

Application:	<b>2022/1236/FUL</b>	<b>ITEM 3</b>	
Proposal:	<b>Two storey house with detached garage</b>		
Address:	<b>Land Off Holygate Road Ridlington</b>		
Applicant:	<b>Mr &amp; Mrs Houlst</b>	Parish	<b>Ridlington</b>
Agent:	<b>Karen Mellor McCombie Smith</b>	Ward	<b>Braunston &amp; Martinsthorpe</b>
Reason for presenting to Committee:	<b>Contrary to Policy</b>		
Date of Committee:	<b>18 April 2023</b>		
Determination Date:	<b>22 December 2022</b>		
Agreed Extension of Time Date:	<b>21 April 2023 (TBC)</b>		

## EXECUTIVE SUMMARY

The site is outside the PLD for Ridlington but is surrounded by housing either side and opposite. Positive advice was given on a pre-app at a time when there was no 5 year housing land supply and the application was submitted in good faith.

The scheme is well designed and would have a limited impact on the character of the village, the conservation area or adjacent residents. The scheme is supported by the local community.

## 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.944/22/1D and 944/22/2B, including the materials specified therein.  
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 shall take place until the existing trees on the site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping / shown to be retained on the approved plan, have been protected by the erection of temporary protective fences in accordance with BS5837:2012 and of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, 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 in the protected areas, 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 important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

6. Possible Archaeology condition. Will be confirmed on the Addendum.

Informative:

- (i) CIL note

## Site & Surroundings

1. The site is located adjacent to the Planned Limit to Development (PLD) for Ridlington. It also had the same relationship with the Conservation Area. See Local Plan extract in the Appendix.
2. The site is currently grassland and is bordered partly by a wall and partly a hedge across the frontage. There are trees on the boundaries, particularly along the southern (rear) edge. The land has a domestic appearance with raised beds and patio furniture.

## Proposal

3. The proposal is for a 2 storey house with 3 bedrooms at first floor and a small fourth bedroom at ground floor. There would also be a detached garage. See details in the appendix.

## Relevant Planning History

None

## Planning Guidance and Policy

### National Planning Policy Framework (NPPF) 2021

Chapter 5 – Delivering a sufficient supply of homes

Chapter 11 – Making efficient use of land

Chapter 12 – Achieving well designed places

### Site Allocations and Policies DPD (2014)

SP6 - Housing in the Countryside

SP15 - Design and Amenity

SP20 - The Historic Environment

### **Core Strategy DPD (2011)**

CS04 - The Location of Development

CS19 - Promoting Good Design

CS22 - The Historic and Cultural Environment

### **Neighbourhood Plan**

4. Not applicable

### **Officer Evaluation**

5. The main issues are planning policy, impact on the conservation area, highway safety, residential amenity and archaeology.

#### Principle of the use

6. The site is outside the PLD and hence technically in open countryside. Policies CS4 and SP6 would ordinarily rule out this development where the local authority can demonstrate a 5 year housing land supply (5YHLS).

7. Whilst not a major material consideration, positive pre-application advice was given on this proposal at a time when there was no 5YHLS and the application was submitted within that period.

8. The site forms a gap in an otherwise mainly built up frontage with dwellings either side.

9. The Restraint Village Policy of the Core Strategy Policy CS4 is now out of date as it does not comply with the NPPF. On that basis Ridlington is a smaller village where infill etc can be allowed where it is suitable to meet other relevant policies.

#### Design/Layout

10. The design uses traditional proportions and materials appropriate to Ridlington. The building would be sited centrally on the plot.

#### Impact of the use on the character of the area

11. The proposal would not have a negative impact on the character of the village or the conservation area. It is sited in a gap between existing dwellings, albeit they are all outside the PLD, together with another existing house opposite.

#### Impact on the neighbouring properties

12. The proposal would be set well away from adjacent property in terms of amenity. The house would be 15m from the boundary of the nearest property to the east. The scheme would thereby avoid impact on the amenities of neighbours. No objections have been received from neighbours.

#### Heritage

13. As the site lies within a conservation area, there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72 (1) of The Act.

