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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2022/1219/FUL	ITEM 1	
Proposal:	The demolition of commercial buildings and the erection of a detached dwelling with associated access.		
Address:	Pridmores Haulage 1 Tippings Lane Barrowden		
Applicant	Kaybee Developments Ltd	Parish	Barrowden
Agent:	Mr M Hubbard	Ward	Ketton
Reason for presenting to Committee:	Departure from Barrowden Neighbourhood Plan (Policy BW9)		
Date of Committee:	24 October 2023		
Determination Date:	29 December 2022		
Agreed Extension of Time Date:	27 October 2023		

EXECUTIVE SUMMARY

This is the redevelopment of a former commercial site with buildings of limited architectural merit within the Planned Limits of development for Barrowden. The Conservation Area Officer is in support of the Development of one dwelling on the site. It is considered that the proposed development would preserve and enhance the character and appearance of Barrowden Conservation Area, would not have an adverse effect on the setting nearby Grade II listed buildings and/or adjacent important open space or adversely impact the residential amenities of neighbouring properties and would be comply with to Sections 5, 11, 12, 15 and 16 of the NPPF (2021, Policies CS03, CS04, CS19 and CS22 of the Councils Adopted Core Strategy (2011), Policies SP5, SP15, SP19 SP20 and SP21 of the Site Allocations and Policies Development Plan Document (2014), Adopted SPD and Policies BW1, BW6 BW7 and BW8 of the Barrowden and Wakerley Neighbourhood Plan.

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 details shown on the submitted drawings, 20037/PL200 Location Plan, 20337/PL201 D, 20037/ PL205G 'Proposed Site Plan' 20037/PL206C Proposed Site Sections, 20037/PL207C Dwelling Plans & Elevations, 20037/PL209D Drainage Strategy Plan.
20037/PL202D Topographical Survey.
Reason: For the avoidance of doubt and in the interests of proper planning.

3. No structure or erection exceeding 0.9 metres in height above carriageway level shall be placed within the visibility splays as shown on Drawing 20037/PL205E Proposed Site Plan
Reason: to provide adequate visibility between vehicles using the access and those in the existing public highway in the interests of highway safety.
4. No gates will be permitted across the vehicular access.
Reason: In the interests of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).
5. No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary, but the construction details used must be porous.
Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable. in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).
6. Car parking including garages and turning shall be provided in accordance with the approved layout plan prior to the first occupation of the dwelling 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 in the interests of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).
7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:
 - a) A scheme for the 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) Details of an operational wheel washing facility within the site and adjacent to the egress onto the highway. The wheel washing shall be provided at the commencement of the development and maintained during the period of construction.
 - d) Haul routes to the site and hours of delivery.

- e) Measures to ensure that vehicles can access the site upon arrival to ensure that there is no queuing on the public highway.
- f) Details of site compounds, storage area and contractor and visitor parking.
- g) A scheme for dealing with complaints.
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 Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).

8. No development above ground level shall be commenced until
- a) precise details of the manufacturer and types and colours of the external facing materials,
 - b) roofing materials
 - c) rooflight details
 - d) description of the joints proposed
 - e) Details of the mortar mix, profile and finish
 - f) timber cladding 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, to protect the character and appearance of the Barrowden Conservation Area and because no details have been submitted with the application.

9. The garage doors shall be side hung vertical timber doors and shall be allowed to weather naturally and not stained or painted.
Reason: In the interests of the character and appearance of the local area.

10. No development above ground level shall be commenced until drawings to a scale of not less than 1: 50 fully detailing the new windows, rainwater goods, doors, and surrounds to be used and indicating precise details of the materials, manufacturer and types and colours shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in accordance with the approved details.
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

11. No development above ground level shall be commenced until details of hardstanding and surfacing for driveway. The approved materials shall be used/carried out in accordance with the approved details.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity, to protect the character and appearance of the Barrowden Conservation Area and because no details have been submitted with the application.

12. No development above ground level shall be commenced until drawings to a scale of not less than 1: 50 fully detailing the new of stonework for repairs to well/pump fronting Tippings Lane. The approved works shall be installed/carried out in accordance with the approved details.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity, to protect the character and appearance of the Barrowden Conservation Area and because no details have been submitted with the application.
13. The sound pressure level of noise emitted from the operation of the air source heat pump shall not exceed 38dBLAeq, 5 mins. The noise levels should be determined at the nearest sensitive receptor.
Reason: To avoid noise nuisance in the interests of the amenity enjoyed by neighbouring residential properties.
14. In the event of any reasonable noise complaint being received by the Local Planning Authority, the property owner or their successors in Title, shall be required to undertake a full noise assessment to demonstrate compliance with the above noise limit and submit this within 28 days of notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the noise assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority.
Reason: To avoid noise nuisance in the interests of the amenity enjoyed by neighbouring residential properties.
15. The development hereby approved shall be carried out in accordance with the requirements of Section 6 – Recommendations and Mitigation of The Preliminary Ecological Appraisal Report (Philip Irving dated January 2021).
Reason: In the interests of the protection of wildlife and their habitat.
16. There shall be no external lighting on the site, any external lighting required, either temporary lighting during building work, or permanent lighting post development, must be in line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat Conservation Trust, 2018) (<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>). Full details of any proposed external lightning shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting. To reduce the impact of lighting on bats, lighting should consist of LED light sources fitted with downward deflectors (i.e. hoods, cowls, shields, louvres) at a low level, and, ideally, be on PIR sensors. No up-lighting should be used.
Reason: To ensure that any protected species which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved.
17. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained by the property owner.

Reason: To minimise the risk of flooding.

18. No demolition or development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Any integrated bat/bird boxes/roosts need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme and shall remain in perpetuity thereafter.

Reason: Local Planning Authorities are required to promote the protection and recovery of priority species populations and encourage opportunities to incorporate biodiversity improvements in and around developments, as set out in paragraph 179 and 180 of the National Planning Policy Framework (2021).

19. No development shall take place on site until a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels 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." has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

20. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details and details associated with condition 13 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.

21. No development shall take place until the existing trees on the site, agreed with the Local Planning Authority shown to be retained have been protected in accordance with details shown on drawing No 5179. Tippings.

Kaybee.AMS. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the hedgerows and 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.

22. Any trees and/or hedgerow dying, being removed or being seriously damaged as a result of the failure to comply with condition 15 above shall be replaced in the next planting Season (October - March inclusive) with others of similar size and species.

Reason: To enable existing landscaping to be protected and retained in the interests of visual amenity.

23. The flat roofed area of the single storey side extension shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof.

Reason: In the interest of the residential amenity and privacy of the occupiers of neighbouring properties who would otherwise suffer an unacceptable level of overlooking and loss of privacy.

24. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

No development shall take place until a full assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

25. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, C, and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no enlargement, improvement or

other alteration to the dwellings shall be erected or carried out except with prior planning permission.

Reason: To enable the Local planning Authority to control development and to ensure adequate private amenity space is retained within the curtilages of the dwellings and that there is no adverse impact on the character and appearance of the Barrowden Conservation Area.

26. The residential annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted. It shall not be used as a separate dwelling and no separate curtilage shall be created.

Reason: It is considered that the site is inappropriate for an independent unit of accommodation in addition to the main dwelling and such development would be detrimental to the amenities of the area.

27. A native hedgerow shall be planted on the inside of the estate fencing along the southern side boundary of the site as shown on drawing No 20037/ PL205E using a mixture of locally native hedgerow species including Hawthorn (*Crataegus monogyna*), Field Maple (*Acer campestre*), Hazel (*Corylus avellana*), Dogwood (*Cornus sanguinea*), Blackthorn (*Prunus spinosa*), Dog Rose (*Rosa canina*) and Holly (*Ilex aquifolium*). The existing hedgerows shall be retained thereafter from first occupation of the new dwelling (at a height of no less than 1.4 metres).

Reason: In the interests of the amenity of and to enhance the biodiversity of the site.

28. A native hedgerow shall be planted along the southern side and western rear boundaries of the site as shown on drawing No 20037/ PL205E using a mixture of locally native hedgerow species including Hawthorn (*Crataegus monogyna*), Field Maple (*Acer campestre*), Hazel (*Corylus avellana*), Dogwood (*Cornus sanguinea*), Blackthorn (*Prunus spinosa*), Dog Rose (*Rosa canina*) and Holly (*Ilex aquifolium*). The existing hedgerows shall be retained thereafter from first occupation of the new dwelling (at a height of no less than 1.6 metres).

Reason: In the interests of the amenity of and to enhance the biodiversity of the site.

29. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking and re-enacting that Order with or without modification), the first-floor window in northern elevation of the new dwelling shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To protect the privacy and amenities of the occupiers of adjoining property.

30. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 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 additional window shall be inserted in the north and/or south elevation of the new dwelling, except in accordance with details which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of neighbouring property.

31. Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Classes A, B and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no provision of buildings, enclosures, swimming, or other pool shall be erected except with prior planning permission.

Reason: To enable the Local planning Authority to control development and to ensure adequate private amenity space is retained within the curtilages of the dwellings and that there is no adverse impact on the character and appearance of the Barrowden Conservation Area.

Informatives

1. The following advice note are also suggested to be passed on to the appellant.

Section 184 Highways Act 1980 – permanent vehicular access for a dwelling

The development involves the construction of a new vehicular access within the public highway. These works must be carried out under strict accordance with the requirements of Rutland County Council under the provisions of Section 184 of the Highways Act 1980. Prior to commencing any work within the highway, a licence must be obtained from the Local Highway Authority. The application form and guidance notes can be found on Rutland's website or contact can be made with Highways by email at highways@rutland.co.uk.

Section 148 Sub-Sec C Highways Act 1980

It is an offence under Section 148 Sub-Sec C of the Highways Act 1980 to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways or 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.

Section 149 Highways At 1980

If anything is so deposited on the highway as to constitute a nuisance, under Section 149 of the Highways Act 1980 the Local Highway Authority may by notice require the person responsible to remove it forthwith and if not complied with the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event 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

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 by emailing highways@rutland.gov.uk

2. Hydrocarbon impacted soils and ground water have been identified on this site. While a remediation scheme is anticipated please ensure this protects (including but not limited to):

The village pond (approx. 70m south of the site) which haven't been identified in the report but is thought to be feed by local ground waters. Protection will be necessary during phases of demolition/construction and investigation work. Potable water supply pipes to the proposed properties as standard plastic water supply pipes can be penetrated by hydrocarbons thereby potentially impacting future resident's supplies.

3. Habitats on site are potentially suitable for nesting birds and are protected by law. A survey is recommended before clearance of vegetation. Vegetation clearance during the bird-nesting season (March – July inclusive) should be avoided unless it is within 24 hours of a negative bird-nesting survey from an appropriately qualified ecologist.
4. 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_infrastructure_levy/2

Site & Surroundings

1. The application site is the former site of Pridmores Haulage yard on the western side of Tippings Lane with large areas of concrete hardstanding and a utilitarian storage building at its centre. This building and part of the site is visible from the northern edge of the village green, across an intervening garden and through a vehicular access off Tippings Lane. As a commercial site with a building of limited architectural merit the site contrasts with the surrounding area.
2. The site is surround on three sides by residential properties with part of the rear the southwestern boundary adjacent to the curtilage of the Exter Arms Public House. The Exter Arms and the Barn to the rear, within the curtilage of the public house are Grade II Listed Buildings. To east of the Exter Arms and south of the application site is No 1 Tippings Lane and Rosemary Cottage, a Grade II Listed Buildings. To the east on the opposite side of Tipping Lane is Post Office (Rose Cottage) also a Grade II Listed Buildings. The site lies within the Barrowden Conservation Area. In addition, the eastern boundary abuts land designated as Important Open Space.

Proposal

3. The current revised application proposes the demolition of existing commercial buildings and used as an office WC and store and the construction one dwelling, residential annex, associated garaging and onsite parking, on site turning area and new vehicular access. The existing access that served the haulage yard now serves the cottage to the south.

4. In support of the current application the applicant's agent has made the following comments in relation to the comments received from Barrowden Parish Council.

‘.I appreciate that it is your place to assess the submitted comments of the Parish Council (PC) and take them into account in the determination of the planning application, but I feel that it is important that I respond on several of the issued raised by them, to balance out and counter these objections accordingly.

My comments are therefore set out below, in the order as raised by the PC for ease of reading/assessment.

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- The PC's support for the principle of the development of the site for residential purposes is welcomed.
- The PC refer to the dwelling as 'oversized' but do not define this. When does a dwelling become too large? They state below this that treble the number of dwellings could be accommodated on the site. The provision of 2 dwellings on the site has already been refused by the LPA and dismissed at appeal, with the Inspector agreeing with the LPA that, based on the scale and massing of the dwellings, the proposal would fail to preserve the character and appeal of this part of the Barrowden Conservation Area. With 2 dwellings being too large for the site, how can it be possible that 3 will be appropriate. Moreover, the 2 dwellings refused for the site covered a floor area of 384m², whereas the single dwelling now proposed has a footprint area of only 270m², equating to 29% less floor area coverage than the refused development.

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- The PC imply that the proposed development will impact on the nearby listed buildings and the traditional property opposite the site. In dismissing the appeal the Inspector found that the provision of 2 dwellings on this site, which were larger in footprint, had no adverse impact on the nearby listed building, so it cannot be possible that a single, smaller structure, that is further away from the listed buildings, can have an adverse impact on the nearby listed buildings.
- The PC imply that the proposed dwelling will be twice the height of the commercial buildings on the site. As a 2.5-storey dwelling it is always going to be higher than the commercial buildings it will replace, but the PC have not taken into account that the site will be dug-out and levelled in order to accommodate the proposed dwelling, which will minimise its height accordingly. There are several examples of traditional properties in this part of the village that are of an equivalent height and which also contain 2.5 or 3-storeys of accommodation.
- The PC also imply that the proposed dwelling will be seen from the village green. At present the ugly commercial buildings can be seen from the village green. The replacement of these with a bespoke dwelling, where only the rear of the dwelling will be seen from this location, will not be harmful to the view from the village green. Moreover, the NP indicates that the important view in this location is down to the village green, not up from it, so there is no conflict with the

NP in this regard (see paragraph 4.27 of the submitted Planning Statement).

- Again the PC comment in relation to the size of the building, but they do qualify this in stating why the size of the building is harmful in planning terms.
- We can deal with issues relating to slate, fencing and walling with you, as the Planning Officer, by way of condition discharge, or during the life of the planning application.
- We can provide a CMP by way of condition discharge, which will deal with matters relating to the impact of construction.
- We can deal with drainage more fully by way of condition discharge.

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- The PC state that the proposed development will have an impact on the surrounding properties and will result in significant over-shadowing and overlooking. We disagree with these comments entirely, as the proposed dwelling has been carefully designed in order to avoid such issues, but I am sure that you will assess these matters accordingly.
- The PC refer to the 'requirement' in the NP for new developments to be designed with 3 or fewer bedrooms. The policy actually states '...in particular...' with regard to the seeking bungalows and 3-bedroom houses within the village and the supporting text for the policy clearly states the local community '....expressed a preference...' for such development rather than seeing it as a 'requirement'. Image 31 of the NP is a photograph of a poorly designed, 1980's bungalow, in order to try and reinforce their comments in this regard – when would such a property ever be considered to be acceptable development, in planning terms, within a conservation area and close to listed buildings?
- They talk again of a 'desire to maximise the use of the site for more dwellings, with fewer bedrooms'. The planning history of the site dictates that there is no way that 3 dwellings will be built on this site, as 2 dwellings have already been refused based on their scale and massing. The provision of a single, larger dwelling on the site is the only reasonable and realistic solution for the development of this site.

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- Issues relating to noise can be dealt with as and when required. The provision of air source heat pumps to dwellings is permitted development, so should not be of a concern to the PC, especially as it is highly sustainable to incorporate such features in new development.

Conclusion

I trust that these comments can be taken into account in full in the determination of this planning application.'

Relevant Planning History

Application No 1981/0229 – Planning permission granted for the siting of a caravan to use as an office.

Application No 984/0169 – Planning permission was granted for the renewal of consent to site a caravan to be used as an office.

Application No 1986/0209 – Planning permission refused for a renewal of consent for the siting of the caravan on the site.

Application No 86/0488/9 – Planning permission granted for the erection of an office building on the site. It is not known as to whether this permission was ever implemented.

Application No 1993/0706 – Temporary planning permission granted (3 years) for siting of a portable office on the site.

Application No 1994/0669 – Planning permission was granted for the erection of an office, WC and store on the site.

No 2019/0292PRE- A prelim was submitted under reference proposing the construction of 5 No dwellings and the demolition of 2 No existing buildings. 2 No dwellings were proposed to be built on greenfield land designated as important open space. In the response The Local Authority stated it had concerns regarding design, impact on the character of the area and important open space and highway matters. As a result, and based on the submitted information, the proposal was considered unacceptable and unlikely to receive the support of the Local Authority if submitted as a planning application.

Application No 2020/1359/FUL - Was refused planning permission for the demolition of commercial building and construction of 2 dwellings and associated access and external works.

1. The land subject to this application has open undeveloped areas important to both the setting of the nearby historic building Rosemary Cottage, No. 24, Main Street and to the character and appearance of the Barrowden Conservation Area. The proposed excessive development of the open areas of the site would result in a significant change of character to this part of the Barrowden Conservation Area and would detract from the setting of the Grade II Listed Rosemary Cottage. The harm to this heritage asset would be less than substantial but this harm would not be outweighed by the public benefit of two dwellings to the local housing stock. Given this, the proposal would be contrary to Sections 12 and Section 16 of the NPPF (2021), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and

Policies Development Plan Document (2014) and Policy BW6 of the Barrowden and Wakerley Neighbourhood Plan.

2. Both houses would have extensive, double, and single storey elements to the rear adding to the overall massing. This excessive massing is inappropriate for the context and would be at variance with the established local vernacular. The dwellings having large sprawling footprints and excessive form do not reflect dwellings in this location and are at odds with the prevailing form and character of the area. Furthermore, this excessive built form will adversely interrupt a key vista from the established important open space of the village green to the south. This would fail to preserve or enhance character and appearance of the Barrowden Conservation Area. As such the proposed development would be contrary to Sections 5, 12 and 16 of the NPPF (2021), Policies CS19 (Promoting good design) and CS22 (The historic and cultural environment) of the Councils Adopted Core Strategy (2011), Policies SP5 (Built Development in Towns and Villages), SP15 (Design and amenity), SP20 (The historic environment) and SP21 (Important Open Spaces and Frontages) of the Site Allocations and Policies Development Plan Document (2014) and Policies BW1 and BW6 of the Barrowden and Wakerley Neighbourhood Plan.

3. The proposal for two, 4 bed dwellings does not meet the identified local need for homes for Barrowden and is not making an effective use of land contrary to Sections 5 and 11 of the NPPF (2021) and Policy BW9 of the Barrowden and Wakerley Neighbourhood Plan.

Planning Appeal – Dismissed

The proposal would fail to preserve the character and appearance of Barrowden Conservation Area and would be contrary to Policy CS19 and CS22 of the Rutland Core Strategy (RCS) (2011) and SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy BW1 of the Barrowden and Wakerley Neighbourhood Plan (NP) which amongst other things seek to ensure the scale form and design of new development would preserve or enhance the character of the area.

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2021

Chapter 2 – Achieving Sustainable Development

Chapter 5 - Delivering a sufficient supply of homes

Chapter 9 - Promoting sustainable transport

Chapter 11- Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Site Allocations and Policies DPD (2014)

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP21 - Important Open Space and Frontages

SP19 - Biodiversity and Geodiversity Conservation

SP20 - The Historic Environment

Core Strategy DPD (2011)

CS03 - The Settlement Hierarchy

CS04 - The Location of Development

CS19 - Promoting Good Design

CS21 - The Natural Environment

CS22 - The Historic and Cultural Environment

Neighbourhood Plan

BW1 - Landscape character and important views

BW6 - Design Principles

BW7 - Surface water flooding

BW8 -Infill and backland development within Barrowden

BW09 - Dwelling size and type

BW15 - Fibre broadband

BW10 - Affordable housing

Supplementary Planning Document

Supplementary Planning Document - Design Guidelines for Rutland SPD (2022)

Officer Evaluation

5. The main planning issues are considered to be:
 - i. Whether the proposed development would preserve or enhance the character or appearance of Barrowden Conservation Area (BCA).
 - ii. Whether the proposed development would have an adverse effect on the setting of the Grade II listed building (LB) known as Rosemary Cottage and if an adverse effect were shown whether this would be outweighed by any public benefit arising from the proposal.

- iii. Would the proposed development have an adverse impact on the residential amenities of neighbouring properties.
- iv. would the proposed comply with Adopted Planning Policy

Impact of the use on the character of the area

6. The existing buildings and much of the site is readily visible from the northern edge of the village green, across an intervening garden and through the current access off Tippings Lane. As a commercial site with a building of limited architectural merit the site contrasts with the surrounding area. It is considered that the existing site has negative effect within the immediate environment and on the character and appearance of the Barrowden Conservation Area.
7. It is accepted that the proposed new dwelling and garage would be visible from the village through the gap between the rear of 1 Tippings Lane and 24 Main Street (Rosemary Cottage). As stated by the appeal Inspector in paragraph 10 of the Appeal Decision Letter,

‘the effect would be noticeably more obvious the closer within the village green you were standing as the land levels rise and any intervening features which may screen, or filter views would no longer have this effect.’
8. However, the Appeal inspector concluded in paragraph 14 of the recent decision letter that this is not an important view.

‘I do not however agree with the assertion that the site forms part of an important view. This is based on a false premise set out by the Council and does not represent the view identified in the landscape character assessment. Nor does it reflect the evidence on the ground. The landscape character assessment identifies the important view across the village green from the junction of Main Street and Tippings Lane away from the appeal site, as opposed to looking across or towards the site. I therefore do not consider there is conflict with policy B1 of the Neighbourhood Plan as suggested’.
9. It is considered that the revised plans offer a considerable improvement over the earlier plans, and as such, the dwelling would have a similar scale and massing and takes cues from the architectural detailing of the house adjacent to the site. As such it is considered that the dwelling would not have an adverse impact on the character of the surrounding area and would fit into the immediate context and is an improvement over the commercial yard, enhancing the character and appearance of the Barrowden Conservation Area and setting of nearby heritage assets.

Impact on the neighbouring properties

10. In the appeal decision letter relating to the previous scheme for 2 dwellings larger dwellings on the site, the appeal Inspector concluded in paragraph 37 that

'... The living conditions of neighbours has not formed part of the Council case. From what I have seen and read, I consider that the Council assessment in this regard was appropriate and living conditions of neighbours would remain at an appropriate standard ...' and I regard this as neutral in the overall balance.'

11. The concerns of neighbours expressed about the current proposal are noted however it is not considered that the impact of the proposed development would have an adverse impact upon the residential amenities of neighbouring properties by reason of loss of privacy, loss of light and or increased overshadowing to justify refusal of the current application.

