

**PLANNING & LICENSING COMMITTEE**

**22<sup>ND</sup> DECEMBER 2020**

**ADDENDUM REPORT**

<b>Report no.</b>	<b>Item no.</b>	<b>Application no.</b>	<b>Applicant</b>	<b>Parish</b>
<b>162/2020</b>		<b>2020/0142/FUL</b>	<b>GODWIN DEVELOPMENTS</b>	<b>GREETHAM</b>

**Members are advised that there is a typographical error in the drawing references in paragraph 73 and paragraph 74 of the report.**

To clarify drawing No

- Rev.500 – Shows the two way access (original drawing submitted by the applicant );
- Rev.506 – Shows the interaction a two way route would have in terms of tracking
- Rev.500B – Shows just one way access (revised drawing).

Drawing Rev.500B – Shows just one way access and this is the revised drawing requested by offices and was subject of the revise consultation.

**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 and are summarised below:**

- Currently able to access the shop and garage from the B668 and this should be retained.
- No record of accidents on the forecourt and the two way access should be maintained.
- 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.
- 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.
- 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.
- Concerns about access and vehicle movements to and from the site.
- Adverse impact on wild life habitats.
- Residents were happy with the scheme approved under 2017/0278/FUL.
- This application should be refused as it is not appropriate for the site and its effects on the local infrastructure have not been fully or properly addressed.

- When you look at the need for 24 pre- development conditions it must signify that what is being proposed is fundamentally flawed.
- 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.
- The lack of access could mean more locals venturing onto the A1 for a short distance and then having to get off again
- I am told the staff of the garage need to get to work off the B668

### **Planning Ecology Consultation response to issues raised by Clipsham Parish Meeting**

The Biodiversity Accounting report by the Environment Bank used Ram Jam Inn as one of the illustrative case studies of how biodiversity offsetting payments could be applied as part of net-gain.

In 4.1.1 and 4.1.3, the EB acknowledge that their calculations are not based on recent ecology surveys; *'The calculations reported here are based on the 'Preferred development schematic' (7316-pre-application advice statement – Rev A – September 2016.pdf. Pre-application advice request: Development of the Ram Jam Inn, Stretton:7316, HSSP Architects, September 2016) which proposes development of the whole site. Given the early stage of this application the reported calculations are preliminary in nature, habitat conditions were assumed given there was no ecological information available at the time. Ecological survey would be required to inform a final calculation. Were development plans to be further defined then the calculations would need to be revised.'*

So although I would agree with the policy principles of EB's report, the details in their report that relate to this site are not. From comparison of aerial photos it appears that the orchard element has been cleared since EB did their calculation. An ecology appraisal has now been done (Wardell Armstrong, April 2020). Based on their Phase 1 habitat map, the habitats on site are as follows, with approximate areas I have just taken from GIS:

- semi-improved neutral grassland (c.0.2ha)
- plantation woodland (c.0.07ha)
- scrub (c.0.02ha)
- introduced shrub (c.0.01ha)

Hardstanding and buildings take up most of the rest of the site. Using the standard DEFRA metric, and based on the species-list in Wardell Armstrong's target notes, the grassland would be of low distinctiveness. Scrub and woodland are medium distinctiveness. The scrub and grassland would be lost; it looks as though the plantation woodland north of the driveway would be retained.

These areas and habitats are very different to those in EB's report. They must be using a different boundary – perhaps of the wider site outside the red-line? – and they are assuming greater habitat loss and higher value of habitats. This means the impacts of the current scheme are much lower than given in EB's report. The habitats on the main site are small in area and of low significance, and the site does not have high biodiversity value; it is a low priority.

Wardell Armstrong did not carry out a metric calculation.

When my colleague Kirsty Gamble looked at the application her main concern over habitat was to ensure that the damage to the species-rich roadside verge grassland outside the main development was minimised – this habitat does have high value. At present, biodiversity gain is covered by a policy in the NPPF:

174. To protect and enhance biodiversity and geodiversity, plans should:
- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity<sup>56</sup>; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
  - b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

This policy needs to be weighed against all other policies in the NPPF and against the site's past planning history.

All being well, the net-gain principle should become law next year, if the Environment Bill goes through as drafted, and LPAs will then have two years to set up a scheme.

**Officer comments**

None

**Amended/new conditions**

None

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162/2020		2020/0406/FUL	MR I WATTS	UPPINGHAM

#### Further consultation responses

1 further objection comment received from local resident;

*'The entrance to the proposed dwelling at 9 Stockerston Road is close to a sharp bend in the road. There are two traffic calming bumps in the road which are ineffective because vehicles can drive between them without having to slow down. Our observations are that about two thirds of the traffic drives down the middle of the road for this reason. The attached photograph illustrates this happening. (The entrance to 9 Stockerston Road is in the foreground). Also, vehicles are increasingly using Stockerston Road for all-day free parking. Before Uppingham School opened its staff car park, cars were regularly parked opposite this entrance, meaning that traffic is forced into the centre of the road, constituting an increased danger to cars leaving 9 Stockerston Road. An alternative entrance on to New Town Road or Chestnut Close would be far less dangerous.*

*We understand that a previous proposal which differs only marginally from the current application (house moved about ten feet to north) was rejected by the Planning department. We do not understand why this new application has received approval as it is still dominating and about twice the size of houses in the adjacent Chestnut Close.'*

#### Officer comments

While the additional objection is noted, as set out in the main report the Highway Authority have no objection to the intensification of the access.

With regard to the trees on site, Members were advised in the main report that an updated tree protection will be needed to reflect the revised layout. The agent has requested that this is conditioned, and an amended condition to secure this is set out below.

#### Amended condition

5. No development shall take place until an updated version of the Tree Protection Plan Revision A (Drawing no, 3603.Stockerston.DW.TPP), reflecting the layout revised layout, has been submitted to and approved in writing with the Local Planning Authority. The trees shown in the application to be retained shall then be protected in accordance with BS5837:2012 prior to the commencement of development by the measures set out in the below document and the updated Tree Protection Plan;
  - Arboricultural Implications Assessment and Method Statement Revision A  
The development shall then proceed in accordance with the Method Statement within the above report. The protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected.

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