14. NPPF - 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 2021). 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.
15. As can be seen below, the Conservation Officer has no objection.
16. The applicant has recently submitted an Archaeological assessment of the site and the comments of Leicestershire Archaeology Section are awaited. The report concludes that:

*Following appraisal of the above development scheme, Leicestershire County Council Archaeology (LCCA) recommended a programme predetermination archaeological works to help inform decisions on the above application.*

*The site does not contain any designated archaeological assets but is situated between 70 – 80m south of the southern ditch and bank system of a possible Bronze Age Enclosure (Scheduled Monument Number 1005043).*

*The site may also reside within preserved below ground archaeology indicated by soil and cropmarks suggesting prehistoric field systems, trackways and enclosures, and ridge and furrow Medieval/post-Medieval agricultural features.*

*This report focuses on the archaeological potential of this plot.*

*This report has confirmed the Historic Environment Record for Leicestershire (HER) and at Historic England's Scheduled Monuments List does record non-designated assets within the immediate vicinity of the site.*

*Based on the information within the GLHER, supplemented by historic mapping from the mid-late 16th century onward together with documentary research, the Site has been shown to have a medium potential for encountering buried archaeological remains of prehistoric date.*

*The potential for encountering archaeological remains of Roman, early medieval, or medieval date are considered to be low.*

*If archaeological remains are present, there is a high possibility these will be impacted.*

17. The final comments from Archaeology are awaited and will be reported in the Addendum.

#### Highway issues

18. No objection from the highway authority. The access is on a relatively straight section of road and adequate visibility is achievable.

#### Crime and Disorder

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

## Human Rights Implications

28. 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.
29. It is considered that no relevant Article of that act will be breached.

## **Consultations**

### **30. Historic England (consulted due to Archeology advice on SAM)**

Recommend seek local Conservation Officer advice only

### **31. Parish Council**

No objection

### **32. Design Officer**

33. I visited the site last Friday and have the observations and comments below, no major objections, I have photos if you needed any:
34. The street is characterised by landscape and also stone buildings and walls;
35. The low stone wall and the existing hedgerow (hedgerow is presently tall) are key features to retain and it looks like they intend to do so;
36. The wall has a crack on the curve and ivy growing on it/in it – and so repair / assessment needed;
37. The site is visible from the Bridleway to the south east but the trees and hedge on the south boundary of the site would help to soften views –(The Old Mill is more prominent) these trees should be retained and the hedge could be enhanced further;
38. The eastern boundary of the site –(see attached photo)- some open back gardens face on to the eastern boundary of the site and the front door elevation of the proposed dwelling – this relationship needs exploring and the treatment of the eastern boundary – a hedge could be planted to screen views;
39. The materials look to be appropriate for the area – exact stone product important to fit locally;
40. The detailing of the property looks to be broadly in line with traditional detailing found locally and copying the Old Mill – eaves detailing important too – in general, if taking a traditional approach, the detailing needs to be done right, authentic materials and all high quality;
41. The porch – is this a local style? It looks one of the weaker elements of the building and just would want to check if its authentic / local?
42. The pv panels on the garage could be flush with the tiles – looking neater and more subtle – the shading from the nearby trees needs studying in terms of impact on the sun – as we wouldn't want to lose these trees as mentioned above;

43. The north elevation – although not the primary elevation, it does face the street and so is important – how visible this will be depends on the height at which the existing frontage hedge is maintained – at present, much of the proposed building would be hidden behind the hedge – happy for the hedge to be kept high – but would be helpful to know the intention here. The blank gable is less of a concern in this rural context.

44. **Archaeology**

45. The Leicestershire and Rutland Historic Environment Record (HER) notes that the application lies south of a Scheduled Monument and within a wider landscape of pre-historic activity. It is likely that below ground archaeological remains will be impacted by this development but also possibly the setting of the scheduled monument. We previously recommended a desk-based assessment to be provided in our pre-application consultation.

46. This will require provision by the applicant for:

- An Archaeological Desk-based Assessment (DBA), as a minimum this should include an assessment of the HER, appraisal of other available published an/or documentary sources and a site inspection visit to establish existing and previous site conditions and land use.
- A field evaluation, by appropriate techniques including trial trenching, if identified necessary in the assessment, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this.

47. This information should be submitted to the planning authority before any decision on the planning application is taken, so that an informed decision can be made, and the application refused or modified in the light of the results as appropriate. Without the information that such an Assessment would provide, it would be difficult in our view for the planning authority to assess the archaeological impact of the proposals.

48. **Conservation Officer**

49. The site fronts the boundary to the Ridlington Conservation Area, a statutory designation of historic importance, as such the statutory duty of the Local Planning Authority under Section 72 of the Planning (Listed Building and Conservation Areas) Act, 1990 is relevant, requiring that attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

50. **Observations:**

51. The layout and form of the proposed development for one dwelling and garage appears to be consistent with the prevailing architectural detailing and grain of existing development for the neighbouring site at Mill Cottage and the Old Mill (and its associated structures), as such the design does not appear to be out of context with the scale and form of the neighbouring site. The proposal appears to be consistent with the ratio of building to garden land and so does not appear to be overbearing in the plot and thus would not appear to over-develop the site.