Heritage

12. The NPPF makes reference 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.
13. At the Statutory level, Sections 16 (2) and 66 (1) of The Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990 require the decision maker to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. As the site also lies adjacent the Ashwell Article 4 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. As part of the consideration of the previous appeal of proposing the construction of two dwelling the Appeal Inspector concluded that there would be no adverse impact on the setting of the neighbouring heritage assets, stating that,
"18. The appeal site is separated from the northern edge of the village green by the rear garden of No.1 Tippings Lane which adjoins the side of Rosemary Cottage a Grade II LB. It is the eastern side of this property that forms much of the western boundary to the appeal site.
19. Rosemary Cottage a Grade II LB is described in the list description as "Late C17/C18. Coursed rubble stone and thatch roof with moulded stone front gable stack and stone rear stack. Stone coped gable facing, front to left. 2 storeys of 2 2-light renewed casements over similar 3-light (in C20 extension to left), 3-light, 1-light and glazed door. A similar 2-light both floors on gable to street and a fixed 2-light mullion and transom window to rear."
20. The Council argue that the proposed dwellings would be harmful to the setting of the LB, but do not explain how they regard it to be harmful. I am also

mindful that the Council's Conservation Officer did not raise this issue as an area of concern.

21. The current setting of the LB benefits visually from the open space adjacent to the eastern elevation allowing views and an appreciation of this façade from both the village green, but also through the current access off Tippings Lane.

22. The appeal site is set to the north of the majority of the eastern facade of the LB. The changes to the views of, and towards the LB by the proposed development from the south would not reduce the availability of the view of this facade. I do not consider that the changes that do arise would be harmful to the setting, or to any element of the setting which could be regarded as affecting its significance.

23. When viewed through the current access, the side elevation of the LB can be viewed, but the concrete yard and utilitarian building within the appeal site frame this view. The appeal proposal would replace the utilitarian building and large areas of hard standing, although views through the access would remain. The appreciation of the façade of the LB would remain from this aspect as well.

24. This would in my view preserve, the setting of the LB with the space immediately adjacent the LB façade remaining open which would consequently not impact on any area of significance of the LB resulting in no harm to this designated heritage asset.

25. There is no dispute between the main parties about the effect on the setting of either 2 Tippings Lane or the Exeter Arms both, Grade II LBs. Although I note interested parties object on this basis. In light of the separation distances, and juxtaposition of the site to these LBs, I agree with the assessment of the main parties, that no harm has been demonstrated to either building or the respective settings.

26. As I do not regard there to be harm and the setting of the LB would be preserved, I do not find there to be a conflict with the principles within the NPPF, or conflict with policies CS22 of the RCS, or policy SP20 of the Site Allocations and Policies Development Plan Document (2014)."

15. The Conservation Area officer has stated that the revised plans offer a considerable improvement over the earlier plans. The single dwelling has a similar scale and massing and takes cues from the architectural detailing of the house adjacent to the site, such that the one dwelling proposed now fit into the immediate context and is an improvement over the commercial yard, it also sits well in the context of the renovated cottage.
16. Materials will need to be finely balanced in order that the details are well executed given the quality and character of the historic environment hereabouts. If a boundary wall is preferred over estate fencing, then final details can be reserved by condition. If timber windows are preferred in line with the requirements of the NP, then this can also be conditioned, though there would be no objection to using an aluminium system to the rear of the build where

modern doors are proposed. On balance and from a built conservation perspective it is better that this site is 'built out' rather than remaining as a commercial yard.

17. Notwithstanding the heritage and built conservation considerations, there are clearly some limitations at this site; the plot arrangement with the juxtaposition of other immediate houses and the access would constrain the site for additional houses of the number required by the Neighbourhood Plan, given the need to preserve amenity and to provide amenity and parking within the site. Also, the proximity of the recently refurbished cottage would be harmed if the site was to be over-developed. Whilst it would be welcomed to have more than one dwelling on this site – it is noteworthy that there is also the consideration that the site levels also offer a constraint which makes it difficult to use the plot effectively for a number of houses. A single dwelling is therefore considered to be more appropriate when weighing the above in the context of the planning balance and taking into account the relevant site constraints.
18. Overall, the views in and out of the Conservation Area remain preserved as the new build would not appear out of scale with the house adjacent to the site, a new build on this site would not be considered to draw the eye away from key views in and out of the Conservation Area, given it has been set back into the site. The impact on neighbouring listed buildings would be far less than a commercial yard operating here. It is considered that the proposals represent an improvement when considering the impacts on heritage assets in the planning balance. Overall, the public benefit is that the historic environment would be improved contextually.
19. There is no objection from a built conservation perspective though a high-quality use of materials will be necessary at this site.
20. In response to the objections raised by the Parish Council and their view that the site is suitable for accommodation more dwellings on the site the Conservation Area officer has stated that:

The application site is unfortunately constrained for the following reasons:

The topography of the site limits the layout of a proposal, as such the plot is constrained. Practically one house is feasible without the requirement for a substantial engineering operation, which would make the site unviable.

Development would be limited at this site in order to achieve similar plot to build ratios within the vicinity. The historic urban grain comprises wide plots and the detached house adjacent to the site would be the benchmark that should be considered to achieve a more legible form of development at this site, which would be typical of the urban grain and build density.

Notwithstanding the advice in the Neighbourhood Plan - an annexe was explored at this site - it would have provided additional accommodation -

however further buildings would reduce the amenity and setting of the neighbouring listed buildings at Rosemary Cottage, the public house and the listed barn to the public house - all listed buildings which have an overlooking aspect towards the application site. The present design for one house preserves the setting, additional houses would likely compromise amenity and setting.

From a historic environment perspective one dwelling is supported at this site given the heritage balance that further dwellings would likely lead to harm given the constraints mentioned above.

21. In support of the amended proposal a schedule of materials has been provided by the applicant. The parish council have stated that the revised design did not fully comply with policy BW6 Design Principles for Barrowden and Wakerley Neighbourhood Plan.

Para 2 (h) The developer proposes using powder-coated aluminium windows in the public realm. This is contrary to the Neighbourhood Plan, which requires traditional timber windows.

Para 2 (h) The stone should not be sawn stone but cropped limestone with a textured face to match the surrounding listed and non-listed buildings.

Para 2 (h) The use of metal estate fencing on the southern boundary is contrary to the requirement for stone walls where visible from the public realm. This should be a stone wall in keeping with the front of the site.

22. In response to the schedule of materials The Conversation Area Officer has stated that:

I have no objection to the materials schedule except for one concern regarding the garage door(s), this should not be a steel door it should be finished in timber side hung doors to achieve a traditional character to the appearance of the garage block in the context of the new build house. Specifically in order to preserve the character of the materials used in the local context of the Historic Environment hereabouts.

The stone to be used for the elevations should ideally be provided as a sample on site prior to commencement of works and the mortar mix should achieve a colour that is typical of mortar used locally, though no objection to the ratio and composition of the mortar mix. It would be really useful to have a 1m by 1m panel on site showing the stone and mortar colour mix prior to commencement.

23. Following further discussion, with the agent it has been agreed that the windows development would use timber windows and cropped limestone and side hung timber garage doors to comply with the requirements of the policy. Conditions set out above address these issues. In relation to the use of metal estate fencing and the planting of a native hedge along on the southern boundary, it is not considered that this would be contrary to policy BW6 as it does not form a public view.

24. The proposed development subject to conditions is considered to preserve and enhance the character and appearance of the Barrowden Conservation Area, would not result in harm to the setting of nearby Listed Buildings and would comply with national adopted Planning policies.

Highway issues

25. No objection from the Highway Authority subject to conditions and informatives. Concerns have been raised regarding the impact of the development on pedestrian and highway safety. The applicant has stated that the existing access to the site allowed the previous business use to have circa 5no trucks entering and exiting the site in early morning and evening, along with the respective staff cars which enabled them to get to and from work. There is no footpath on the side of the road to the application site, nor any footpath on either side of Tippings Lane to the north. It is noted that there is a public footpath on the opposite side of the road, running parallel to no.4 Tippings Lane which allows safe pedestrian movement in this location. The Highway Authority has no objections to the proposed development as, after construction, the number of commercial vehicles/large vehicles travelling through Barrowden will be reduced.
26. The proposal subject to condition, would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Drainage

27. The applicant has removed the positive discharge from the site and has provided attenuation/infiltration crates under the driveway, along with a permeable driveway. The new drainage scheme will ensure all surface water is managed within the site.
28. A condition is recommended stating that the building shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained by the property owner.

Noise

29. In relation to the concerns about the location, number and operational noise levels of the air source heat pumps there is no objection from Environmental Protection.
30. Conditions are recommended to ensure that noise from the pumps do not result in an adverse impact on adjacent neighbouring properties. In the event of any reasonable noise complaint being received by the Local Planning Authority, the property owner or their successors in Title, shall be required to undertake a full

noise assessment to demonstrate compliance with the above noise limit and submit this within 28 days of notice issued by the Local Planning Authority.

31. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the noise assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority. As to their location it is not considered necessary to move the units further along the side elevations as suggested in the response from the Parish Council.

Pollution Risk

32. The use of the site as a haulage yard and the nature of the buildings currently on the site suggests that there is potential for ground contamination to be identified. Environmental Protection have raised no objection subject to a pre commencement condition requiring a detailed remediation scheme to bring the site to a condition suitable for the intended residential use by removing any unacceptable risks to human health.

Housing Delivery

33. The Framework seeks to contribute towards the achievement of sustainable development through meeting the needs of the present without compromising the needs of future generations. A key thread of this objective is to ensure that housing development is well located and supported by the necessary infrastructure and facilities.
34. The proposal will see the development of a brownfield site, within the planned limits of development of a smaller service centre (Policy CS3 of the Core Strategy) which has been marketed for a commercial use without success. The principle of residential development on the site and the loss of the commercial use may be accepted subject to the consideration of other material considerations. As a consequence, this is of significant weight in favour of the proposal.
35. However, the large 4 bed property and residential annex proposed do not relate well to the Strategic Housing Market Assessment 2019 Update mix which is much more varied (please see table immediately below).

Figure 4: Updated suggested housing mix by broad tenure – Rutland				
	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Market	0-5%	25-30%	45-50%	20-25%
Affordable Home Ownership	15-20%	35-40%	35-40%	5-10%
Social/affordable rented	40-45%	25-30%	20-25%	5-10%

36. Nor has anything happened in actual delivery (in the green table below) to alter that. The green table below shows all new development in Rutland in the 5

years between 2016 and 2021 of all tenures, less a few obscure types rounded to zero based on Valuation Office Agency statistics.

<u>Growth for the 5 years 2016-21 by bedroom</u>		
1 bedroom	7.14%	60
2 bedroom	25.00%	210
3 bedroom	32.14%	270
4 bedroom	28.57%	240
5 bedroom	5.95%	50
6+ bedroom	1.19%	10
TOTAL	100.00%	840

37. Referring to Census 2011 figures for Barrowden (table below), this shows that the average house had 3.6 bedrooms. This would indicate that more than half of the properties in Barrowden had more than 4 or more bedrooms.

KS403EW - Rooms, bedrooms and central heating			
Source	ONS Crown Copyright Reserved [from Nomis on 11 November 2021]		
Population	All households		
Units	Households		
date	2011		
geography	Barrowden		
measures	value	percent	
Central Heating			
Occupancy rating (bedrooms) of - 1 or less	0	0.0	
Average household size	2.4	-	
Average number of rooms per household	7.4	-	
Average number of bedrooms per household	3.6	-	

38. Policy BW9 – Dwelling size and Type, of the Barrowden & Wakerley Neighbourhood Plan states the following:

‘Development proposals for new residential development will be supported where they meet defined local need for homes, in particular single storey dwellings, with 3 or fewer bedrooms.’

At paragraph 3.9 of the Neighbourhood Plan the existing house types within the village are assessed, which shows that there are 5 No. 1-bedroom houses (2%), 30 No. 2-bedroom houses (14%), 64 No. 3-bedroom houses (30%), 80 No. 4-bedroom houses (37%) and 36 No. 5+ bedroom houses (17%). Barrowden has a high proportion of dwellings with 4 or more bedrooms (54%). Dwellings with 4 bedrooms or more take up a large percentage of dwellings within Rutland. Conversely the percentage of housing stock in Barrowden with 1, 2 and 3 bedrooms is significantly lower than in Rutland.

39. Both Policy BW9 and the latest version of the Rutland Strategic Housing Market Assessment clearly articulate the requirement for new developments to be designed for 3 or fewer bedrooms. This requirement is well evidenced both in

terms of the SHMA but also by the village questionnaire from which the Neighbourhood Plan was developed. BW10 In relation to BW10 (Dwelling Size and type) Para 2, No evidence has been presented to demonstrate an identifiable shortfall in the provision of dwellings of 4 or more bedrooms. The only information provided by the applicant's agent are 3 letters from land agents showing a demand for large properties in the area.

40. The Planning Inspector in considering this issue for the development of 2 dwellings on the site application stated in paragraph 29 that:

"The NP policy BW9 has a preference for properties of 3 bedrooms or less, but it does not preclude larger properties. As the applicant notes paragraph 5.42 of the NP states "Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings would meet defined local need for housing in general, and any shortfall of such accommodation in particular..."'

27. Barrowden is identified as a 'smaller service centre' within the settlement hierarchy set out under Policy CS3 of the RCS where a minor level of development is capable of being accommodated. This is supplemented by Policy CS4, which also endorses minor scale development on previously developed land or on infill sites such as the appeal site.

28. In seeking to resist the proposal both the Council and Parish Council indicate that the need within the village is for smaller properties, and the site would be better suited to accommodate a development of this type. Alternative proposals are not before me, and I must consider the appeal proposal on its own terms.

29. The NP policy BW9 has a preference for properties of 3 bedrooms or less, but it does not preclude larger properties. As the applicant notes paragraph 5.42 of the NP states "Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings would meet defined local need for housing in general, and any shortfall of such accommodation in particular."

41. Within the supporting Planning Statement, the applicant's agent has stated that:

"From paragraph 5.33 the NP relates to the housing needs for Barrowden and Wakerley, where it states that the Local Plan (which the NP must accord with) does not include a strategic housing requirement for Barrowden. At paragraph 5.34 there is an indication that, as there are no allocated sites for housing development within the village, all the NP is seeking to consider are small sites for affordable housing. With no specific housing requirement for the village, and the provision of a 5-bedroomed houses only increasing the percentage of such house type up by 2.7% (as indicated above), it is difficult to see how the NP

suggests that there is a defined need for smaller dwellings within the village. In addition, paragraph 5.34 does not suggest any support at all for developments that are not for affordable housing, so there are certainly mixed messages within these parts of the text for the NP.

4.30 Policy BW8 goes some way to addressing this in focusing on 'Infill and Backland Development within Barrowden' and sets the criteria that all such development should meet in order to make it acceptable. The proposed development accords with all 6 of the listed criteria within this policy and, as a result, is not in conflict with this policy.

4.31 Policy BW9 relates to 'Dwelling Size and Type' and based on census data, SMHA data and an NP questionnaire, states that development proposals for new housing will be supported where they meet a defined local need for homes, in particular single storey dwellings, with 3 or fewer bedrooms. Firstly, we would comment that there is no 'defined need' for smaller properties within the village. We contacted the Council on this matter in July and received their written response on the 5th August 2021, which clearly states that the 2019 SHMA update '...does not provide data at a village or ward level, but provides robust figures regarding Rutland as a whole'. Therefore, whilst there may be a desire for single storey dwellings, with 3-bedrooms or less within the village, there is no formal justification for this, hence the use of the phrase '...in particular...' within Policy BW9. Furthermore, our proposal is on a windfall site, will result in brownfield redevelopment and accords with Section 11 of the NPPF in making effective use of this land. All of these points, along with the careful and sympathetic design of the dwelling proposed, serve to outweigh the desire of the NP to seek smaller, single storey development. We also doubt that, in conservation terms, the provision of single storey dwellings on a site such as this, would be acceptable as they would potentially be harmful to the character and appearance of the Conservation Area.

4.32 The supporting text for Policy BW9, at paragraph 5.42, does state that:

'Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings would meet defined local need for housing in general, and any shortfall of such accommodation in particular'.

There are clear grounds, as set out in the paragraph above, to consider our proposed development on its own merits, especially as the provision of only one more 5-bedroom dwelling will only increase the number of such dwellings by only 2.7% within the village."

42. No other evidence has been presented by the applicant or their agent to demonstrate an identifiable shortfall in the provision of dwellings of 4 or more bedrooms. The only information provided by the applicant's agent are 3 letters from land agents showing a demand for large properties in the area.

43. It is considered that on balance given the size of the site, and the planning constraints, this site would not be suitable for the development of multiple dwellings as any proposal for multiple dwellings would not be able to address all the main planning issues. As stated by the Conservation Area Officer ‘

‘Notwithstanding the heritage and built conservation considerations, there are clearly some limitations at this site; the plot arrangement with the juxtaposition of other immediate houses and the access would constrain the site for additional houses of the number required by the Neighbourhood Plan, given the need to preserve amenity and to provide amenity and parking within the site. Also, the proximity of the recently refurbished cottage would be harmed if the site was to be over-developed. Whilst it would be welcomed to have more than one dwelling on this site – it is noteworthy that there is also the consideration that the site levels also offer a constraint which makes it difficult to use the plot effectively for a number of houses. Hence one house when taking in the balance of the constraints of the site would fit better in this context’

44. Previous advice has been given in a pre-application submitted under reference No 2019/0292PRE proposing the construction of 5 No dwellings (2 No dwellings proposed to be built on greenfield land designated as important open space). This was considered unacceptable because of concerns regarding design, impact on the character of the area and important open space and highway matters. More recently a planning application and appeal has been dismissed for 2 No dwellings on the site. Given the limitations of the site it is considered that one dwelling is acceptable insofar as the dwelling proposed would enhance the character and appearance of the Conservation Area, would not harm the setting of listed buildings and/or the amenities on neighbouring residential properties.
45. As already discussed, the proposal is appropriate for the context and would not be at variance with the established local vernacular and would preserve and enhance the Barrowden Conservation Area and settings of nearby listed buildings and adjacent important open space. The development would be subject to conditions to comply with National Planning Policy Framework and Adopted Development Plan Policies. It is considered that the development of the site in this instance outweighs the harm identified to not providing the desired housing mix on the site. Therefore, the identified conflict with Policy BW10 is outweighed by other material considerations.

Crime and Disorder

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

Human Rights Implications

47. 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.

Consultations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

Amended scheme

48. **Parish Council**

For the reasons explained below, Barrowden Parish Council does not support a single 5-bedroom dwelling to be built on this site and recommends REFUSAL of the application

If Rutland County Council is minded to approve the application, we will seek modifications to the design to align it with the Neighbourhood Plan. We would also seek that the Planning Committee determines the final decision because of the Parish Council and residents' concerns about the matter and its divergence with national policies, Rutland's Development Plans and the Barrowden and Wakerley Neighbourhood Plan.

Introduction

At the meeting of Barrowden Parish Council on Wednesday, 9th August 2023, Councillors considered the further modifications to the above application.

The proposed development will be governed principally by the Barrowden and Wakerley Neighbourhood Plan. It is the latest Development Planning Document adopted (December 2019), taking precedence over the Rutland Core Strategy 2011 and Site Allocation and DPD 2014.

The Parish Council has previously considered the development on at least 4 separate occasions, and Councillors are of the view that they positively support development on this site for a number of new dwellings provided that such development is in line with the provisions of the Barrowden and Wakerley Neighbourhood Plan, Local and National Planning Policies.

Consideration of a single Dwelling on the site

A single dwelling is not right for the following policy reasons:-

National Planning Policy Framework

Para 123 of the NPPF states that decisions on housing being built at low densities would be incompatible with the national and local position on housing needs. In these circumstances, applications should be refused when they do not make efficient use of the land available. The applicant has failed to provide evidence that alternative designs with 3 smaller dwellings on the site would not be viable.

In response to the Planning Pre-Application 2019/0292/PRE, the Planning Officer stated, in the email dated 12th November 2019, that at least 3

dwellings might be acceptable on this site subject to a number of conditions.

The proposal of one oversized dwelling fails to meet the requirement of NPPF para 123 when more appropriately sized dwellings could be accommodated on the site.

Neighbourhood Plan Policies

Considering each of the Neighbourhood Plan Policies in turn, the Parish Council believes that the single dwelling fails to meet the requirements of those Policies.

Policy BW1 Landscape Character and important views

This policy states that

The development shall conserve and enhance the positive characteristics of the local landscape outlined in the Barrowden and Wakerley Landscape and Character Assessment.

Within that Character Assessment provided as part of the evidence to the Inspector of the Neighbourhood Plan, it states that

Infill sites are sensitively integrated into the settlements and surrounding area in such a way as to not detract from the character of surrounding properties.

As an infill site, it fails to meet the requirement of being sensitively integrated into the settlements and surrounding areas, as it will detract from the 3 Listed Buildings and the mature property opposite 4 Tippings Lane. The application does not meet the requirements of the policy.

A cross-section from the Village through the gap between 1 Tippings Lane and 24 Main Street shows that the proposed building will still be twice the height of the existing commercial building and will be clearly seen from the Village Green, which would have an adverse impact contrary to BW1 para 2. This issue was also the principal reason the Inspector refused the appeal on the original application 2020/1359 for 2 dwellings. The attached diagram shows the 2 elevations superimposed on each other. It is evident from that comparison that the height of the proposed dwelling is identical to that which the Inspector rejected at appeal and therefore is still inappropriate.

The Parish Council notes that no overall height dimensions have been provided on the drawings. The overall height of the dwelling in any application must be specified to ensure that, if constructed, the building complies with approved drawings

The application does not meet the requirements of the policy.

Size of Dwellings

The RCC Strategic Housing Market Assessment concludes that the focus of new market housing in Rutland should primarily be on providing two- and three-bedroom properties. Within the County, there is expected to be

continued demand for family housing from new households and some demand for medium-sized properties (2 and 3 bedrooms) from households of older residents seeking to downsize and release equity in existing homes while retaining flexibility for friends and family to stay. Census data indicates that older residents, the over-60s, make up a higher proportion of the total population of Barrowden (33%) than of either Rutland (26%) or England(21%).

Census data further indicates that dwellings in Barrowden are likely to have more bedrooms than nationally, with approximately 46% of homes having 3 or fewer bedrooms compared to 81% across England as a whole. Currently, a relatively low proportion of the local population (25%) comprises young adults aged 21 to 40, compared to Rutland (35%), and the lack of smaller homes is likely to perpetuate this situation. Responses to the Neighbourhood Plan questionnaire further reinforce the need for smaller dwellings; the local community expressed a preference for more houses, including bungalows with one or two bedrooms, while 91% of respondents believed that there is no need for more homes with 4 or more bedrooms.

The Parish Council had discussions with the developer about the potential for 3 dwellings, each with 2 to 3 bedrooms, to be incorporated on-site. This would be the preferred option.

BW6 Design Principles for Barrowden and Wakerley

Policy Para 1 of the Policy re-affirms the need for the development to meet Barrowden & Wakerley Landscape and Character Assessment as the scale and mass of the proposed dwellings are not in keeping with the surrounding buildings. The building, with internal floor space in excess of 4550 sq. ft, would be one of the five largest dwellings in the Village and about 30% larger than the average "large" houses in the Village.

