

Application:	2020/0706/FUL	ITEM 2	
Proposal:	Erection of 4 No. residential two-storey dwellings and introduction of an access road on the western side of the existing Stamford Osteopathic Clinic car park.		
Address:	Stamford Osteopathy Clinic, Old Great North Road, Great Casterton, Rutland, PE9 4AA		
Applicant:	Burghley Estate Preservation Trust	Parish	Great Casterton
Agent:		Ward	Casterton & Ryhall
Reason for presenting to Committee:	Policy/objections		
Date of Committee:	21 December 2021		
Agreed Extension of Time Date:	24 December 2021		

EXECUTIVE SUMMARY

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 The site has an Important Open Space designation but this is considered to be out of date

RECOMMENDATION

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

damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

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

5. No development above damp course level shall be carried out until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

REASON: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.

6. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be erected or carried out nor shall any structure be erected within the curtilage, except in accordance with the prior planning permission of the local planning authority.

Reason: The dwellings are to be sited close to each other and their neighbours. Any further additions or windows would be likely to have a detrimental impact and hence need to be considered by the local planning authority.

7. No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.

8. The communal play area shall be provided on site within 3 months of the occupation of the 4th dwelling on site, in accordance with details of its layout, landscaping and equipment, together with proposals for the maintenance of the site, which shall have been submitted for the approval of the local planning authority.

Reason: To ensure that this part of the proposal is delivered in good time and is properly maintained thereafter.

9. The obscure glazing in the top half of the landing window to Plot 2, shown on plan 002D shall be installed before the house is occupied and shall remain in perpetuity.

Reason: In the interests of the amenities of adjacent residents.

10. Before the 4th house is occupied, 3 swift nest boxes shall be installed on a suitable elevation of a dwelling(s) in accordance with the Swift Advice Note found at <https://www.leicestershire.gov.uk/environment-andplanning/planning/leicestershire-and-rutland-environment-records-centre-lrerc>.

Reason: The site is within a Swift Alert area where the new boxes will add to the bio-diversity provision of the proposal.

11. Off-site Highway Works

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

LPA. The works will be completed prior to first occupation of the dwellings.
Reason: In the interests of highway safety.

12. **Parking and Turning**
Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwellings to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.
Reason: In order to ensure that sufficient car parking and turning remains available on site.
13. **Lighting affecting the highway**
Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare.
Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.
14. **Surface Water Drainage**
The vehicular and pedestrian accesses will be designed to prevent the discharge of surface water from the development onto the public highway.
Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
15. **Completion of roads**
No dwelling shall be occupied until the access road linking that dwelling to the public highway has been completed to a minimum of base course level and footways shall be completed to surface course level.
Reason: In the interests of residential amenity.
16. **Construction Management Plan Condition**
No development shall take place, including any demolition work, until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:-
 - a) A scheme for monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
 - b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
 - c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmacadam, to be maintained free of mud, slurry and any other form of contamination during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
 - d) Haul routes to the site and hours of delivery
 - e) Measures to ensure that vehicles can access the site immediately upon arrival to ensure there is no parking, waiting, loading/unloading or queuing on the public highway.
 - f) Details of site compounds, storage area and contractor/visitor parking/turning.
 - g) Details of the site enclosure or part thereof and gated site security.
 - h) Confirmation of any tree protection measures.

- i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.
 - j) Details of site notice with contact details and a scheme for dealing with complaints.
 - k) Details of any temporary lighting which must not directly light the public highway.
 - l) Phasing plans where necessary.
 - m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
 - n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- The development shall thereafter be carried out in accordance with the approved Construction Management Plan.
- Reason: In the interests of residential amenity and highway safety.

