lost to MPK as well as the amenity value for local people
3. I have not managed to see the drawings but wonder about the access to the bakery site and Greetham Garage.
4. The lack of access could mean more locals venturing onto the A1 for a short distance and then having to get off again
5. I am told the staff of the garage need to get to work off the B668

#### **Officer comments**

None

#### **Amended/new conditions**

None