BW10 Dwelling Size and type

In relation to BW10 Para 2, No evidence has been presented to demonstrate an identifiable shortfall in the provision of dwellings of 4 or more bedrooms.

The application does not meet the requirements of the policy.

The Design of the Building

Notwithstanding the comments about the unsuitability of a single large dwelling on the site, the Parish Council has the following comments on the design of the building

BW6 Design Principles for Barrowden and Wakerley

Para 2 (e) Pleased to note the use of artificial Colleyweston slate on the main building with slate on the garage

Para 2 (h) The use of metal estate fencing on the southern boundary is contrary to the requirement for stone walls where visible from the public realm. This should be a stone wall in keeping with the front of the site.

Para 2 (h) The developer proposes using powder-coated aluminium windows in the public realm. This is contrary to the Neighbourhood Plan, which requires traditional timber windows.

Para 2 (h) The stone should not be sawn stone but cropped limestone with a textured face to match the surrounding listed and non-listed buildings.

Para 2 (h) No specific details of the external walling has been provided. This should be a pre-commencement condition.

The application does not meet the requirements of the policy.

BW7 The Local Impact of Construction

Given the narrowness of Tippings Lane and the fact that it is a bus route, if Officers are minded to approve the application, then the developer should be requested as a condition of the planning approval to provide a construction management and logistics plan, which would include the requirement that all vehicles belonging to the contractor or sub-contractors should be parked on-site or in identified locations outside the boundary of the site. No vehicles should be allowed to park on Tippings Lane or cause damage to the Village Green.

We note that under the recommendations for tree protection, there is a requirement for no bonfires to be lit on site. We would ask that this be made a specific condition as residents have already experienced problems with bonfires from the site during the renovation of No 1 Tippings Lane.

BW8 Surface Water Flooding

The Parish Council supports the position of the Local Flood Authority in that all surface water from the property should be dealt with on-site by way of infiltration and should not be drained into either the foul sewer or the surface water drainage system.

Noise

We note the limit of 38dBA for the Air Source pumps measured at the nearest receptor, i.e. window or door of neighbouring property. However, we would suggest that the pumps be placed further west along the side of the building.

Conclusion

Barrowden Parish Council's view is that this proposal fails to meet many of the requirements of the National Planning Policy Framework, Local Plan and Neighbourhood Plan Policies, all of which are material considerations and therefore, we recommend that the application be REFUSED

In the event that the Planning Authority is minded to grant planning permission, the Parish Council would seek to be consulted on all pre-commencement conditions submitted by the applicant.

Also, the Parish Council will request, through the Ketton Ward Councillors, for

the matter to be decided by the Planning Committee and not through delegated powers on the basis that the proposals fundamentally breach both the National and Neighbourhood Plan Policies as well being of great concern to residents.

Barrowden Parish Council

49. **RCC Highways**

The LHA no objections from December 2022 remain unchanged with the revised plans (apart from drawing number).

Conditions;

No structures within visibility splays

No structure or erection exceeding 0.9 metres in height above carriageway level shall be placed within the visibility splays as shown on Drawing 20037/PL205E Proposed Site Plan

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:-

- a) A scheme for the 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 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 to be implemented 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 upon arrival to ensure that there is no queuing on the public highway.
- f) Details of site compounds, storage area and contractor and visitor parking.
- g) Scheme for dealing with complaints.

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

50. **Conservation Area Officer**

The floor area is large I admit, though better than two houses, they need to

consider the scale, form and proportions of the immediate neighbouring houses as a comparison as to what would be acceptable.

Thank you for your consultation on the above proposal. In summary the proposal for the replacement commercial buildings for one dwelling.

Observations

The site is north of Rosemary Cottage and west of Post Office (Rose Cottage). Both grade II listed buildings, the site lies within the Barrowden Conservation Area. As such the Local Planning Authority has a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, 'the Act', to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest they possess and Section 72 of 'the Act' is also relevant which requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

The proposal for one dwelling in replacement of the commercial buildings would not be objectionable in principle - however please may I highlight the following concerns:

Discussion

The site has operated as a commercial interest, the built form would be demolished to provide one dwelling. The principle of a replacement dwelling would be acceptable, however, the following concerns must be noted:

- The new dwelling would be large in scale, it should be designed to complement the scale of similar vernacular buildings within the settlement of Barrowden, a site cross section plan submitted with the application shows that the proposal is higher than No.4, adjacent to the site and so should be reduced to reflect a similar scale or reduction so as the massing of the new build does not compete with locally established buildings.
- The roof design is considerably top heavy with numerous rooflights and dormers, as such the dormer cheeks should be reduced and the number of rooflights reduced. Indeed, the scale of the new build would appear considerably excessive when considering views in and out of the Conservation Area, particularly through Tippings Lane and at the junction with Main Street. Though should be addressed in the comments above, therefore consideration of views to and from the site at Tippings Lane with the junction at Main Street.
- In terms of the use of materials then artificial Collyweston should be used rather than Spanish slate.
- Consideration should be made to the boundary treatments, rather than

estate fencing, a boundary wall would complement the established pattern of walls in the village.

- A short statement is required assessing the impact of the proposal on the 'significance' of immediate Heritage Assets, being nearby listed buildings and the Conservation Area, thus should highlight an understanding of the 'significance' of the historic environment hereabouts and thus highlighting whether any harm would adversely impact on 'significance', views in and out of Tippings Lane can be considered, particularly as the new proposal would be of a considerably higher scale than the present built form that exists on the site. The level of harm can then be understood and weighed on the basis of the requirements of paragraphs 200 – 202 of Section 16 of the NPPF.

The above concerns are required to be addressed from a Historic Environment perspective.

The proposal therefore should be adjusted in order that is able to accord with the relevant Neighbourhood Plan Policies and 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 listed buildings and protect the special features of Conservation Areas.

I would be able to comment further on the submission of information addressing concerns highlighted above.

Looking at the revised plan, the proportions are much better and the fenestration and arrangement to the apertures is improved. Whilst the garage still appears high - the overall massing is considerably reduced by the stepped down element to the main house.

Subject to materials I would not have an objection to the re-organisation of the elevations.

A materials schedule would consider:

- Type of stone and colour finish to elevations and details of slates/tiles, I think we said could use imitation collyweston on house with Welsh slate on garage.
- Section plans for windows – flush fitting casements preferred, either in timber or metal, no upvc.
- Conservation rooflights only
- Rise and fall brackets for rainwater goods – aluminium rainwater goods
- Details of hardstanding and surfacing for driveway
- Details of stonework for repairs to well/pump

The revised plans offer a considerable improvement over the earlier plans as

such, the one dwelling has a similar scale and massing and takes cues from the architectural detailing of the house adjacent to the site, such that the one dwelling proposed does now fit into the immediate context and is an improvement over the commercial yard, it also sits well in the context of the renovated cottage.

Materials will need to be finely balanced in order that the details are well executed given the quality and character of the historic environment hereabouts. If a boundary wall is preferred over estate fencing, then final details can be reserved by condition. If timber windows are preferred in line with the requirements of the NP, then this can also be conditioned, though there would be no objection to using an aluminium system to the rear of the build where modern doors are proposed. On balance and from a built conservation perspective it is better that this site is 'built out' rather than remaining as a commercial yard operating here.

Notwithstanding the heritage and built conservation considerations, there are clearly some limitations at this site; the plot arrangement with the juxtaposition of other immediate houses and the access would constrain the site for additional houses of the number required by the NP, given the need to preserve amenity and to provide amenity and parking within the site. Also the proximity of the recently refurbished cottage would be harmed if the site was to be over-developed. Whilst it would be welcomed to have more than one dwelling on this site – it is noteworthy that there is also the consideration that the site levels also offer a constraint which makes it difficult to use the plot effectively for a number of houses. Hence one house when taking in the balance of the constraints of the site would fit seemingly better in this context.

Overall the views in and out of the Conservation Area can remain preserved as the new build does not appear to be of a scale that is out of context with the house adjacent to the site, a new build on this site would not be considered to draw the eye away from key views in and out of the Conservation Area, given it has been set back into the site. The impact on neighbouring listed buildings would be far less than a commercial yard operating here. Therein lies the heritage balance therefore - that the public benefit is that the historic environment would be improved contextually.

I hope the additional information is useful. There is no objection from a built conservation perspective though a high-quality use of materials will be necessary at this site.

51. **Design Officer**

Further to the site meeting and subsequent amendments and clarifications with regards to the relationship between the proposed dwelling and Tippings Lane, I can now confirm that the initial concerns have been addressed. There will now be a grass bank and new planting adjacent to Tippings Lane. The extent of retained stone wall should be marked more clearly on the plan. An indicative height should also be illustrated. The proposed planting next to the

garage should tie in with native rural species – for example native mix rather than leylandii.

52. **Environmental Protection**

Contaminated land

We have reviewed the documents submitted including the Site Investigation report by Ground Engineering, Jan 2019 (ref. C14650).

As recommended in the Site Investigation Report by Ground Engineering further investigation would be necessary following the demolition of the existing buildings to assess the extent of contamination in the southern area of the site. It should be noted that gas monitoring is advised over a 3 month period with a minimum of 6 visits to account for variations in conditions with at least two visits during falling atmospheric pressure, therefore the data included within the report is insufficient to determine the ground gas risk at the site.

The groundwater monitoring suggests that the residual diesel contamination is localised to the area of the former tank, and has not been located in the boreholes in the south of the site. Two samples returned elevated Arsenic, one sample was retrieved from the Northampton Sand Formation which can be naturally elevated in arsenic, another elevated arsenic sample was identified within the deep Made Ground (WS3).

Following a subsequent site investigation a formal remediation strategy should be submitted to the local authority for approval. Therefore, this section suggests the following conditions are applied should the planning permission be granted.

Air Source heat pumps

I have spoken with Justin Bell regarding the operational levels of the air source heat pumps. Therefore, it would be appropriate to include the following conditions should planning permission be granted to ensure that the noise from the pump does not result in an adverse impact on neighbouring properties.

1. The sound pressure level of noise emitted from the operation of the air source heat pump shall not exceed 38dBLAeq, 5 mins. The noise levels should be determined at the nearest sensitive receptor.
2. In the event of any reasonable noise complaint being received by the Local Planning Authority, the property owner or their successors in Title, shall be required to undertake a full noise assessment to demonstrate compliance with the above noise limit and submit this within 28 days of notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the noise assessment and implemented in accordance with the submitted details within 28 days of

approval by the Local Planning Authority.

On reflection of the information provided this section would like to place a holding objection on the proposed development due to insufficient information provided regarding the potential noise associated with air source heat pumps.

On further review of the documentation the Proposed Site Plan (drawing no. 20037/PL205C) shows the 'Air source heat pump locations' with two outlined units. It should be noted that the MSC:020 document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises' is only relevant to the installation of a single ASHP. Therefore, if more than one unit is to be installed a noise assessment will be required in accordance with BS4142:2014 to determine if the sound level of the proposed units do not exceed day time and night time background levels or whether mitigation measures will be required to achieve this.

If only a single air source heat pump is required, it will be necessary to evidence that the specification and location of the proposed air source heat pump will not exceed the requirements of outlined in the MSC:020 document otherwise a noise assessment will be necessary to determine the mitigation measures required

53. **Forestry Officer**

No objection

Thank you for sending over the new plans. The removal of the hedges will change the street scene landscape, however; the species is comprised of cypresses, which are unpopular and unlikely to raise objections from residents, Parish or the members. I would therefore only consider action to retain these if comments have been by the abovementioned in the consultation process.

The ash tree is being protected, which is good.

Currently, I have no objections to the proposals.

Tree Survey and Tree Protection Plan required.

54. **Senior Planning Ecology Officer**

Apologies for the delay. The Preliminary Ecological Appraisal submitted with the application is nearly three years old. Bats in particular are very transient and a negative result of a bat survey can only be reliable for a short period of time. As such I recommend that an updated daytime bat survey of the buildings is carried out prior to an assessment being made.

Although the report is dated January 2021, the bat element was undertaken on the 27th January 2020 according to the report, hence Nikki's comment. Given Philip's comment the date appears to be a typo. However, because the buildings were considered to have negligible potential for bats, I do not

consider it necessary for an updated survey to be done. No evidence of nesting birds was found either. Therefore I recommend the following Conditions are attached to any permission:

No demolition or development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Any integrated bat/bird boxes/roosts need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme.

The development hereby approved shall be implemented in strict accordance with the measures stated in sections 6.3 & 6.4 (Recommendations & mitigation) of the Preliminary Ecological Appraisal Report (Philip Irving, January 2021)

55. The Lead Local Flood Authority Officer

No Objections if built in accordance with Drawing 20037/PL209C. The Applicant removed the positive discharge from the site and has provided attenuation/infiltration crates under the driveway, along with a permeable driveway. The new drainage scheme will ensure all surface water is managed within the site.

The LLFA raise an objection to the proposed development.

The applicant has shown a permeable driveway surface to allow natural percolation but have also shown underground storm water attenuation crates which link into the foul sewer system. The attenuation crates will have a hydro brake fitted which restricts the flow to 2 litres per second.

This is not acceptable to the LLFA.

This is a small residential property and therefore all surface water should remain on the site and infiltrate through the ground. Ground investigations should be carried out to identify the most permeable areas on the site where soakaways could be installed.

56. Parish Council comments on the original Scheme

At the meeting of Barrowden Parish Council on Wednesday, 9th November 2022, Councillors considered the new proposals for the above application. The proposed development will be governed principally by the Barrowden and Wakerley Neighbourhood Plan. It is the latest Development Planning Document to have been adopted (December 2019) and therefore takes precedence over the Rutland Core Strategy 2011 and Site Allocation and DPD 2014.

The Parish Council has previously considered the development, and Councillors are of the view that they would support a development on this site provided that such development is in line with the provisions of the Barrowden and Wakerley Neighbourhood Plan, Local and National Planning Policies.

National Planning Policy Framework

Para 123 of the NPPF states that decisions on housing being built at low densities would be incompatible with the current Rutland position (in relation to its 5-year land supply). In these circumstances, applications should be refused if they are considered not to make efficient use of land.

In response to the Planning Pre-Application 2019/0292/PRE, the Planning Officer stated, in the email dated 12th November 2019, that at least 3 dwellings might be acceptable on this site subject to a number of conditions. The proposal of one oversized dwelling fails to meet the requirement of NPPF para 123, where treble the proposed number of dwellings could be accommodated on the site.

Rutland Design Guide

The applicant has not discussed this new application with residents or the Parish Council, contrary to the Design Guidelines for Rutland SPD.

Neighbourhood Plan Policies

Considering each of the Neighbourhood Plan Policies in turn, the Parish Council considers where the proposed development fails to meet the requirements of those Policies.

BW1 Landscape Character and important views

Policy BW 1 states that

The development shall conserve and enhance the positive characteristics of the local landscape outlined in the Barrowden and Wakerley Landscape and Character Assessment. Planning Application 2022/1219/FUL Former Haulage Yard , 1 Tippings Lane. Demolition of commercial buildings and construction of one dwelling, associated access and external works

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Within that Character Assessment, it states that Infill sites are sensitively integrated into the settlements and surrounding area in such a way as to not detract from the character of surrounding properties. As an infill site, it fails to meet the requirement of being sensitively integrated into the settlements and surrounding areas, as it will detract from the 3 Listed Buildings and the mature property opposite at 4 Tippings Lane.

A north-to-south cross-section from the Village through the gap between 1 Tippings Lane and 24 Main Street shows that the proposed building will be twice the height of the existing commercial building and will be clearly seen from the Village Green, which would have an adverse impact contrary to BW1 para

2. This issue was also the principal reason the Inspector refused the appeal on the original application 2020/1359 for 2 dwellings.

The application does not meet the requirements of the policy.

BW6 Design Principles for Barrowden and Wakerley Policy Para 1 of the Policy re-affirms the need for the development to meet B & W Landscape and Character Assessment as the scale and mass of the proposed dwelling are not in keeping with the surrounding buildings. The building is in excess of 4550 sq. ft of internal floor space which is about 30% larger than the average "large" houses in the Village. Para 2 (e) The proposal to use Mocha Spanish Slate (It is noted that the previous application 2020/1359 proposed the use of artificial Collyweston) The use of slate in this location will have a significant adverse impact on the surrounding listed buildings and would fail to meet the policy.

Para 2 (h) The use of metal estate fencing on the southern boundary is contrary to the requirement for stone walls where visible from the public realm. The application does not meet the requirements of the policy.

BW7 The Local Impact of Construction

Given the narrowness of Tippings Lane and the fact that it is a bus route if Planners are minded to approve the application then the developer should be requested as a condition of the planning approval to provide a construction logistics plan which would include the requirement that no vehicles belonging to the contractor or sub-contractors should be parked outside the boundary of the site, especially on Tippings Lane and adequate defined off-site parking should be identified.

BW8 Surface Water Flooding

The Parish Council support the desire of the developer to provide a SUDS system, however, while there are drawings of such a proposal, no infiltration testing has been presented to demonstrate that the ground conditions would be suitable for such a system. It is also essential that a full set of calculations is

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prepared to demonstrate the effectiveness of the SUDS system. The proposal is to allow up to 2 litres per second of surface water to enter the foul water sewage system. This is not acceptable and is contrary to the Anglian Water Surface Water Drainage policy, which states that:-

The disposal hierarchy should be in the following order of preference:

Rainwater re-use (rainwater harvesting)

Discharge by infiltration to the ground

Discharge to an open surface water body

Discharge to a surface water sewer, highway drain, or other drainage system

Discharge to a combined sewer

In its current form, the application does not meet the requirements of the policy.

BW9 Infill and Backland development

BW8 Para 3 states that

The proposal will not result in significant overshadowing or overlooking or have an overbearing visual impact on adjacent dwellings and gardens.

This proposal will have an impact on surroundings properties, including those to the north, as it will result in the significant overshadowing of that property as well as overlooking and having an overbearing visual impact on that dwelling and, more importantly, towards its rear garden, significantly reducing privacy from the dormer windows. No section is provided in relation to the properties to the north.

The application does not meet the requirements of the policy.

BW10 Dwelling Size and type

Both this policy in BW10 Para 1 and the latest version of the Rutland Strategic Housing Market

Assessment clearly articulate the requirement for new developments to be designed with 3 or fewer bedrooms. This requirement is well evidenced both in terms of the SHMA and also from the questionnaire from which the Neighbourhood Plan was developed. The application fundamentally fails to meet the requirements of the policy.

Village residents and the Parish Council indicated in response to the pre-planning application the desire to maximise the use of the site for more dwellings with fewer bedrooms, a maximum of three, to meet the needs of younger families and downsizing older residents.

In relation to BW10 Para 2, no evidence has been presented to demonstrate an identifiable shortfall in

the provision of dwellings of 4 or more bedrooms.

The application does not meet the requirements of the policy.

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Demolition of commercial buildings and construction of one dwelling,
associated access and external works

BW16 Fibre Broadband

It is noted that the dwellings will be provided with Full Fibre broadband (FTTP). This should be a condition if the Council is minded to grant permission.

Other comments

Noise

It is noted that the dwelling will be heated by air-source heat pumps.

Given the rural location and especially the low levels of noise, especially during the night, a baseline noise assessment should be carried out by the developer overseen by the Rutland County Council

Environment Department. The developer should then provide a maximum noise level which will not be exceeded by the air source heat pumps so that they have no or minimal impact on neighbouring properties.

Heritage Assessment

While the heritage assessment provides information, it does not provide any context for the new building in respect of its surroundings. It seems to concentrate on replacing the existing commercial

buildings. This is not an acceptable comparison, and the additional comments provided by the developer still go nowhere near being adequate. While a desktop assessment is acceptable it should be carried out by an independent expert. We note that the hand pump is to be retained and should be conditioned if the application were to be approved.

Conclusion

Barrowden Parish Council's view is that this proposal fails to meet many of the requirements of the National Planning Policy Framework, Local Plan and Neighbourhood Plan Policies, all of which are material considerations and therefore we recommend that the application be REFUSED

In the event that the Planning Authority is minded to grant planning permission, the Parish Council will request, through the Ward Councillors, for the matter to be decided by the Planning Committee and not through delegated powers on the basis that the proposals fundamentally breach both the National and Neighbourhood Plan Policies.

Barrowden Parish Council

Neighbour Representations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

57. During the determination period of the application 9 responses have been received some of which include more than one email from the same people following reconsultation of neighbouring properties on the amended scheme.

These objections are summarised as follows:

1. House much too large for the plot. There is a need in this village for smaller properties for young and older residents who wish to remain in the village, and therefore two smaller homes would be more suitable, with reduced height.
2. The new dwelling will block the view to the west from my house especially in the winter when it will obliterate the afternoon sun. its already very dark because of the trees.
3. Tippings Lane is a very busy road with the bus route and one of the main ways out of Barrowden to the A47 and there is no footpath for pedestrians.
4. Suggest that the site be dug out as was the case on Back Road for the four houses there.
5. The scale of the proposed house is too large and would completely dwarf the surrounding listed building.
6. The dwelling is against the spirit of the Barrowden and Wakerley Neighbourhood Plan. Barrowden has enough large properties, but lacks smaller more affordable homes for both young people and those who are older and looking to down size. This proposed plan, whilst showing 4 bedrooms, has many other rooms, it is a very large property indeed. If permitted the house would dominate a prominent position near the Village Green. In my opinion this site would be far more suitable for 3 smaller houses.
7. The proposed building materials are totally at odds with the neighbouring houses, it neither matches, compliments or blends with its surroundings. Nothing around it is built from sawn bed stone.
8. The house should be set down further into the site. Such a large building would dominate and overwhelm the centre of the village and village green and nearby listed buildings.
9. The building is very large in scale for the plot and this part of the village.
10. Noise pollution from the heat source pump.
11. A section of deciduous hedge on the north roadside boundary should be retained to screen the property and retain wildlife habitat.

12. Loss of privacy from been overlooked.
13. Looking at the footprint of the building in comparison to the surrounding buildings in this historic part of the village, it looks much bigger and will dominate and overwhelm the lane.
14. The cut stone material will not be in keeping with the building stone material used in this part of the village.
15. The boundary wall is not clearly shown on the plans and its height is not clear. It would be important to allow a safe place for pedestrians to pause for large vehicles which regularly use the lane.
16. Blocking of Tipping Lane during the construction period.
17. Such a large building would dominate and overwhelm the centre of the village and village green and nearby listed buildings.

Comments received in support of the scheme.