52. The new build is 'set back' sufficiently within the site to ensure that views from the boundary of the Conservation Area are not eroded by the proposal, particularly when considering the existing built form at the Old Mill and Mill Cottage are set further forward to the highway and therefore these neighbouring buildings continue to retain the

dominance along the street scene, therefore the Conservation Area remains preserved in this rural context. The site is generally well screened by a frontage hedge in any case and so new development on this parcel of land does not draw the eye away from the Conservation Area.

53. Adjacent to the site is the scheduled monument of a Bronze Age Enclosure, there is the potential for archaeology at the application site, though separate advice should be sought on the impact of the proposal on the scheduled monument.
54. **Discussion, heritage harm and balancing the public benefit:**
55. Paragraph 199 of the National Planning Policy Framework (The Framework) requires great weight to be given to an asset's conservation when considering the impact of a proposal on its significance. It is considered that the harm identified on the Ridlington Conservation Area by the proposal for one dwelling would be considered to amount to 'less than substantial' harm on the character and appearance of the Conservation Area. It is nevertheless harm to which great weight should be attached.
56. The NPPF guides that the harm should be weighed against the public benefits of the proposal. Where harm to a heritage asset would be 'less than substantial' this should be weighed against the public benefits of a proposal.
57. The public benefit at this site is that one dwelling would contribute towards local housing numbers and to the local economy during the construction of development. Therefore, the heritage balance is that the 'less than substantial harm' identified is outweighed by the public benefits of the proposal.
58. Therefore, the present proposal accords with Policies CS19 and CS22 of the Rutland Core Strategy Development Plan Document (July 2011) and Policies SP15 and SP20 of the Rutland Site Allocations and Policies Development Plan Document (October 2014), which seek amongst other things to preserve the significance of historic environment, including Conservation Areas, which should be preserved and enhanced. The proposal accords with the National Planning Policy Framework at section 16 in respect of heritage matters.
59. The use of materials and windows should match that of those used locally and existing landscaping within the site and should be retained or supplemented where possible and local details and features preserved.