Site & Surroundings

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

Proposal

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

Relevant Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 2 – Achieving Sustainable Development (Para 11d)

Chapter 5 - Delivering a sufficient supply of homes

Chapter 12 – Achieving well designed places

Site Allocations and Policies DPD (2014)

SP5 Built Development in the Towns and Villages

SP15 Design & Amenity

SP20 The Historic Environment

SP21 Open Spaces and Frontages

Core Strategy DPD (2011)

CS04 - The Location of Development

CS19 Promoting Good Design

CS22 The Historic Environment

Neighbourhood Plan

There is no NP for Great Casterton

Officer Evaluation

Principle of the use

Impact of the use on the character of the area

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

Impact on the neighbouring properties

13. The dwellings on all plots would be close to adjacent boundaries. Plots 1 and 2 would have rear single storey elements relatively close to the side boundary of Glendene on

Pickworth Road and the rear boundary of 22 Ermine Rise but revisions to the fenestration and confirmation sections through the site have revealed that they will not have a detrimental impact on Glendene such as to make the proposal unacceptable. The top half of the landing window on Plot 2 is obscure glazed. The entire landing window on Plot 1 is not annotated as obscure but this is approximately 25 metres from the rear of No.22 Ermine Rise, and at a lower level, which is within normal limits.

14. Plot 3 is largely unchanged and would not impact on its neighbours
15. Plot 4 has been turned through 90° from the original to sit parallel with Plot 3, backing onto Pickworth Road. This has reduced the impact on Ingoldsfield (from where there has been no objections).
16. The scheme now complies with SP15 in terms of neighbouring amenity.

Heritage

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

Highway issues

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

5 Year Housing Land Supply

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

Crime and Disorder

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

Human Rights Implications

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

Consultations

24. Great Casterton Parish Council

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

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

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

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

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

Further comments

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

Further comments

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

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

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

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

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

Final comments October 2021

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

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

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

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

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

All our previous comments still stand.

25. **Highways**

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

CONDITIONS

Off-site Highway Works

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

Reason: In the interests of highway safety.

Parking and Turning

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

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

Lighting affecting the highway

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

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

Surface Water Drainage

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

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

Completion of roads

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

Reason: In the interests of residential amenity.

Construction Management Plan Condition

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

- a) A scheme for monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmac, to be maintained free of mud, slurry and any other form of contamination during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery
- e) Measures to ensure that vehicles can access the site immediately upon arrival to ensure there is no parking, waiting, loading/unloading or queuing on the public highway.
- f) Details of site compounds, storage area and contractor/visitor parking/turning.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation of any tree protection measures.
- i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.
- j) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

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

Reason: In the interests of residential amenity and highway safety.

INFORMATIVES

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

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

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

Utility Services - Section 50 NRSWA 1991

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

Off-site Highway Works – Section 278 Highways Act 1980

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

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

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

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

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

26. **Archaeology**

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

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

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

In line with the National Planning Policy Framework (NPPF), Section 16, paragraph 190 and Annex 2), the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance.

This understanding should be used to avoid or minimise conflict between conservation of the historic environment and the archaeological impact of the proposals.

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

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

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

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

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

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

No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

' The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

' The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure satisfactory archaeological investigation and recording.

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

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

27. Ecology

Further comments

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

I therefore would have no objections to this proposed development.

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

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

This should be required as a condition of the development.

Neighbour Representations

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

Having lived directly opposite the site for over 10 years, the land has become messy, overgrown and unsightly since the pub closed and the bowls club seemingly disappeared. If the land were developed, it would represent an improvement to the appearance of this part of the village. The children's play area would also be a benefit to the village as, so far as I see, there is nothing else of this type in Great Casterton or within walking distance; my children would have benefited greatly from it if there had been.

Neighbour 2 Newhaven: (Next up from Glendene)

What I'm worried about is the houses being built will overlook the property I'm living in. My neighbours to the left of me have just had an extension put on the existing bungalow, and were told that they couldn't overlook me so we're restricted on the height they could build. I have a feeling looking at the plans, I will be overlooked. So I definitely object to the houses being built, not only that but the traffic is horrendous in the morning and afternoon with parents collecting their children from the primary school, around the corner. And their parking on the pavement, down from the Osteopathy clinic. Is very dangerous. The last thing we need is more traffic, along this road.

Neighbour 3 Glendene May 2021

Following receipt of the revised planning notification from Rutland County Council, relating to the erection of 4 properties on the above site, we submit our objections to this proposal. After significant effort and expense, we have created a lovely home adjacent to the proposed application site. We wish to object for the following reasons: -

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

Nov 2021

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

Neighbour 4 22 Ermine Rise

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

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

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

Conclusion

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