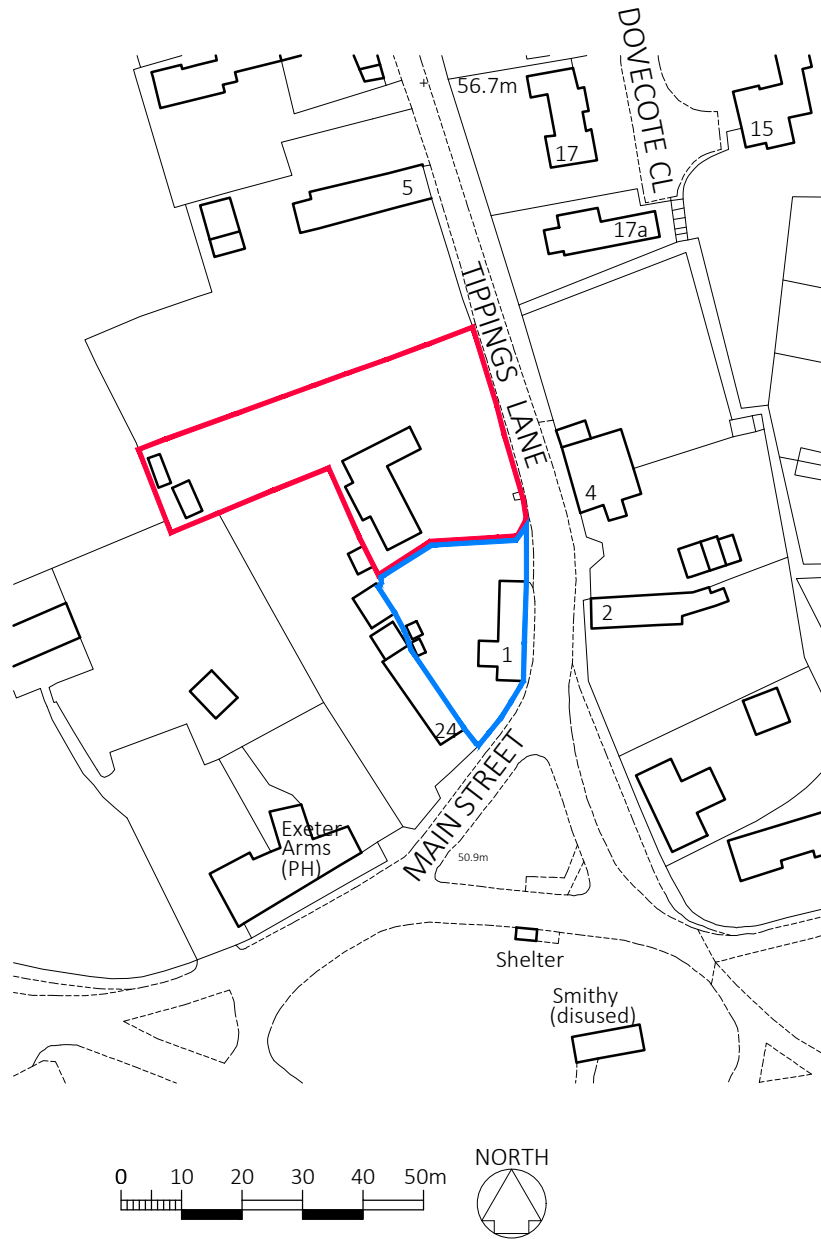
1. The Developers and the Architect amended plan takes into account the comments and concerns expressed by neighbours and residents.
2. Takes into account The village Neighbourhood Plan Policies with respect to usage of materials, street scene in a Conservation Area and the protection / retention of one of the remaining old Water Hand-pumps in the village.
3. One dwelling on the site, there will be less vehicles using the access.
4. It is a large property, but that's what people want, and although a preference is shown for smaller properties in the Barrowden & Wakerley Development Plan because it was thought older people could downsize, they don't, due to the cost of moving. They are quite happy to remain in their larger homes until it is time to leave the village altogether.
5. We need a balance of properties and we do have a sufficient number of smaller/medium sized homes.
6. One dwelling will reduce the traffic impact on this busy road compared to 3 or 4 properties.
7. There is more open garden aspect for both houses and more parking and turning space on the site.

Conclusion

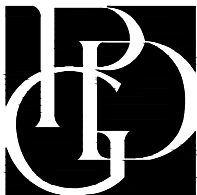
58. Looking at a two-dimensional plan the site it can be argued that the site is large enough be able to accommodate more than one dwelling. However, the

topography and shape of the site limits the layout of a development proposing more than one dwelling. In addition to these restrictions the application site is within a designated conservation area and located close to a number of listed buildings and other none listed residential dwellings.

59. The Conservation Area Officer is in support of the scheme and has also stated that that the historic urban grain comprises wide plots and the detached house adjacent to the site would be the benchmark that should be considered to achieve a more legible form of development at this site, which would be typical of the urban grain and build density. The present design for one house preserves the setting, additional houses would likely compromise amenity and setting.
60. Taking the above into account, it is considered that the proposed development would preserve and enhance the character or appearance of Barrowden Conservation Area, would not have an adverse effect on the setting nearby Grade II listed buildings and/or adjacent important open space buildings or adversely impact the residential amenities of neighbouring properties and would be comply with to Sections 5, 11, 12, 15 and 16 of the NPPF (2021, Policies CS03, CS04, CS19 and CS22 of the Councils Adopted Core Strategy (2011), Policies SP5, SP15, SP19 SP20 (and SP21 (of the Site Allocations and Policies Development Plan Document (2014), Adopted SPD and Policies BW1, BW6 BW7 and BW8 of the Barrowden and Wakerley Neighbourhood Plan.



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RESIDENTIAL DEVELOPMENT
 1 TIPPINGS LANE, BARROWDEN, RUTLAND
 SITE: LOCATION PLAN

Scale: 1:1250 @ A4

Date: 09/2022

Drawn: CRB

Dwg No: 20037/PL200

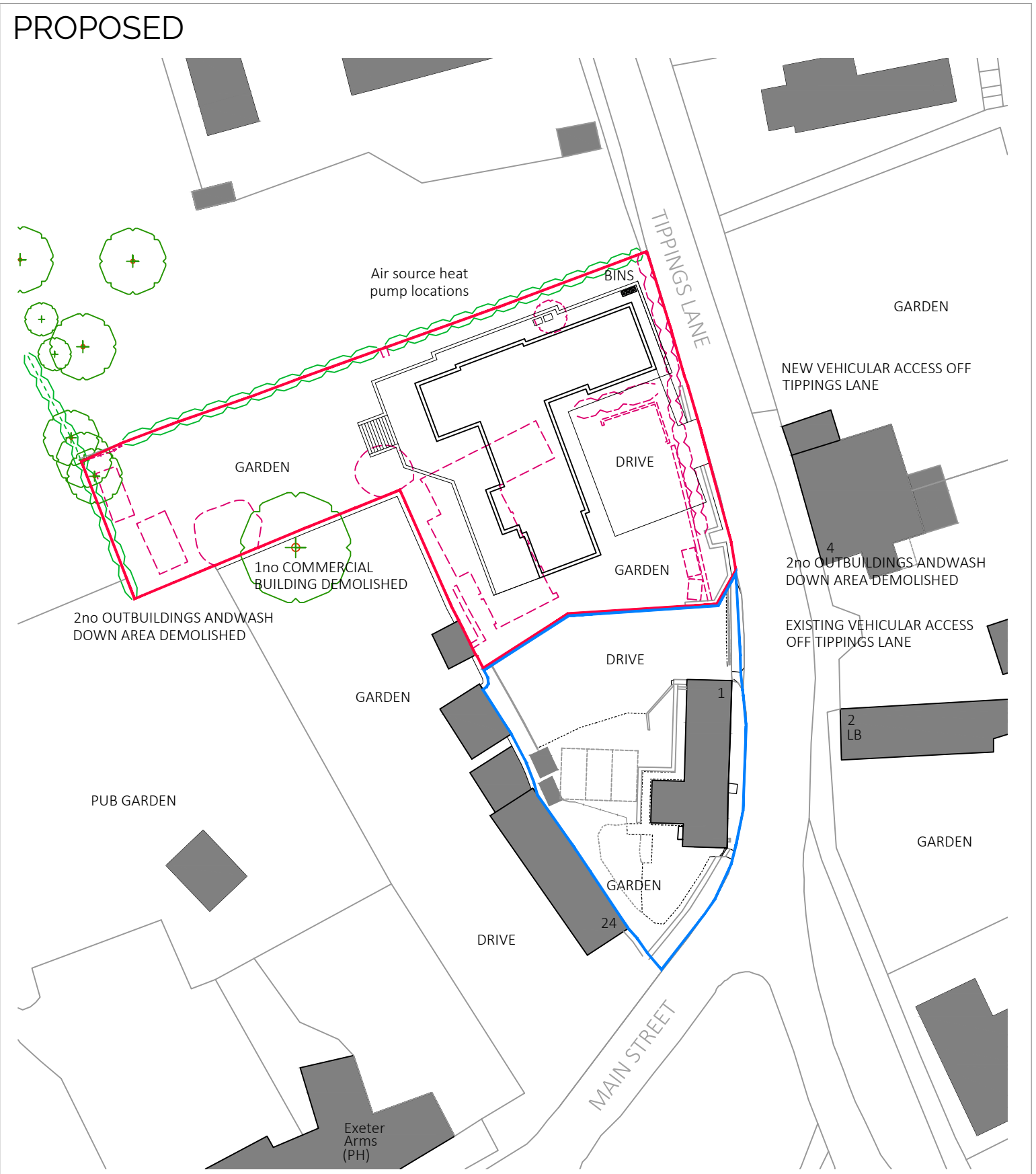
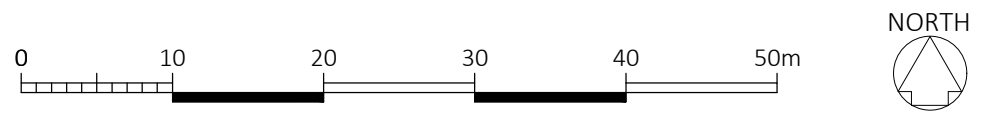
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Peterborough, PE2 7BX

T: 01733 371000

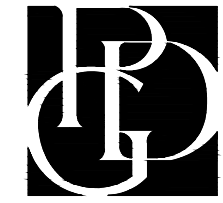
E: design@pdgarchitects.co.uk

W: www.pdgarchitects.co.uk



REVISION D
REVISION C
REVISION B
REVISION A

PLANNING: Extents of boundary
PLANNING: Extents of boundary
PLANNING: Extents of boundary
PLANNING: Extents of boundary

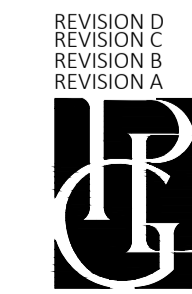
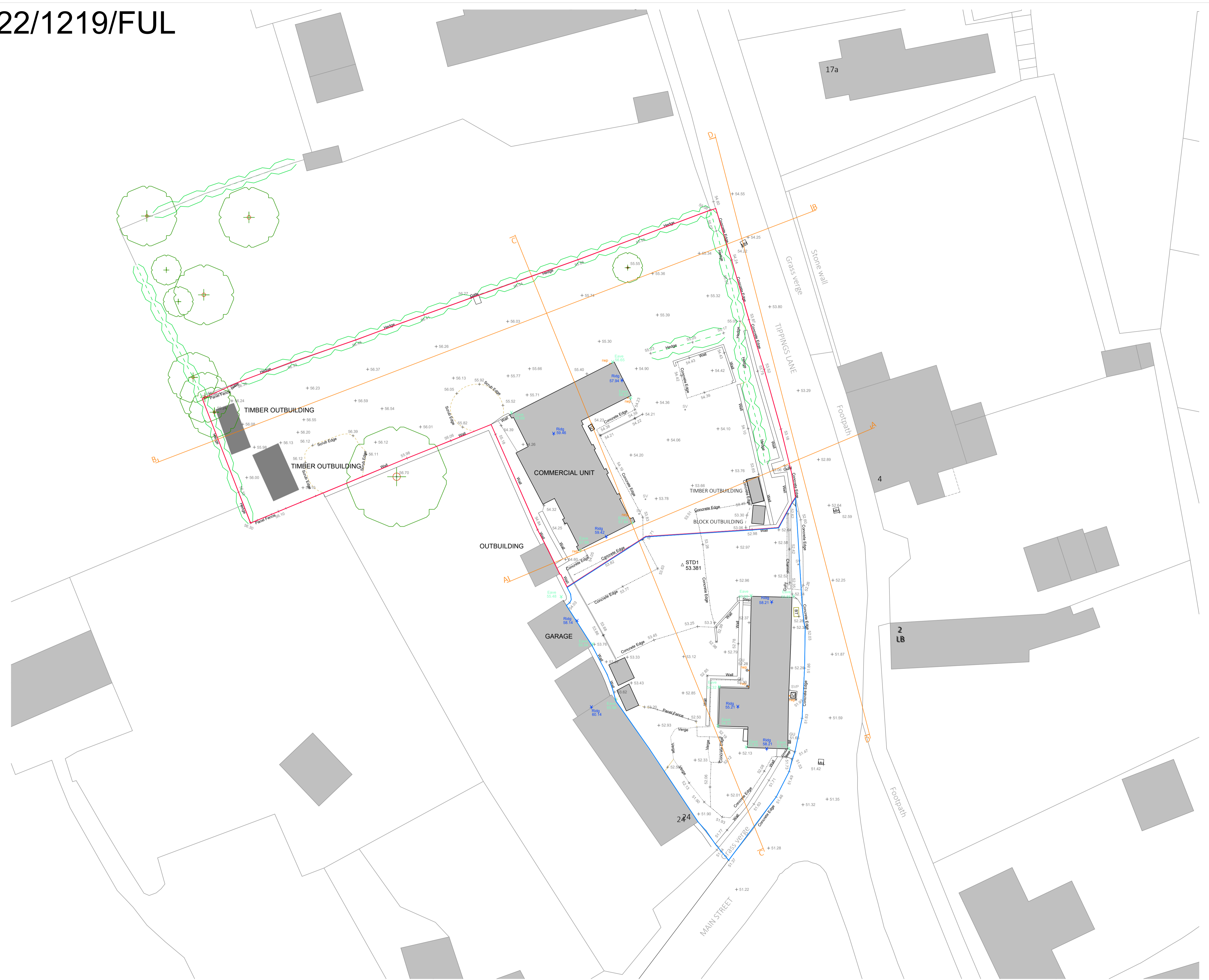
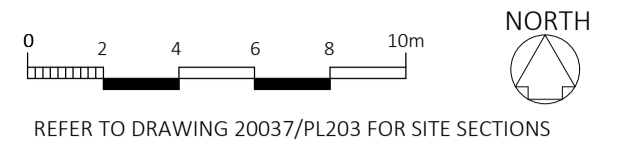


RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN, RUTLAND
EXISTING & PROPOSED SITE BLOCK PLANS

Scale: 1:500 @ A3 Date: 09/2022
Drawn: CRB Dwg No: 20037/PL201D

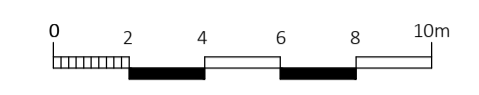
CRB 11/10/23
CRB 03/11/22
CRB 26/10/22
CRB 25/10/22

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REVISION D
REVISION C
REVISION B
REVISION A
PLANNING: Boundary extents
PLANNING: Boundary extents
PLANNING: Boundary extents
PLANNING: Boundary extents
RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN
EXISTING SITE PLAN
Scale: 1:200 @A1 Date: 09/22
Drawn: CRB Dwg No: 20037/PL202D

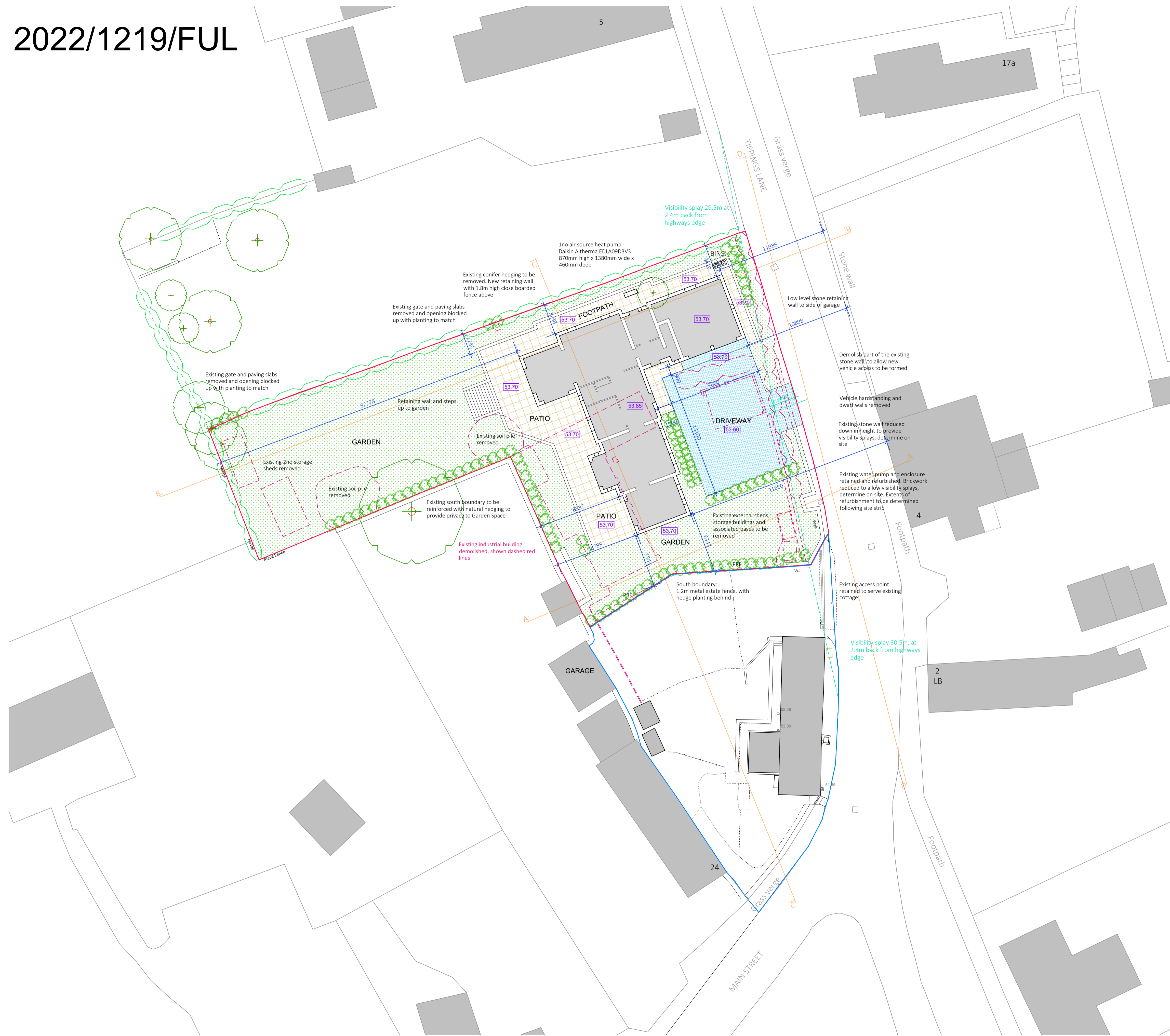
CRB 11/10/23
CRB 03/11/22
CRB 26/10/22
CRB 25/10/22
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Eaglethorpe, Warrington,
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MATERIALS KEY:

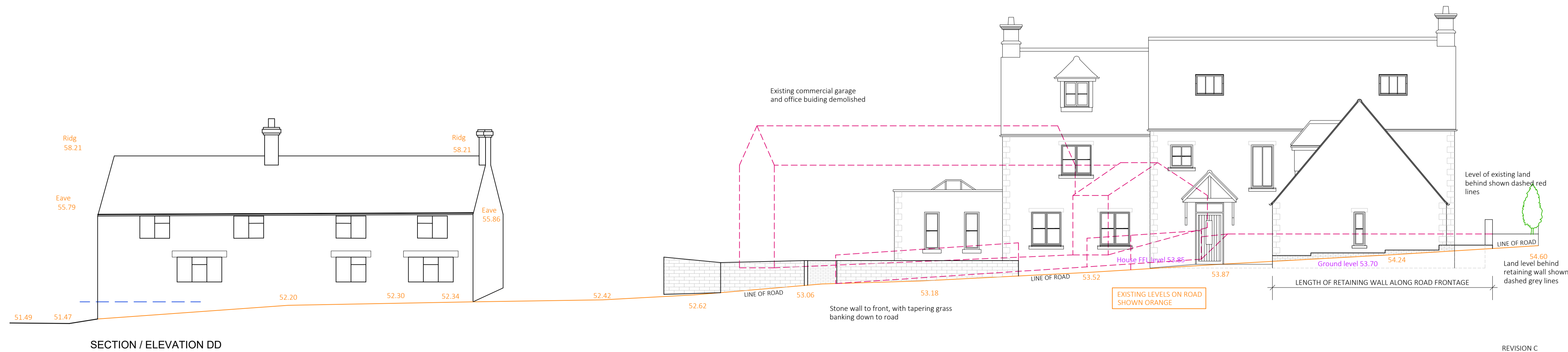
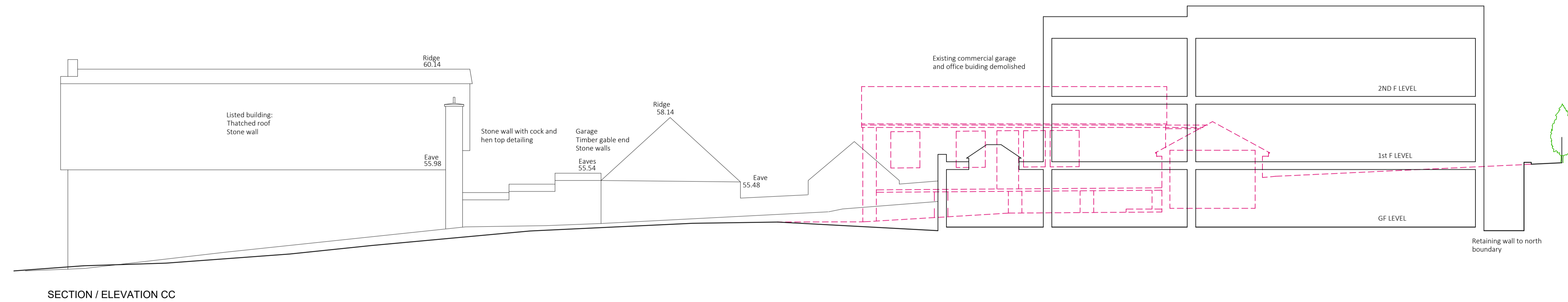
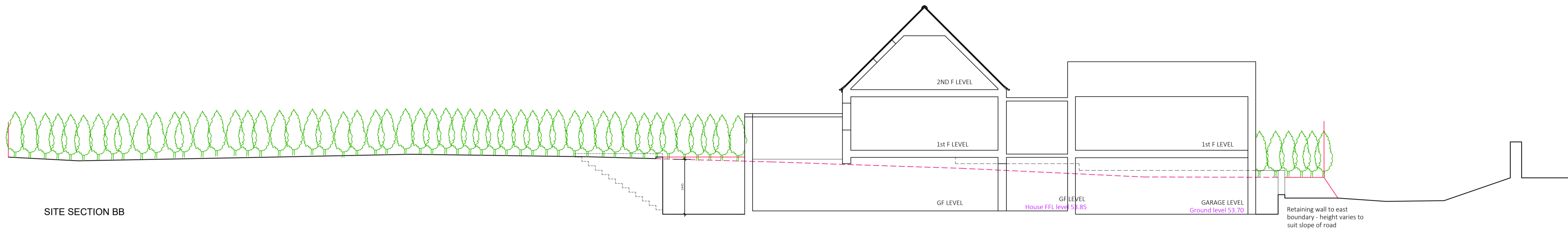
- Grey Sandstone paving and Patios
- Porous paving
- Grassed areas
- New Planting
- PRF 1.2m high metal estate fencing, black
- Proposed levels