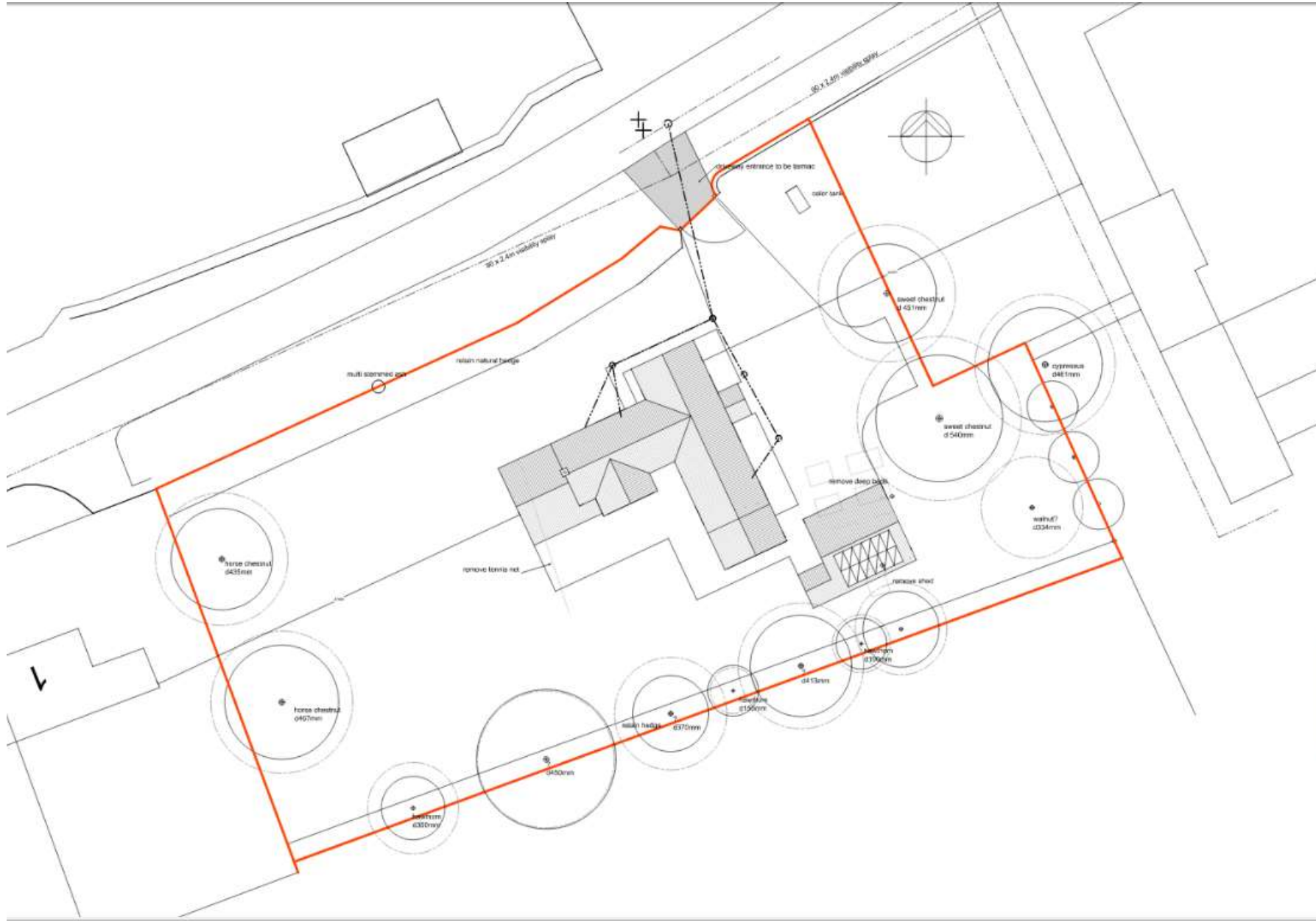
## **Neighbour Representations**

60. The proposal has been supported by 4 different residents in the village. They consider it would make a positive contribution and that the design is well founded. Pleased the applicants are downsizing to stay in the village. Would prefer the trees on the northern boundary to be retained.

## **Conclusion**

61. Whilst outside the PLD this small infill development is well designed, will not cause harm to any interests of importance and can be supported.

Block Plan



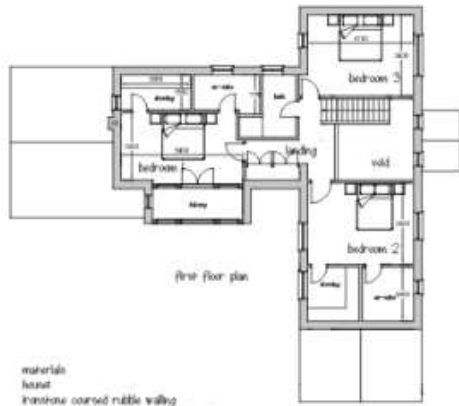




Conservation Area

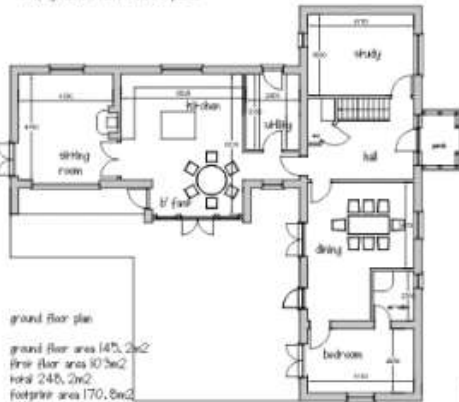
Site

PLD



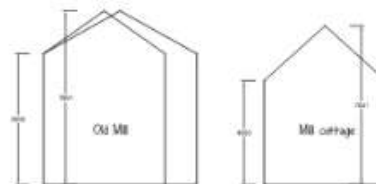
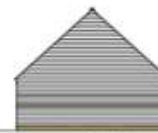
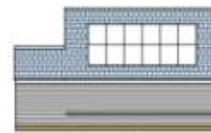
materials  
 plaster  
 transition colored rubble walling  
 with dressed limestone gables, chimneys and linings  
 windows and doors powder coated aluminium  
 roofing natural slate

garage  
 timber cladding  
 an transition base  
 roofing natural slate with PV panels



ground floor area 145.2sq2  
 first floor area 103sq2  
 total 248.2sq2  
 footprint area 170.8sq2

existing Old Mill  
 ground and first floor 384sq2  
 footprint 220sq2



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New house  
 The Old Mill  
 Holygate Road, Riddington  
 For Mr and Mrs Boulton  
 Sketch Plans & Elevations

SCALE: 1/8000000  
 (DATE: Apr 2022)  
 DRAWN: RJA

944/22/28