

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

<p>APPROVAL, subject to the following conditions:</p> <ol style="list-style-type: none"> <p>The development shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; GH-20-02B, GH-20-03.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>No development above ground level shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.</p> <p>Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.</p> <p>No demolition/development shall take place/commence until a staged programme of archaeological work, commencing with an initial phase of trial trenching has been undertaken. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p>

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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

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

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

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

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

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

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

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

7. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling, and no provision of buildings, enclosures, swimming or other pool, shall be erected or carried out except with prior planning permission.

Reason: In the interests of the character and appearance of the area and surrounding residential amenity.

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

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

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

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

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

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

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

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

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

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

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

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

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

Notes to Applicant

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

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

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

3. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you

have not received an acknowledgement by the time you intend to commence development then it is imperative that you contact cil@rutland.gov.uk.

If the development hereby approved is for a self- build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can be found on the Planning Portal: https://www.planningportal.co.uk/info/200126/applications/70/community_infrastucture_levy/2

Site & Surroundings

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

Proposal

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

Relevant Planning History

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

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 5 - Delivering a sufficient supply of homes

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Core Strategy DPD

CS01 - Sustainable Development Principles

CS04 - The Location of Development

CS19 - Promoting Good Design

CS21 - The Natural Environment

CS22 - The Historic and Cultural Environment

Site Allocations and Policies DPD

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP17 – Outdoor lighting

SP19 - Biodiversity and Geodiversity Conservation

SP20 - The Historic Environment

Greetham Neighbourhood Plan

CH1 - Built Form

CH2 - Green Infrastructure

HD1 - Housing Development in Greetham Village

HD2 - Housing Mix

Consultations

7. Greetham Parish Council

Objection for the following reasons:

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

8. Conservation Advisor

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

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

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

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

9. **Highway Authority**
No Objections

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

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

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

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

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

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

11. **LCC Archaeology**

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

12. **Local Lead Flood Authority**

No objection subject to condition for drainage scheme.

Neighbour Representations

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

Planning Assessment

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

Principle of development

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

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

Highway/access issues

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

Conservation Area/Design

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

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

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

Residential Amenity

26. The orientation of the dwelling would face onto pond lane, and be sited approximately 10m from the lane. There is a dwelling across the road that has its side elevation facing the road and the development; this proximity, orientation and relationship between dwellings is not out of keeping with the built form of the village, and would not have an unacceptable impact in terms of loss of privacy/light or overbearing impact. The first-floor windows on the rear serve two bathrooms and a bedroom, though existing neighbouring trees adjacent to the site boundary provide a screen to the west. There are no windows proposed on the side (north and south) elevations.
27. It is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the Section 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014), and the Greetham Neighbourhood Plan (2017).

Other issues

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

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

Crime and Disorder

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

Human Rights Implications

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

Conclusion

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