REFER TO DRAWING 20037/PL206 FOR PROPOSED SITE SECTIONS
REFER TO DRAWING 20037/PL207 FOR THE HOUSE PLANS



REVISION G	PLANNING: Extents of boundary	CRB	11/10/23
REVISION F	PLANNING: Driveway materials	CRB	05/05/23
REVISION E	PLANNING: Update to match revised house plans. Dimensions	CRB	19/07/23
REVISION D	PLANNING: Entrance dimensions	CRB	29/11/22
REVISION C	PLANNING: Extents of boundary	CRB	03/11/22
REVISION B	PLANNING: Extents of boundary	CRB	26/10/22
REVISION A	PLANNING: Extents of boundary	CRB	25/10/22

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REFER TO PROPOSED SITE PLAN FOR LOCATION OF SECTIONS



REVISION C
REVISION B
REVISION A

PLANNING: To suit revised design
PLANNING: Section DD & BB - additional notation
PLANNING: Site section legend plan omitted. Annotation added



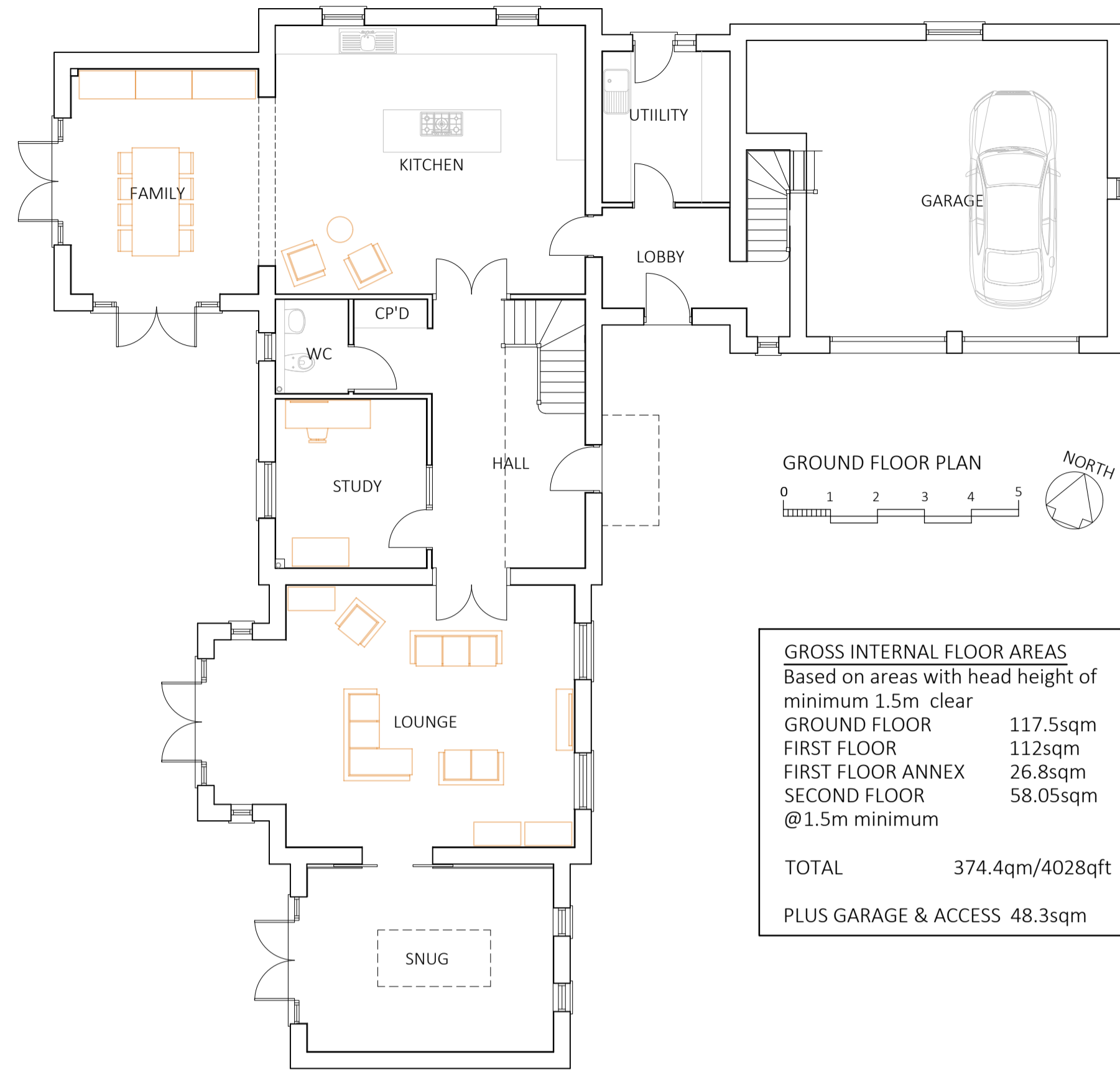
RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN
PROPOSED SITE SECTIONS

Scale: 1:100 @A1
Drawn: CRB

Date: 09/2022
Dwg No: 20037/PL206C

CRB 21/07/23
CRB 14/03/23
CRB 25/10/22

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GROSS INTERNAL FLOOR AREAS
Based on areas with head height of minimum 1.5m clear

GROUND FLOOR	117.5sqm
FIRST FLOOR	112sqm
FIRST FLOOR ANNEX	26.8sqm
SECOND FLOOR	58.05sqm @ 1.5m minimum
TOTAL	374.4qm/4028qft
PLUS GARAGE & ACCESS 48.3sqm	



FIRST FLOOR PLAN



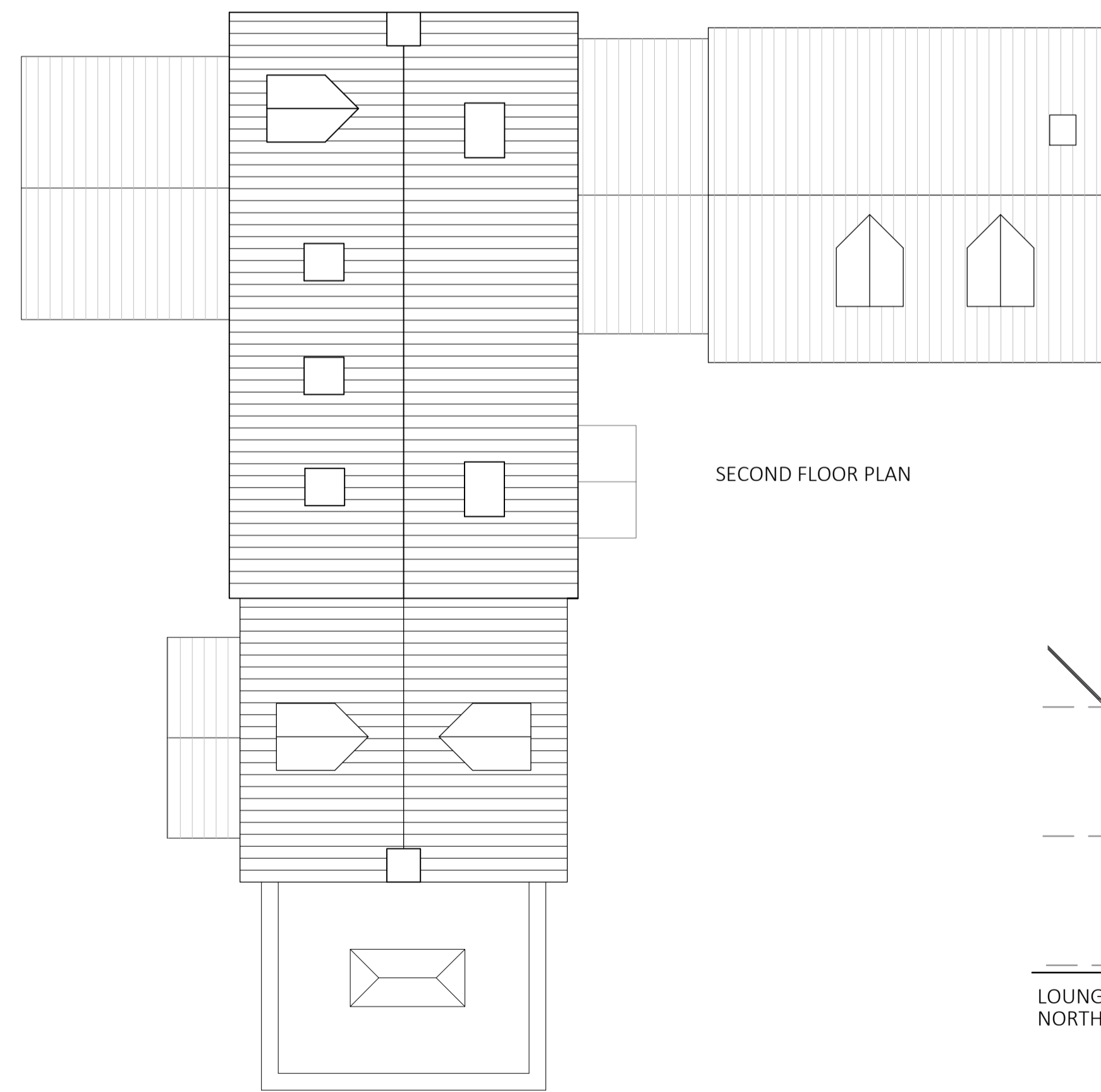
FRONT EAST ELEVATION



REAR WEST ELEVATION



SECOND FLOOR PLAN



SECOND FLOOR PLAN



SIDE SOUTH ELEVATION

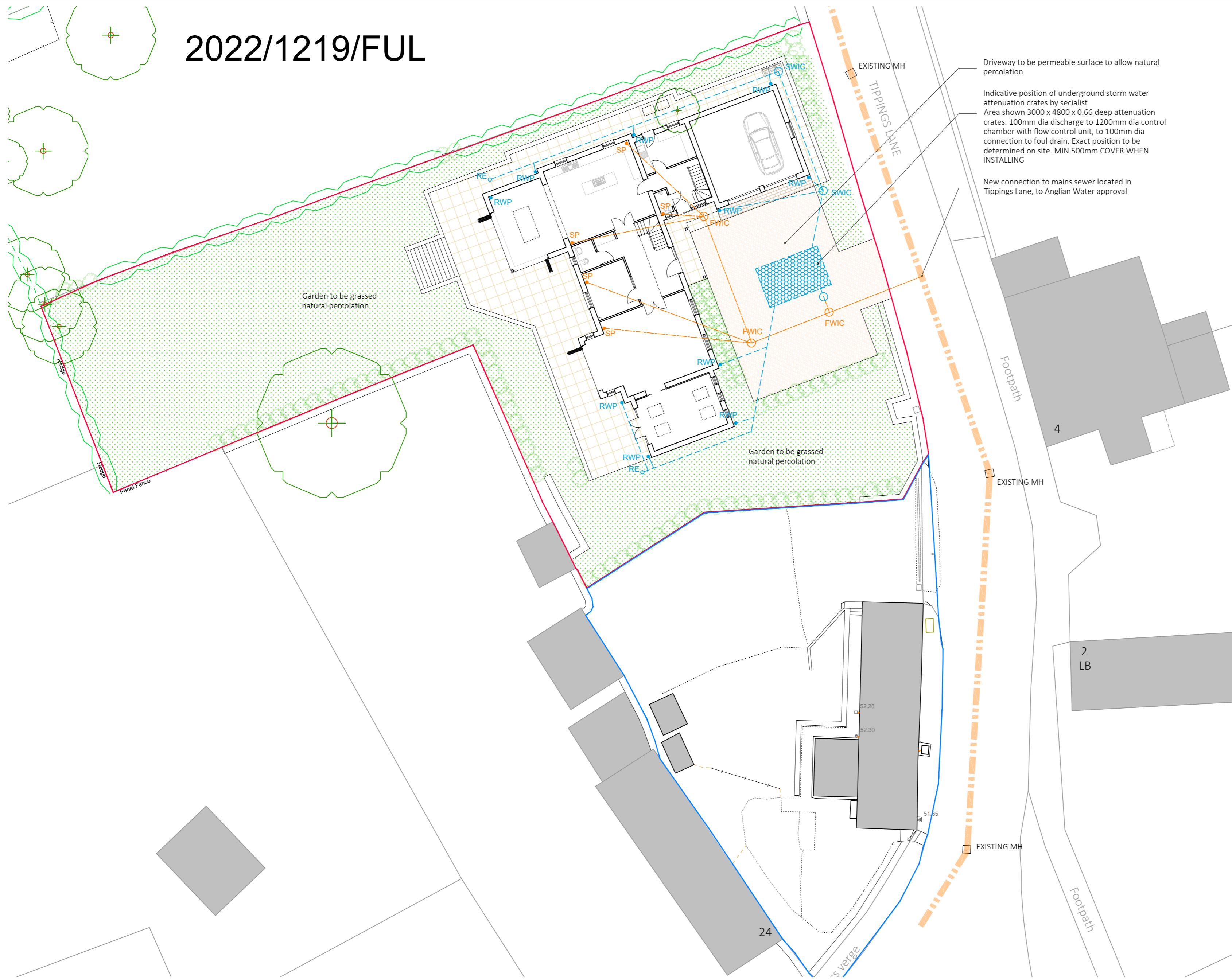


SIDE NORTH ELEVATION

LOUNGE PROJECTION NORTH ELEVATION

2022/1219/FUL

Appendix 1

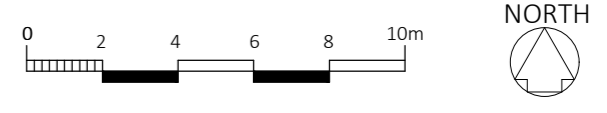


Driveway to be permeable surface to allow natural percolation

Indicative position of underground storm water attenuation crates by specialist Area shown 3000 x 4800 x 0.66 deep attenuation crates. 100mm dia discharge to 1200mm dia control chamber with flow control unit, to 100mm dia connection to foul drain. Exact position to be determined on site. MIN 500mm COVER WHEN INSTALLING

New connection to mains sewer located in Tipping Lane, to Anglian Water approval

- STORM WATER DRAINAGE:**
- RWP • New rainwater downpipe
 - RE ◦ New rodding eye
 - SWIC ◯ New storm water inspection chamber, depth to be determined on site
 - Route of new underground storm water drains
- FOUL WATER DRAINAGE**
- SP • New soil waste pipe
 - FWIC ◯ New foul water inspection chamber, depth to be determined on site
 - Route of new underground foul water drains
 - Approximate route of mains sewer - assumed combined drainage system



REVISION D	PLANNING: Extents of boundary	CRB	11/10/23
REVISION C	PLANNING: Extents of boundary	CRB	03/11/22
REVISION B	PLANNING: Extents of boundary	CRB	26/10/22
REVISION A	PLANNING: Extents of boundary	CRB	25/10/22

RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN
DRAINAGE STRATEGY PLAN

Scale: 1:200 @A2 Date: 09/2022
 Drawn: CRB Dwg No: 20037/PL209D

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LEGEND

EXISTING BUILDINGS SHOWN SHADED GREY, INCLUDING SURROUNDING BUILDINGS.

EXTERNAL AREAS:

COMMERCIAL BUILDING	139sqm
SMALL SHEDS AT REAR	28sqm
SMALL SHEDS AT FRONT	6sqm
Total	173sqm

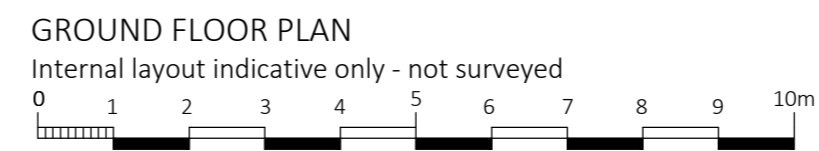
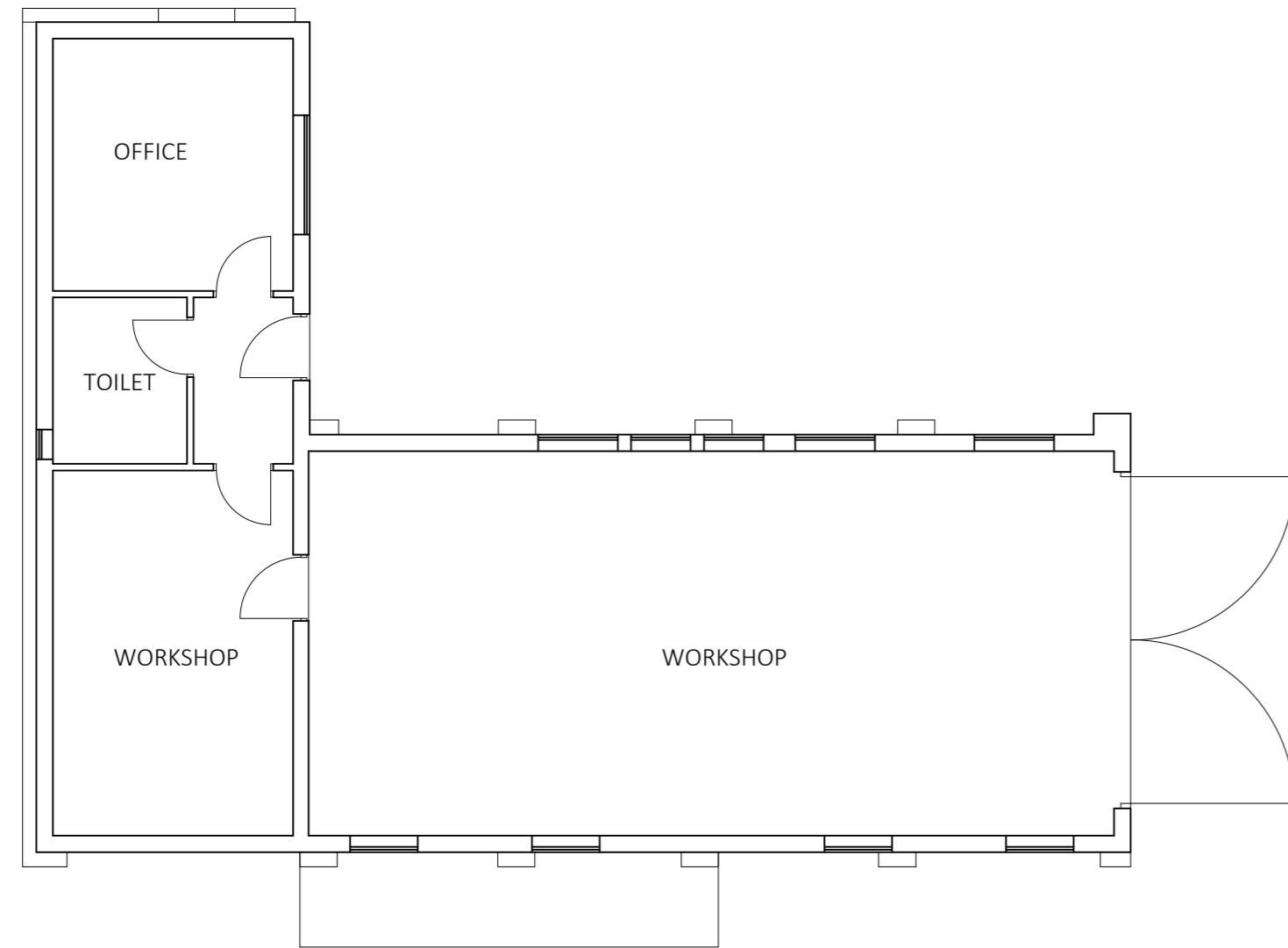
FOOTPRINTS OF PREVIOUSLY REFUSED SCHEME FOR 2 DWELLINGS SHOWN OUTLINED IN PINK:

PLOT 1	234sqm
PLOT 2	150sqm
Total	384sqm

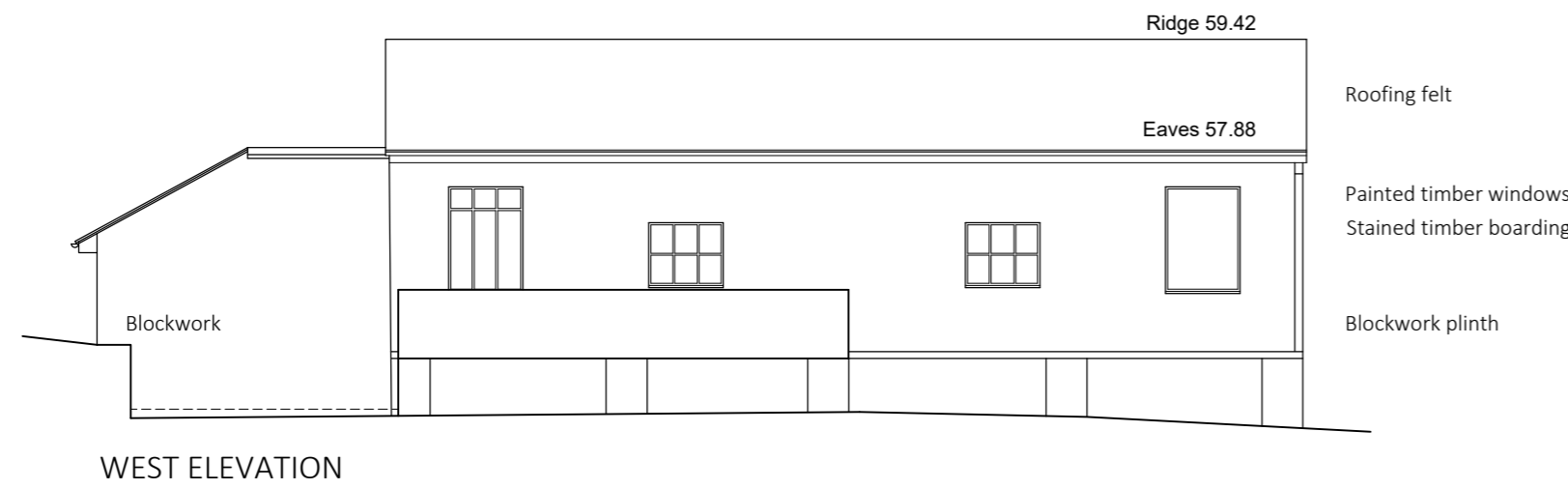
FOOTPRINT OF PROPOSED SCHEME, SINGLE DWELLING SHOWN OUTLINED IN BLUE:

PLOT	270sqm
------	--------

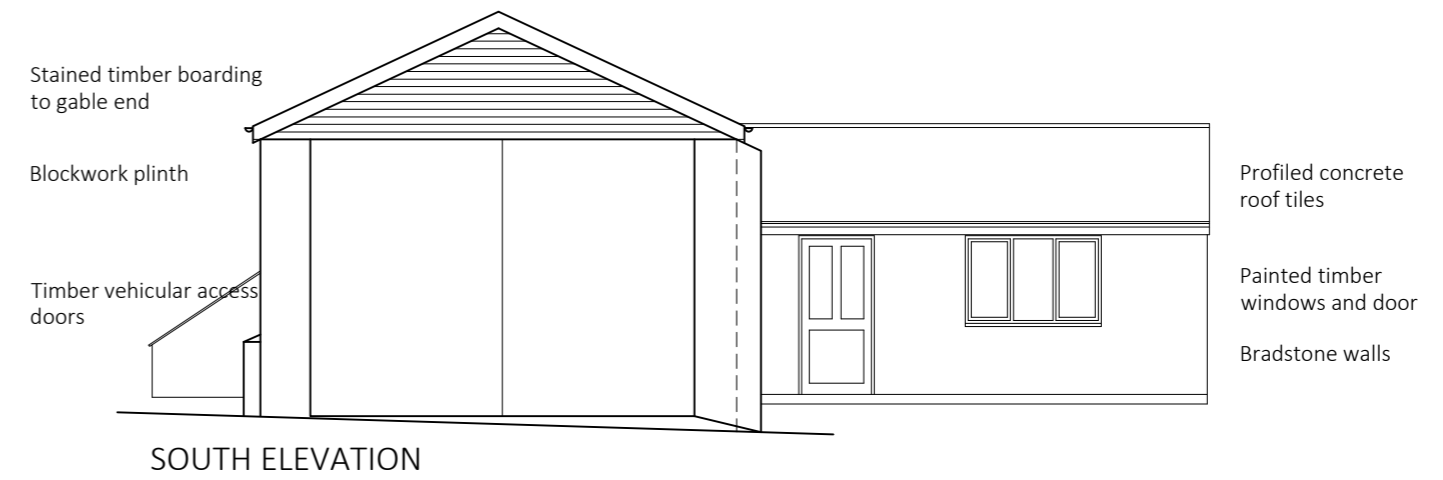




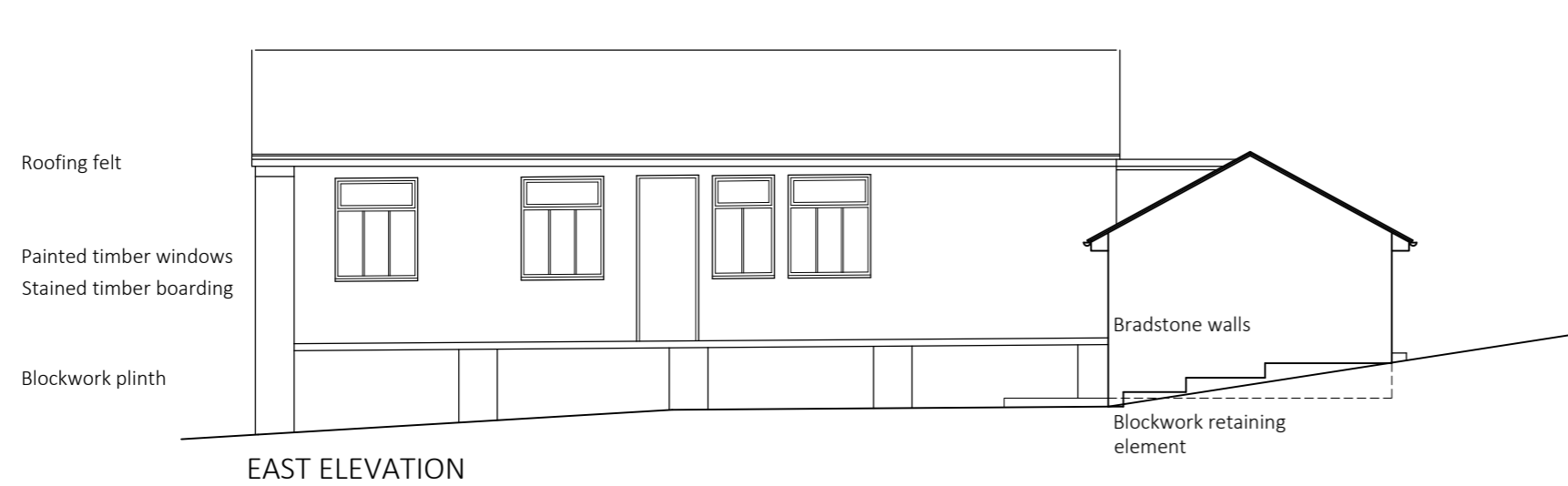
GROUND FLOOR PLAN
Internal layout indicative only - not surveyed



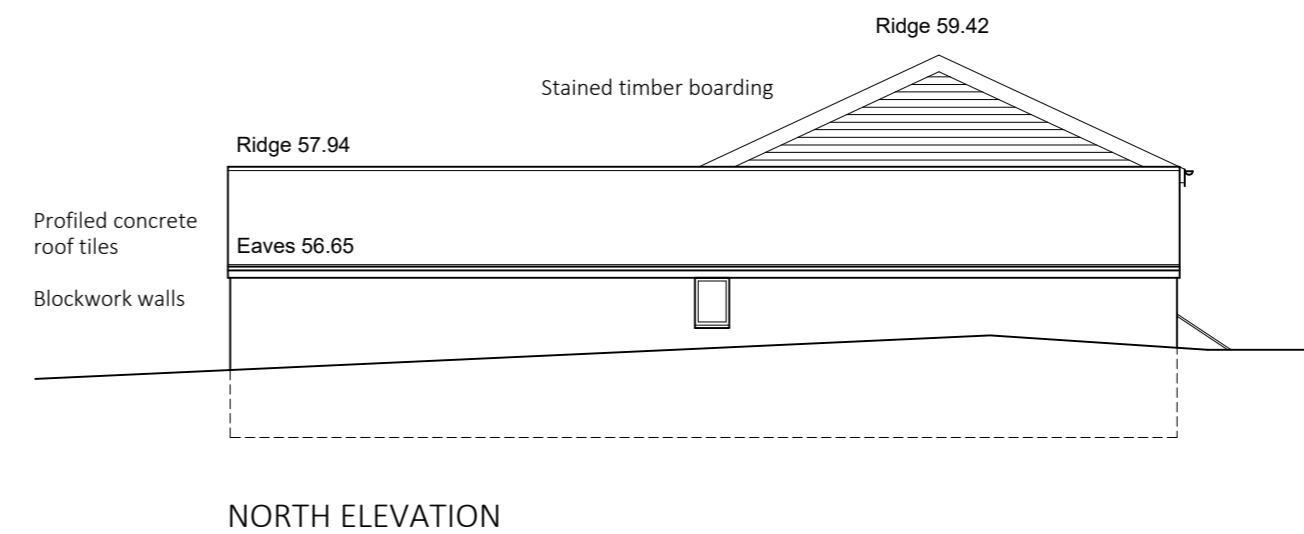
WEST ELEVATION



SOUTH ELEVATION

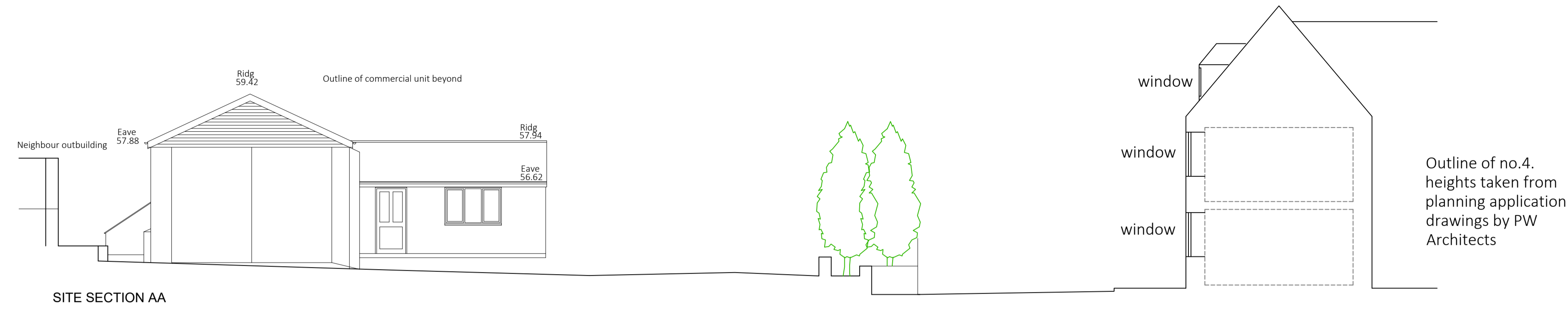


EAST ELEVATION

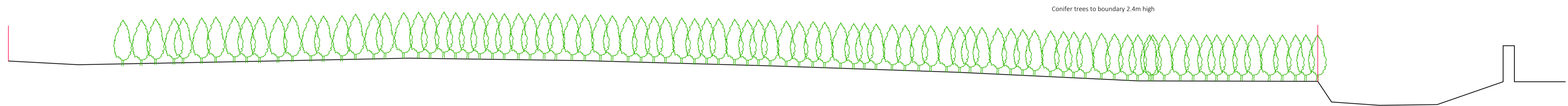


NORTH ELEVATION

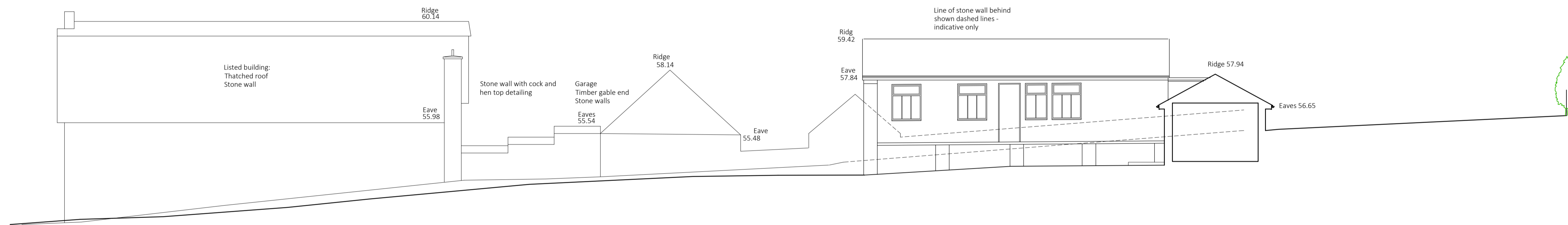




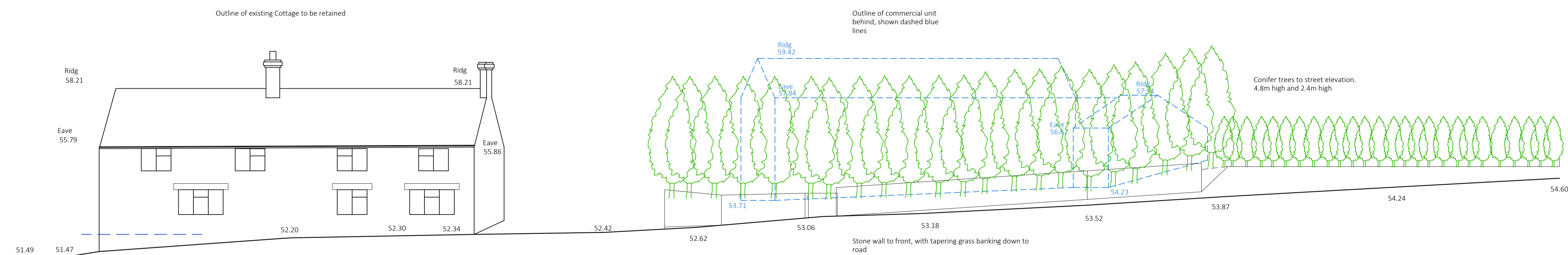
SITE SECTION AA



SITE SECTION BB

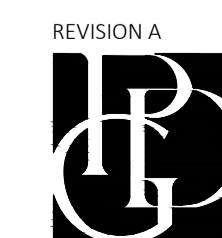


SECTION / ELEVATION CC



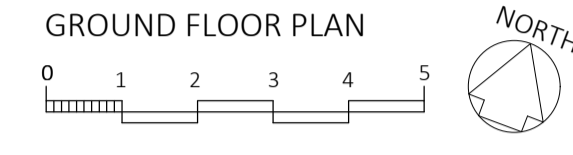
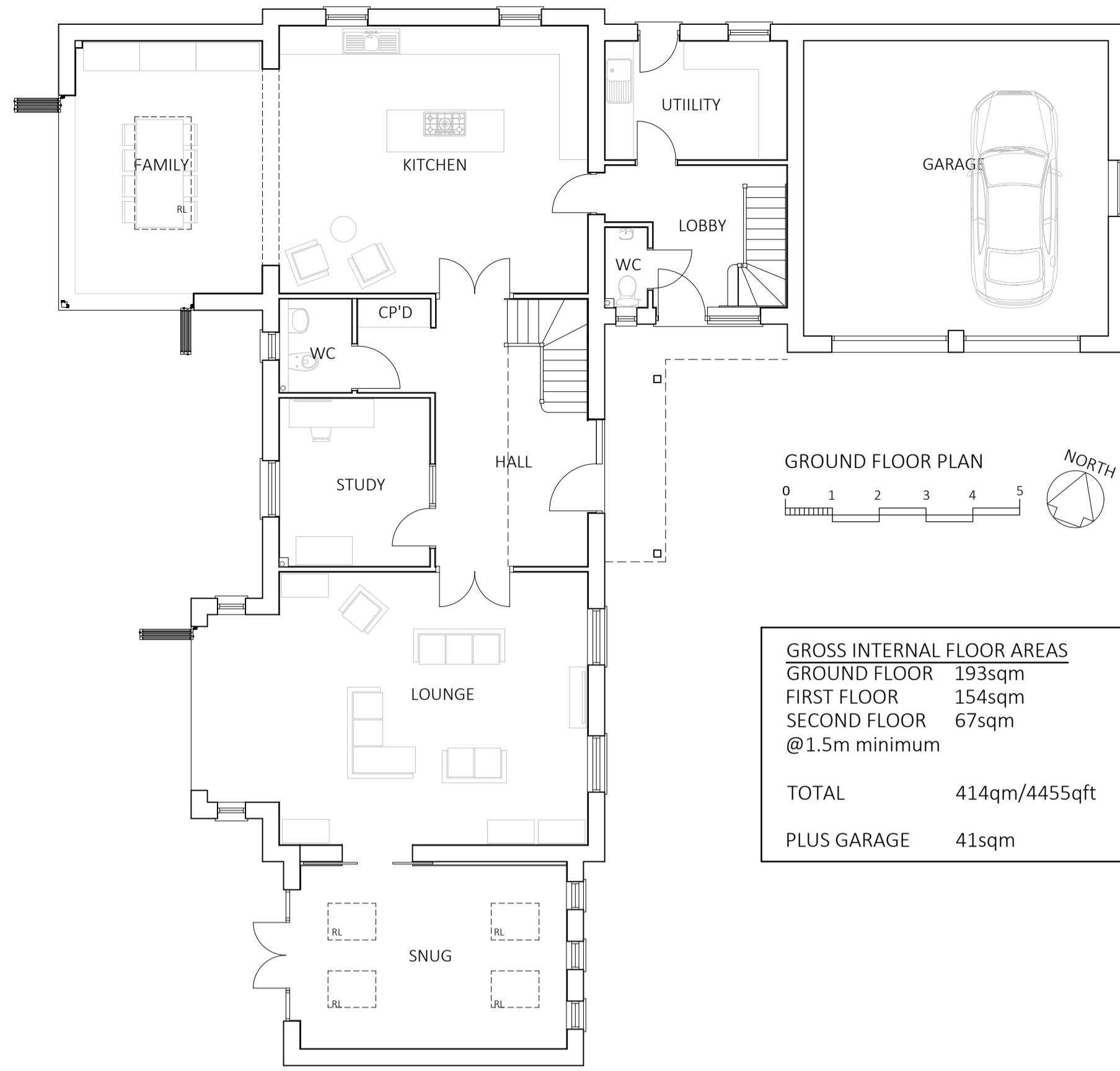
SECTION / ELEVATION DD

REFER TO SITE PLAN FOR LOCATION OF SECTIONS

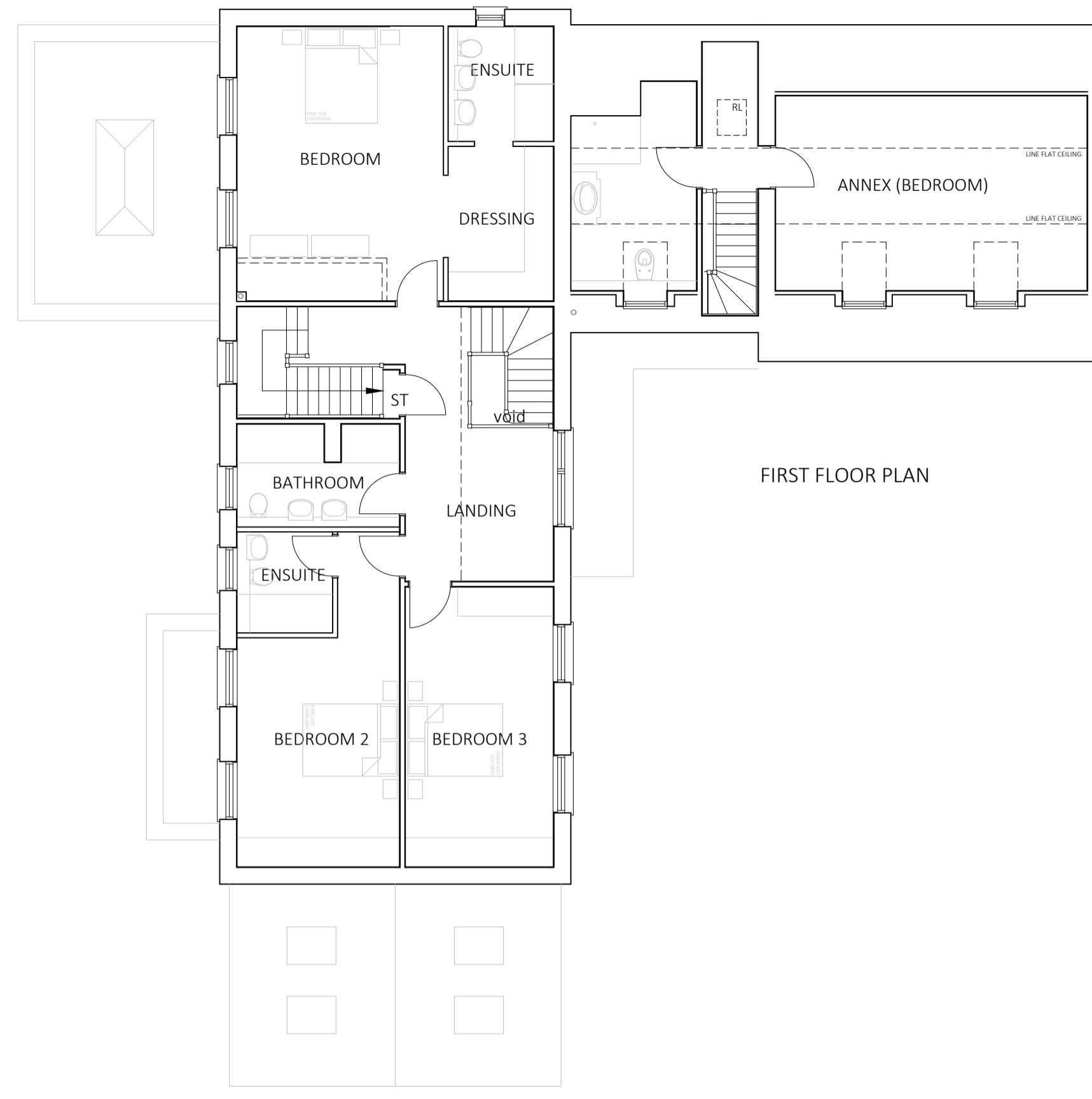


REVISION A
 PLANNING: Site section location plan removed
RESIDENTIAL DEVELOPMENT
 1 TIPPINGS LANE, BARROWDEN
 EXISTING SITE SECTIONS
 Scale: 1:100 @A1 Date: 11/2020
 Drawn: CRB Dwg No: 20037/PL203A

CRB 25/10/22
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GROSS INTERNAL FLOOR AREAS	
GROUND FLOOR	193sqm
FIRST FLOOR	154sqm
SECOND FLOOR	67sqm
@ 1.5m minimum	
TOTAL	414qm/445sqft
PLUS GARAGE	41sqm



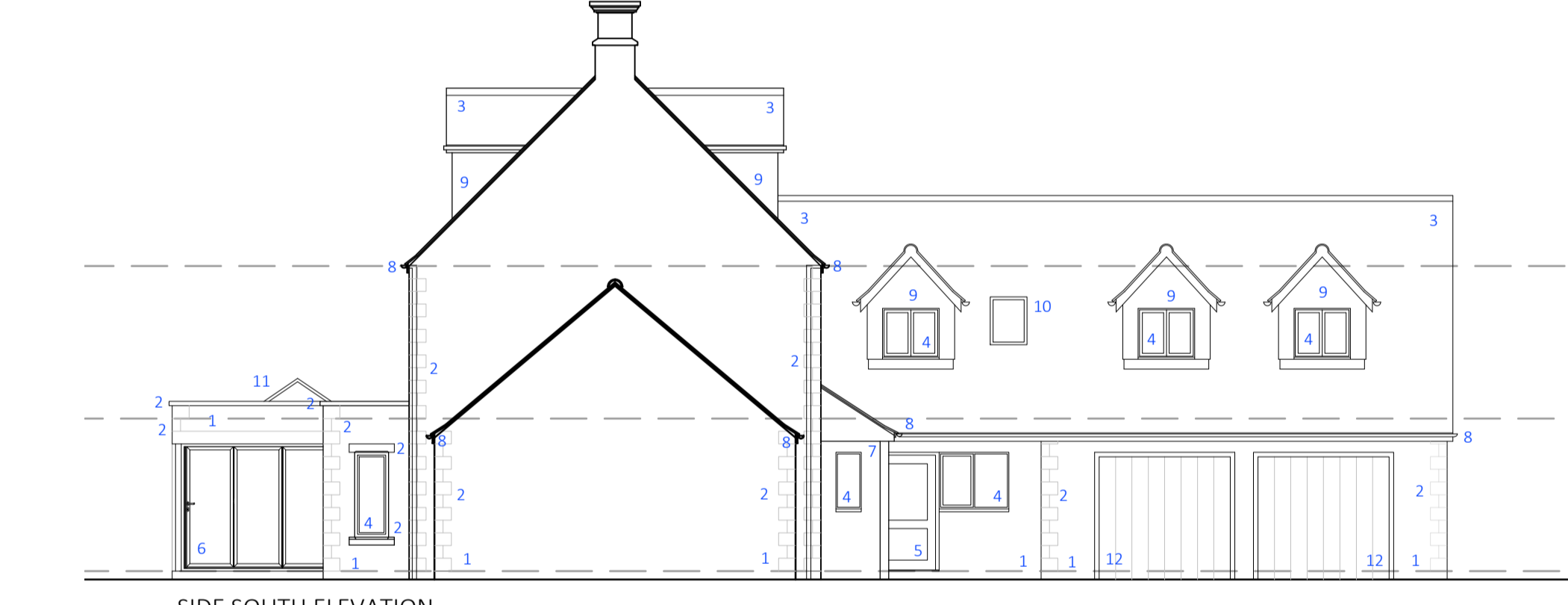
FIRST FLOOR PLAN



FRONT EAST ELEVATION



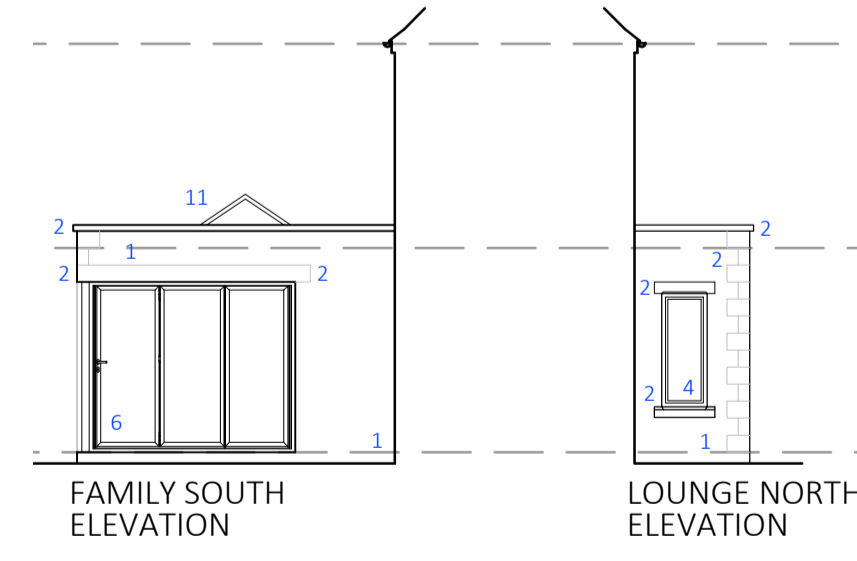
REAR WEST ELEVATION



SIDE SOUTH ELEVATION



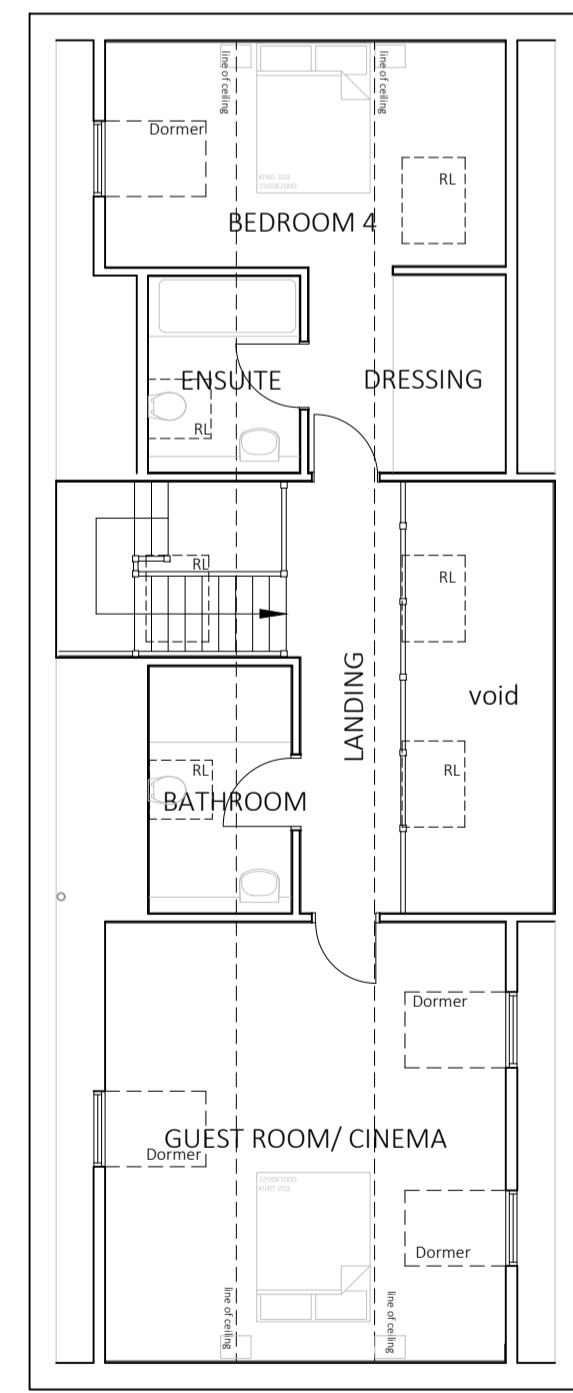
SIDE NORTH ELEVATION



FAMILY SOUTH ELEVATION

LOUNGE NORTH ELEVATION

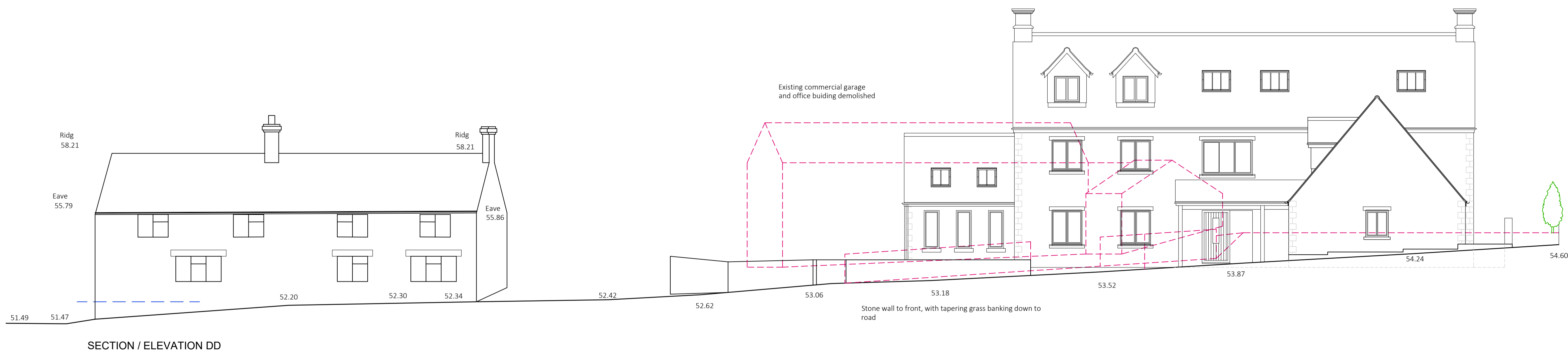
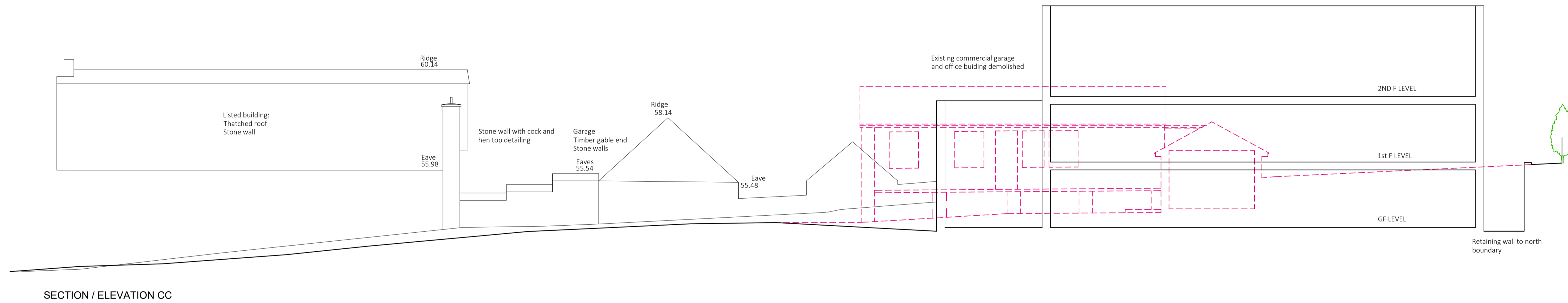
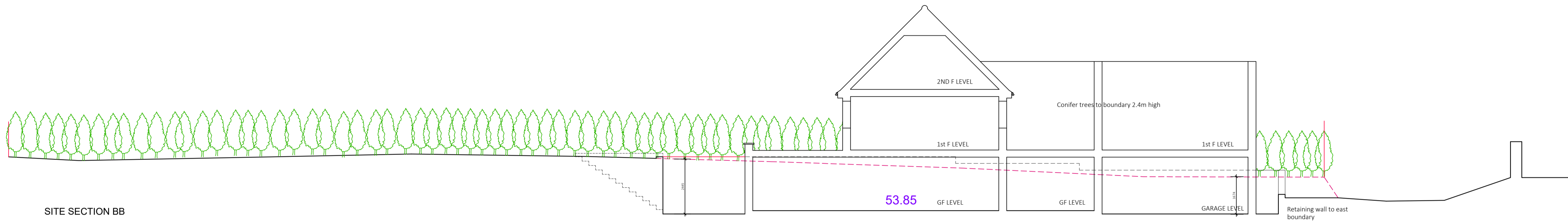
- MATERIALS KEY:**
1. Clipsham Lincolnshire Weather Vain Limestone, sawn on bed
 2. Stone detailing - cills, heads, quions, chimney
 3. Mocha Spanish Natural Slate, Open eaves detail
 4. Painted timber windows, colour RAL 7035
 5. Composite entrance doors, colour TBC
 6. PPC folding sliding screens, colour RAL 7035
 7. Oak frame porch
 8. PPC Rainwater goods: Alutec Evolve half round, 123x51 gutter, 76mm downpipes, Black
Timber fascia board, painted RAL 7035
 9. Dormers - slate as main roof. Face and cheeks lead
 10. Rooflights - Keylite Conservation roof windows
 11. Proprietary roof lantern, Colour Black
 12. Proprietary garage door by Garador, Windsor - colour Black



SECOND FLOOR PLAN



ROOF PLAN



Appeal Decision

Site visit made on 10 May 2022

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27th June 2022

Appeal Ref: APP/A2470/W/21/3289079

Pridmores Haulage 1 Tippings Lane Barrowden Rutland LE15 8EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Justin Bell Kaybee Developments Ltd. against the decision of Rutland Council.
 - The application Ref 2020/1359/FUL, dated 20 November 2020, was refused by notice dated 12 November 2021.
 - The development proposed is demolition of commercial buildings and construction of 2 dwellings and associated access and external works.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the assessment by the Council a series of amended plans were submitted by the applicant. The Council report lists the plans it considered; this list differed from that provided by the applicant. In light of the discrepancy between the main parties, their views were sought, and agreement received that the appeal should proceed on the basis of the plans set out below.
3. I have therefore assessed the appeal proposal against the following plans:
 - Site Location Plan PL01, Existing and Proposed Block Plans PL02, Topographical Survey PL03, Elevations of existing structure PL05A, Proposed Site Layout Plan PL06A, Plans and Elevations of Plot 1 PL08B, Plans and Elevations of Plot 2 PL09B, Proposed Garage to Plot 1 PL10, and Site Sections and Street Elevation PL20A.
4. I consider the CGIs submitted to the Council (Appellant's Doc Ref 22a) as an aide to understanding, as opposed to a definitive plan against which to assess the appeal.

Main Issues

5. From the evidence before me I consider the main issues to be:
 - i) Whether the proposed development would preserve or enhance the character or appearance of Barrowden Conservation Area (BCA).
 - ii) Whether the proposed development would have an adverse effect on the setting of the Grade II listed building (LB) known as Rosemary Cottage

and if an adverse effect were shown whether this would be outweighed by any public benefit arising from the proposal.

Reasons

Preserve or enhance the Barrowden Conservation Area

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the BCA.
7. No Conservation Area appraisal has been provided; however, I was readily able to see at my site visit the quality of the local environment, with the historic village core of attractive stone and slate roofed buildings focused around the village green. A broad open area with mature trees at the heart of this picturesque village.
8. The BCA covers most of the village of Barrowden, and its significance lies in part, in the balance of quality stone buildings with open spaces or gaps between them built around the village green.
9. The appeal site itself, is a former haulage yard with large areas of concrete hardstanding and a utilitarian storage building at its centre. This building and much of the appeal site is readily visible from the northern edge of the village green, across an intervening garden and through the current access off Tippings Lane. As a commercial site with a building of limited architectural merit the site contrasts with the surrounding area. In my view the appeal site has a modest but nevertheless negative effect within the immediate environment and on the character and appearance of the conservation area as a whole.
10. The new dwellings and the proposed garage would be visible from the village seen through the gap between the rear of 1 Tippings Lane and 24 Main Street (Rosemary Cottage). The effect would be noticeably more obvious the closer within the village green you were standing as the land levels rise and any intervening features which may screen, or filter views would no longer have this effect.
11. From this vantage point the depth and bulk of the two dwellings would be apparent. Although much of plot 2 would be screened by plot 1, it would nevertheless be clear that the scale of the buildings proposed is far greater than that of either 1 Tippings Lane or Rosemary Cottage. Additionally, the rear elements significantly exceed in scale the more sympathetic and modest proportions of the buildings proposed to front onto Tippings Lane. The depth, height and overall scale of these rear projections and the buildings as a whole adversely impacts upon the sense of space around and within the site which is so important to the character and appearance of the conservation area.
12. Nor is the size of the proposed houses consistent with the other properties in the immediate area. They are of a far greater bulk, with significant rear projections. This design consequently limits the space about them creating a discordant appearance in contrast to the openness of the overall character of the area more generally.
13. While the removal of the storage building and the change to a residential use would in my view facilitate the opportunity to enhance the character and

appearance of the area. The scheme before me proposes an overly bulky design where the rear projections dominate rather than being subservient to the street frontage wings of each dwelling and the scale and bulk of the buildings adversely affects the space about the buildings and appreciation of the site from within the BCA. This leads to less than substantial harm to the character and appearance of the area.

14. I do not however agree with the assertion that the site forms part of an important view. This is based on a false premise set out by the Council and does not represent the view identified in the landscape character assessment. Nor does it reflect the evidence on the ground. The landscape character assessment identifies the important view across the village green from the junction of Main Street and Tippings Lane away from the appeal site, as opposed to looking across or towards the site. I therefore do not consider there is conflict with policy B1 of the Neighbourhood Plan as suggested.
15. The proposal, nevertheless, would fail to preserve the character and appearance of Barrowden Conservation Area and would be contrary to Policy CS19 and CS22 of the Rutland Core Strategy (RCS) (2011) and SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy BW1 of the Barrowden and Wakeley Neighbourhood Plan (NP) which amongst other things seek to ensure the scale form and design of new development would preserve or enhance the character of the area.

Setting of Listed Buildings

16. The National Planning Policy Framework advises at paragraph 194 that applicants should be required to describe the significance of any heritage assets affected by development and the potential impact of the proposal on the significance. As a minimum the relevant historic environment record should have been consulted and appropriate expertise used.
17. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the LBCA Act') requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.
18. The appeal site is separated from the northern edge of the village green by the rear garden of No.1 Tippings Lane which adjoins the side of Rosemary Cottage a Grade II LB. It is the eastern side of this property that forms much of the western boundary to the appeal site.
19. Rosemary Cottage a Grade II LB is described in the list description as "*Late C17/C18. Coursed rubble stone and thatch roof with moulded stone front gable stack and stone rear stack. Stone coped gable facing, front to left. 2 storeys of 2 2-light renewed casements over similar 3-light (in C20 extension to left), 3-light, 1-light and glazed door. A similar 2-light both floors on gable to street and a fixed 2-light mullion and transom window to rear.*"
20. The Council argue that the proposed dwellings would be harmful to the setting of the LB, but do not explain how they regard it to be harmful. I am also

mindful that the Council's Conservation Officer did not raise this issue as an area of concern.

21. The current setting of the LB benefits visually from the open space adjacent to the eastern elevation allowing views and an appreciation of this façade from both the village green, but also through the current access off Tippings Lane.
22. The appeal site is set to the north of the majority of the eastern facade of the LB. The changes to the views of, and towards the LB by the proposed development from the south would not reduce the availability of the view of this facade. I do not consider that the changes that do arise would be harmful to the setting, or to any element of the setting which could be regarded as affecting its significance.
23. When viewed through the current access, the side elevation of the LB can be viewed, but the concrete yard and utilitarian building within the appeal site frame this view. The appeal proposal would replace the utilitarian building and large areas of hard standing, although views through the access would remain. The appreciation of the façade of the LB would remain from this aspect as well.
24. This would in my view preserve, the setting of the LB with the space immediately adjacent the LB façade remaining open which would consequently not impact on any area of significance of the LB resulting in no harm to this designated heritage asset.
25. There is no dispute between the main parties about the effect on the setting of either 2 Tippings Lane or the Exeter Arms both, Grade II LBs. Although I note interested parties object on this basis. In light of the separation distances, and juxtaposition of the site to these LBs, I agree with the assessment of the main parties, that no harm has been demonstrated to either building or the respective settings.
26. As I do not regard there to be harm and the setting of the LB would be preserved, I do not find there to be a conflict with the principles within the NPPF, or conflict with policies CS22 of the RCS, or policy SP20 of the Site Allocations and Policies Development Plan Document (2014).

Other Matters

27. Barrowden is identified as a 'smaller service centre' within the settlement hierarchy set out under Policy CS3 of the RCS where a minor level of development is capable of being accommodated. This is supplemented by Policy CS4, which also endorses minor scale development on previously developed land or on infill sites such as the appeal site.
28. In seeking to resist the proposal both the Council and Parish Council indicate that the need within the village is for smaller properties, and the site would be better suited to accommodate a development of this type. Alternative proposals are not before me, and I must consider the appeal proposal on its own terms.
29. The NP policy BW9 has a preference for properties of 3 bedrooms or less, but it does not preclude larger properties. As the applicant notes paragraph 5.42 of the NP states "*Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings*

would meet defined local need for housing in general, and any shortfall of such accommodation in particular."

30. The Council accept it is not able to demonstrate a five-year supply of deliverable housing sites, however neither the Council nor the applicant has provided information setting out what they might regard as an up to date figure on the current position. I cannot assess therefore, the degree of the housing shortfall or fully assess the weight that might be attributable to this shortfall.
31. Nevertheless, in accepting there is a shortfall paragraph 11 of the Framework is engaged, which states that where the policies that are most important for determining the application are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
32. While the site meets the broader policy objectives of developing a site within the village on previously developed land. The proposal would make a modest contribution of two dwellings to the supply of housing, and I give this moderate weight in the overall planning balance below.
33. The prospect of developing the site for a viable use, one which follows the broad principles within the development plan I consider important. While preference for a development of the site for a larger number of smaller units has been presented, no evidence has been provided as to whether this is a viable alternative to the current proposal. While the applicant has supported their case with evidence from three estate agents, this I give moderate weight in the planning balance.
34. The applicant also identifies that the removal of the haulage business and the associated noise and traffic generated within the village, would be beneficial to the village and the character and appearance of the conservation area, which I acknowledge as a potential benefit and give this limited weight as there is no detail on the quantities of vehicles that could be removed.
35. In addition, the provision of two new dwellings in the village, would facilitate space for two new families who in turn would support local facilities and businesses, this I consider has limited weight in favour.
36. Interested parties raise objection based on concerns regarding surface water issues and highway safety in Tippings Lane. Neither of these issues formed reasons for refusal or were supported with evidence by the Lead Local Flood or Highways Authority and the site is not identified as an area at flood risk by the Environment Agency. I have no evidence to the contrary before me and am content that had other issues not arisen these concerns could have adequately been dealt with by the imposition of appropriate conditions.
37. The potential for an adverse impact on the living conditions of 4 Tippings Lane was also brought to my attention. The living conditions of neighbours has not formed part of the Council case. From what I have seen and read, I consider that the Council assessment in this regard was appropriate and living conditions of neighbours would remain at an appropriate standard and I regard this as neutral in the overall balance.

Planning Balance

38. Paragraph 11 of the Framework states that where the development plan is out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or there are specific policies in the Framework which indicate that development should be restricted.
39. The proposal would provide a limited amount of short-term employment through the construction of the development and some further modest benefits would result from the additional support to the vitality of the local community from the future occupiers of the two houses. The two new houses would also make a modest contribution to the supply of housing and towards helping to address the Council's shortfall in housing supply.
40. A lack of harm from the proposal to Listed Buildings, highway safety, living conditions of occupiers of nearby dwellings and flood risk I regard as neutral in the planning balance rather than carrying positive weight in favour of the appeal.
41. I have identified harm to the character and appearance of the BCA. While there would be some benefit to the removal of the storage building the harm from the development itself would override any benefit that could arise. This attracts substantial weight against the granting of permission.
42. The benefits of the scheme are therefore limited and significantly outweighed by the harm. As such in accordance with paragraph 11(d), the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework as a whole.

The presumption in favour of sustainable development does not therefore apply and material considerations do not justify a decision otherwise than in accordance with the development plan considered as a whole. For the reasons identified, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Conclusions

43. Overall, the proposal would fail to preserve the character and appearance of the Barrowden Conservation Area. It would also be contrary to Policy CS22 of the Core Strategy Policy SP20 of the DPD on heritage as well as the more general provisions of Policy CS19 of the Core Strategy and Policy SP15 of the DPD which refer to high quality design. The proposed development would not conserve the heritage asset in a manner appropriate to its significance in line with one of the core planning principles of the Framework. Therefore, for the reasons given, the proposal is unacceptable, and the appeal should not succeed.

Edwin Maund

INSPECTOR



DELEGATED REPORT

Application Ref:	2020/1359/FUL	Date of Report:	12-Nov-21
Case Officer:	Paul Milne		
Determination Date:	12 November 2021		

Proposal: Demolition of Commercial buildings and construction of 2 dwellings and associated access and external works

Address: Pridmores Haulage, 1 Tippings Lane, Barrowden, Rutland, LE15 8EW,

Neighbour Responses

Mr Ken Ellis A proportionate and sympathetic development of the site.

Mrs Jean Mitchell This development is in the centre of the Conservation Area of our Village and so is extremely important in the retention of the Character of the village and has implications on any future developments in the village,

As a member of The Barrowden and Wakerley Neighbourhood Plan Group for 5yrs.I have concern that it is very important that this Development adheres to the Design Principles in Policy BW6 of the Plan especially

paragraphs c); e); g; and h) which sets out the types of DESIGN AND MATERIALS necessary for the CONSERVATION AND ENHANCEMENT OF THE DISTINCTIVE HERITAGE CHARACTERISTICS OF BARROWDEN.

This is the THIRD Planning application submitted over the last few recent months that is ignoring many of our N. HOOD PLAN DESIGN PRINCIPLES. These were endorsed and ratified by RUTLAND CC and so became legally

binding in OCTOBER 2019.

I find it worrying that these applications are being perused at this particularly time of year when many residents have the distraction of Christmas and New Year Family Celebrations and we all ,as well as RCC Planning Dept., are under pressure from COVID restrictions, illness and worries.

1) There is an overwhelming use of wooden boarding on the buildings, as well as aluminium / metal window frames instead of wooden ones, presumably to cut down on costs for the developer. These materials are not in keeping with the majority of stone built houses in the village.

I wish to voice objection to these. Also, these are 2 large houses and in our survey for the N.HOOD PLAN residents voiced their support for smaller 3 bedroomed houses to be built to help young families and older residents to remain in the village.

This application mentions our Village Design Statement, however the status of that was only advisory has been superseded by our N.HOOD PLAN and which holds mandatory status.

2) I am also concerned that it is stated that local Limestone is to be used but there is no qualification of what type this will be.

All the houses in close proximity surrounding this site are built of course rubble stone, again a material stated as important, in our N.HOOD PLAN ,for retaining the characteristics, so any deviation from this will look incongruous, especially if it is cut stone and of uniform size and colour.

This is of extreme importance with this site because there are Grade II listed properties on all sides. I know of other new build in the village eg on MAIN STREET where the owner/ builder gave careful consideration to ensure a variety of stone size and colour was used so that the house fitted in with the surrounding properties.

Also with The Burghley Estates Development going to be built further down Main Street, care has been taken to work with Barrowden Parish Council and residents to ensure the objectives of our N.HOOD PLAN are adhered

to. With attention to detail this can be done.

In fact the builder of my own house, built on a brownfield site in the centre of the village, on the site of what was the Village Garage did use course rubble stone and wooden window frames.

3) This development will have a great impact on the Conservation of the Heritage Assets of not only this village but of other villages in Rutland and the protection of these assets are set out I believe , in RUTLAND COUNTY COUNCILS LOCAL PLAN and Core Strategy Documents.

These are my objections and concerns for this Planning Application.

Yours sincerely,

Mrs. Jean Mitchell

Mrs
Mitchell

Jean With reference to the above Planning Application.

After listening to Barrowden Parish Council Meeting on Wed.13th January 2020 and hearing comments made by councillors and residents I wish to add an Addendum to my letter, (attached below) ,. previously sent to you and the Planning Dept. on 4th January 2020

I wish to voice my concern, as other residents have already done ,about the danger the present configuration proposed for the site poses for residents, mainly due to the lack of footpaths on Tippings Lane , onto which the vehicles from these houses will exit.

Not only is this lane a main road into and out of the village, it is also a bus route.

Added to this, the pick - up and drop - off point for School Buses transporting village school children is outside the Exeter Arms over looking the Main Village Green just further down, round the corner from this site. Many young children and parents with small children, some in pushchairs / prams walk up and down this road.

Although this site has been historically a Haulage Business site ,the usage over the years has changed. There are more and much larger lorries for this business than when I came to the village almost 38 yrs ago. so I wonder if

permission would be granted in this day and age for a compatible business to set up and operate on this site now.

However more importantly whereas the lorries left the site between 5.30am and 6.30am returning approx.4.30pm to 5.30pm before and after School Buses, the vehicles, 6 cars at least proposed excluding service vehicles, some of which presumably will have to park on the street , will be accessing these houses at numerous and varied times of day, evening and night. For pedestrians the changed pattern of evening usage, especially in the Winter time ,will pose an increased danger especially for young children coming home from school. Children like to run !

Over the years there has been an Increase in the number of houses and I have seen an increase in traffic using this road. Over 60 houses have been built in the last 15 to 20yrs.

I believe safety of residents is a Planning issue as mentioned in RCC Local Plan and Strategy Documents currently being used for Rutland.

Yours sincerely

Jean Mitchel

Mr & Mrs Chris and Alison Dunn It is difficult to imagine how this development would fit easily into its surroundings: the houses are far too large for the plot and would overwhelm this corner of the village.

There is dangerous access onto Tippings Lane from the front doors of both houses. Regardless of what houses are eventually built here, surely they should be set back further from the road, and main entrances be sited more safely elsewhere?

Parking is largely limited to household cars: where would visitors park? Also turning space seems limited which would inevitably lead to dangerous reversing onto a main route through the village.

Mr & Leslie Grace Mrs and While we have no objection to this site being developed, we object to this planning application for the same reasons as Mr Richard and Mrs Anna Clarke of 4 Tippings Lane, Barrowden. In particular the direct pedestrian access onto Tippings Lane seems very dangerous, and the vehicular

Wilkinson access for No.2 (the most northerly) is such that the front of vehicles exiting will protrude onto the road before the driver has any sideways visibility - extremely dangerous.

An additional objection is that No.2 house will completely block our one view towards the west, especially in winter when it will obliterate the late afternoon sun. We find it particularly objectionable that the site plan includes houses in Dovecote Close, which are higher up and largely unaffected, yet does not show houses in Redland Close which are directly affected as described above.

Mr & Mrs We have looked at the revised plans for this application and still object to
Leslie and the new plans as in our last comments to you.
Grace
Wilkinson

- 1, Houses too large for the plot, Barrowden now needs smaller houses.
2. Tippings Lane is a very busy road with the bus route and one of the main ways out of Barrowden to the A47.
3. Number one house is opposite No 4 Tippings Lane, and the outlook will be directly into their house and number two will over shadow their private garden.
4. We live in Redland Close and it will completely block our view towards the west especially in winter when it will obliterate the late afternoon sun.

Mrs Alison Proposed dwellings are too large for the site and the layout will have an
Last overbearing effect on nearby homes, which include listed buildings. The scale, height, spacing, layout, orientation, design, boundary treatment and use of materials of the proposed dwellings are inappropriate and do not comply with NDP Policies BW6 and BW9. No 4 Tippings Lane will be significantly overlooked and have loss of privacy as well as shading and loss of daylight.

Tippings Lane is a main thoroughfare and bus route with no footpaths, building close to the road could cause significant safety issues for vehicles and pedestrians due to possible on street parking. Planned parking spaces for the properties and turning areas are not sufficient.

Barrowden does not need more large homes. The proportion of households living in detached dwellings is higher in Barrowden (69%) than in either Rutland (47%) or England as a whole (22%). Barrowden has a high proportion of dwellings with 4 or more bedrooms (54%), Rutland (33%) and England (19%). Conversely the percentage of housing stock in Barrowden with 1,2 and 3 bedrooms is significantly lower than in either Rutland or England. This evidence was used to support Barrowden residents desire for

small, sustainable and timely developments that meet the needs of residents and reinforce the unique and distinctive character of the village. (Barrowden & Wakerley Neighbourhood Development Plan 2019).

Alan Mitchell

Having studied the written proposals, statements and drawings relating to the above planning application at 1, Tippings Lane , Barrowden I wish to make the following observations :-

[a] The Architect/Developer suggests his design[s] comply with 'the Village Design Statement' - - surely that document has now been superseded by 'the Neighbourhood Plan' and it is this more recent document which should be strictly adhered to by both Architects and Developers, as well as by Parish and County Council Planning Authorities, when new developments are being designed, proposed AND considered for approval.

[b] The two dwellings proposed for this site do seem rather large and to be crowded into this plot which will, in actual fact, also be required to ultimately provide access, off-road parking, as well as some garden/amenity space for three dwellings in total.

[c] The Architect/Developer has acknowledged the proximity of several 'listed' buildings. However, there are also other dwellings nearby which, though not 'listed', are of some vintage. The layout and crowded nature of the proposed development, with multi-roofed structures of different heights, and in different directions, surely does not comply with the spirit or guidelines required by the Neighbourhood Plan.

[d] As Barrowden is also a Conservation Village, the Architect/Developer needs to be particularly considerate of the adjacent properties when selecting his building materials. His stated intention is to use local or natural limestone which covers a whole plethora of different colours and shapes.

Most of the nearby dwellings to this proposed development, listed or otherwise, are constructed using 'cropped' or 'rubbled' limestone, less regular in shape and which tends to be beige in colour. Some of the cut or sawn natural limestone commonly used today, which can be and often remains permanently very light/bright in colour, can look almost artificial in comparison [almost like Bradstone] and will not blend in with surrounding buildings. Sourcing cropped limestone from two or more quarries can serve the purpose of toning down the unwanted uniformity in shape and colour of stone used in new builds.

The Architect/Developer states that he will be using 'blue slate' for the roof covering - - - this must be Welsh quarried slate and not a synthetic alternative such as those slates made of abestos [or similar] fibre with a

blue plastic skin covering.

[e] The upper section of the gable end of the garage to an adjacent property being clad in oak, or similar, planking is not a good enough reason for the Architect/Developer to propose the use of concrete blockwork with timber cladding to the rear of either of the proposed dwellings at this site. Whatever took place in the recent past is not necessarily acceptable today, and it is important that the spirit as well as the guidelines of the relevant applicable Document, in this case

the Neighbourhood Plan, are embraced by all parties.

[f] There is an old hand operated water pump/well situated near to the existing entrance to this site. I did not notice any information about how this was to be preserved in the Planning Application proposals made by the Architect - - - or is this an oversight on my behalf ?

Mr Mark Symes I write to confirm our support for the application. Whilst it is a shame that the commercial activities have come to a close at this site they remain local in the new operations hub maintaining employment and commercial viability. The development of brown field sites to bring them back into use is encouraged and the application for residential development is welcomed by us at the Exeter Arms.

Mark Symes

Mr Matt Clarke -Too big for plot
-Garden on large house too small
-Design doesn't fit in with surroundings.
-Adjacent to 18th Century listed buildings
-Will dominate village green/village centre
-Not compatible with Barrowden village plan
-Road unsuitable for additional access

Sally Barlow Reference 2020/1359/FUL

Dear Mr Milne,

As a resident of Barrowden I'd like to comment on the above Planning Application :-

1. Firstly, I feel that it is a great shame that this site will be now redeveloped for residential use and not remain as commercial. It would have been an opportunity to provide a site for starter units for local businesses, or crafts. There are no other "business" sites in the Village, but this opportunity has now been lost.....

2. I wish to object to the current Application on several grounds, but primarily as in my view the Village does not need more large family houses, but does need smaller 2 /3 bedroom homes - as set out in the Local and Neighbourhood Plans. e.g Policy BW10 "Development proposals for new residential development will be supported where they meet defined local need for housing, in particular s/s dwellings with 3 or fewer bedrooms ." (Quoted from the Application>)

If this site does not provide them, there are very few potential sites remaining. (The Burghley site will be providing yet more 4 / 5 bedroom homes.)

The Application attempts to justify non-compliance by referencing the number of large properties in the vicinity. Surely, this is not the point of the Policy, but the fact that there is a distinct need in the Village for smaller, more affordable 2/3 bedroom homes and a serious lack of supply.

I fully appreciate that the site may be more valuable with PP for large family homes, but hope the role of the Planning Office and purpose of Local Plans is to protect neighbourhoods from developments which do not positively enhance the area and provide what is needed for future sustainability.

3. The parking provision for the two houses appears inadequate in my view and impractical as there seems to be insufficient space for cars to turn around in order to drive out forwards onto the road. Reversing out would be dangerous here

Plot 1 has 4 bedrooms and 3 spaces . Plot 2 has 5 bedrooms (+ "Playroom/ Office") and 2 spaces shown inside the Garage presumably if they want to leave any space to try to turn around.....

The lack of provision for any visitor spaces will result in on-road parking, which would not be easy in this location without blocking driveways, or

causing potential hazard.

I'd have thought that this site would be better suited to a shared driveway and ample turning circle - with shared visitor spacesor some off-road parking at the front ?

4. I couldn't see any specific mention of the Victorian pump currently sited at the roadside (see photo).The only reference I found is on the Proposed drawings where it's noted "Existing gulley and redundant pump re-modelled to be smaller. " What does this mean ? Will the existing Victorian cast iron pump be retained ?

Does the pump belong to the Applicant, or is it municipally owned ?

As this is a Conservation Area - and this is a rare surviving pump in the Village - surely it should be protected and preserved ? Again, to quote from the Application, Policy CS22 The Historic & Cultural Environment seeks to "protect and enhance the historic assets and their settings".

I am forwarding a copy of this letter to the Parish Council -as they have requested - because they are due to discuss the Application at their meeting on 13th January (after your deadline for comments ?)

yours sincerely,

Sally Barlow

3 Main Street

Mr & Mrs Chris and Alison Dunn The buildings on the development are still far too large for the size of the plot and will dominate and overwhelm the neighbouring properties, taking away light and privacy.

Mr Tim Blake Attention Paul Milne, Planning Department
Rutland County Council

Reference:

2020/1359/FUL | Demolition of Commercial buildings and construction of 2 dwellings and associated access and external works | Pridmores Haulage 1 Tippings Lane Barrowden Rutland LE15 8EW

I would like to make a number of observations and objections to the application referenced above:

1.

The intended development plot along with the adjacent dwelling No.1 Tippings Lane, have been, by all intents and purposes, combined for many years as you can see from the aerial photograph accompanying the planning application. The newly proposed plans do not take into consideration any vehicular access to No.1 whatsoever. Currently No.1 can access the rear of the property and parking by use of the main 'yard' driveway. It is feared that No.1 will become property stock in Barrowden without any vehicular access or off-road parking at all, something the village, the village plan and all planning groups try to avoid wherever possible.

2.

I cannot agree with the intent to build two very large, detached family properties on such unsuitably small individual plots, offering each one very limited and restricted garden space. I believe it is important for family homes to have gardens that are suitable for the capacity of the dwelling wherever possible. We now live in an age where we are trying to encourage less inside technical time and more outside enjoyment, to encourage mental wellbeing and healthy development. The current pandemic has shown the importance of our own outside spaces.

3.

The position and orientation of each of these intended properties poses dangers with regard to the busy road outside their intended doors. Despite 'Tippings Lane' sounding idyllic and tranquil, it also happens to be one of the main arterial roads giving access in and out of Barrowden. It is used by much of the private traffic, main bus route, school bus route, and taxi services. Plus of course the ever-increasing online delivery companies. It would make sense to alter the orientation so that their main access doors were on their south elevations, off their driveways, preventing an almost inevitable accident. In addition to this safety measure and observation, it

would make further sense to locate each property further back from the road. Moving the properties further back would also lessen the issue of privacy invasion to the property that would be directly opposite. You may think that there is a precedent for houses to be built adjacent to the road, but most of these properties were built hundreds of years ago when traffic was farmstock and very much slower. Many older properties in the village have taken this very precaution if they are close to the road and have provided access to the side. This is endorsed by every adjacent property to this intended development site.

4.

I note from the planning portal that the neighbours consulted does not include all the immediate and affected properties. This may be an oversight, or it may indicate a lack of consideration for residents that will be very much affected by this development should it go ahead. This development in its current form would be an enormous change in the appearance of this beautiful well loved historical village. Not only would it be detrimental to the appearance, but it would also overshadow and change the essence of the current village properties.

Finally, I know that myself and other Barrowden residents would encourage the transition of this plot from commercial to private dwellings. Times have changed, to currently to entertain the idea of a haulage company operating from the very centre of this picturesque village would be unthinkable. So, an opportunity to change this fact is a very positive thing, however, we as guardians of Barrowden and our responsibility to future generations need to ensure we make that transition safely and with due consideration to the aspects I have included above.

I would imagine that this initial application is 'testing the waters' with regard to what could potentially be a very profitable development for the landowners and developers but a poor outcome for the village. However, I trust that our very able planning control can put in place some control and guidance that will benefit the village and its future.

Yours sincerely

Tim J H Blake

Mr & Mrs
Richard and
Anna Clarke

In addition to our previous comments, we refer to the Barrowden Neighbourhood Plan, Para 5.38

'...it will be vital to ensure that proposals do not.... cause significant loss of amenity to neighbouring properties. Adverse impacts can include the erosion of privacy, loss of daylight, overlooking, visual intrusion, . 'Tandem' development, where one dwelling is erected directly behind an existing dwelling, is likely to be particularly problematic when sited on a small sized plot or sharing the same access as the existing dwelling due to problems of overlooking and noise disturbance.

We believe that the two proposed houses on the plots opposite our house will have a significant impact on our privacy and loss of daylight. The height of the conifer hedge currently is 2.4 and 4.8 m but the proposed heights of the houses are 6.468m for plot 1 and 7.5 m for plot 2. The windows of Plot 1 house will look directly into our windows, adversely affecting our privacy. The height of both houses will significantly affect the daylight to our house and garden, particularly in the afternoon and evening, the only time this part of our house and garden gets direct sunlight. We will feel overlooked and dominated by the proximity and height of these dwellings.

In their submission, the developer proposed that large houses were in keeping with neighbouring properties, including our own which they said has 'at least' 5 bedrooms. Our house has 5 bedrooms, while the proposed house has 5 bedrooms and a large upstairs playroom/home office, giving more rooms upstairs than our house. This seems to be a misleading supposition about our neighbouring property. Furthermore, our 5 bedroom house is on a large plot in keeping with the size of the house.

Mr & Mrs Richard and Anna Clarke Although we are supportive for the site to be used for residential housing, we would like to object to the current planning proposal on a number of issues:

1) The two houses are much too big for the size of their plots, and would look too dominant in the historical centre of this village.

2) The main front doors and very short entrance paths of the two properties come directly out onto the main roadway. There is no public footpath on this side of Tippings Lane leading to three problematic issues:

a) Having the main front doors on the road would encourage parking on the narrow Tippings Lane, which would not only cause traffic problems but also obscure the access to and from the driveways, and visibility for other vehicles and pedestrians. There is no verge for pedestrians to shelter on

when cars pass. The existing small grass verge has been lost.

b) Tippings Lane is one of the main roads in and out of the village, being a direct link to the A47. This makes the road busy, with a regular flow of cars, delivery vans and lorries that make their way in and out of the village to and from the A47. The road is very narrow and vehicles have to pull in and stop to pass each other. Furthermore, there is a steady flow of pedestrians.

c) Tippings Lane is on the main Service Bus route with service buses running at hourly intervals. There are two school buses that use this as their route into and out of the village.

The main issue here is the absence of a public footpath outside both plots. The plans show a low wall bordering Plot 2 and shrubs on both plots.

The phrase "accident waiting to happen" comes to mind. One small excited child running out of the front door and straight onto a road

with no footpath is all it takes!

Tippings Lane is a busy pedestrian route including children walking to and from their school buses. The lack of footpath in the narrow part of Tippings Lane will be made worse by the proposed houses being sited so close to the road and the apparent loss of the small exiting verge. Pedestrians can regularly be seen taking refuge on this verge. Tippings Lane narrows down outside Plot 2 from 5 meters down to only 4.2 meters width, with a high inaccessible verge on the side opposite the plots.

Consideration: Set the houses further back from the road. Position the front doors of the properties on their south side elevation so that they open up onto their own driveways. This would discourage parking on the narrow and busy Tippings Lane, make it safer for loading and unloading. This would be in keeping with most other houses on Tippings Lane which have access to their houses from the driveways.

3) Impact on our property, 4 Tippings Lane Barrowden:

The position, next to the road and large size of the two properties impacts massively on our privacy:

a) House on Plot 1: Having windows directly opposite our own windows infringes on our privacy which will be especially noticeable on the upstairs bedroom windows.

Consideration: House to be situated further back from the road. Top windows to be kept as small as possible and landing window to have obscured glass.

b) House on Plot 2: The excessive size and position of this property invades the privacy and integrity of our 300 year old private garden, in two ways:

Firstly the upstairs windows will look directly down onto our walled garden.

Secondly the plot 2 house will completely block out the late afternoon and evening sun thus putting a large part of the garden into the shade.

Consideration:

The house design on plot 2 to be smaller. The top roof line and the ground level of the site to be lowered as much as possible. The house to be situated further back from the road.

4) Bin collection point.

It states on the plan 'Bin collection point at front of plot'.

As already pointed out, the road is busy and narrow with no path or space for bins other than blocking the house's own driveway or blocking the road, so this idea is not viable, especially for plot 2.

5) Historical Village Pump.

It states in the plan on Plot 1: "Existing gulley and redundant pump to be remodelled to be smaller."

We would like the pump and its surrounding Victorian stone and brick work not to be 'remodelled to be smaller' but to be conserved and restored, as is (not to working order). It is an important Historical Barrowden Village artefact and an integral part of the very DNA of the Village.

It is also owned by the Parish.

Mr & Mrs We have considered the revised plans for this development. We believe our
Richard and previous two submissions (objections) are still relevant.
Anna Clarke

We feel very strongly that our main objections in relation to the size and height of the two large houses opposite our house will cause significant overshadowing, loss of privacy and loss of light. The revised plans have not been amended at all in this respect.

Plot 1 has windows looking directly into our windows, causing loss of privacy and dominance over our house. The roofline is higher than the existing conifer hedge.

Plot 2 is even higher which is then compounded by being situated higher up the hill of Tippings Lane. The resulting height would be excessive. This house would dominate our private garden, causing loss of privacy and loss of light, especially when the sun is low in the West. The only part of our garden which receives reasonable light for growing vegetables will be badly affected. From the plans the house appears to be roughly 3 times the height of the existing hedge. It is hard to see the heights of these houses from the plans and measure the 45 degree angle advised for light, but it is easy to see the adverse impact they will have on our property.

Our other previous points remain of serious concern. The houses are much too large for the plots and for this historic central part of the village. The Neighbourhood Plan is clear that this size of property should only be permitted after a need has been demonstrated.

We remain very concerned about the increase in traffic on this very narrow and busy road and bus route. It is likely that visitors to these properties and tradespeople will park on the road causing potentially serious problems. There has recently been a tradesvan parked outside a house further up the lane with a huge amount of damage caused to the opposite verge as buses and larger vehicles tried to negotiate round it. As we stated before, this is also a busy route for pedestrians with mostly no footpath and poor visibility.

We would feel very adversely impacted and overshadowed by this planning application of two very large houses.

We would invite members of the planning committee to visit the site and see for themselves the negative impact on our property, on Tippings Lane and on the historic centre of the village.

Mr Andrew Gray In addition to the points raised about the physical design and location of the buildings, the chief reason for my objection is I disagree with the change of use from commercial to residential. If villages like Barrowden are to attract a variety of age groups, particularly younger ones to the village that then are able to stay in the village and be a part of a inclusive sustainable

community, these sites should be developed as part of a wider vision to provide local employment. As government has quite clearly stated in our netzero transition, supply chains, livelihoods, services etc are all set to become more local again, which personally I think is great news, however converting 1 of the 2 remaining commercial plots to residential in the village I fear will be seen as short sighted in the future.

Mrs Julia
Nichols Whilst supporting the change of use of this plot, I am disappointed with the proposals for these two buildings and the impact they would have on the village. These very large houses would dominate this corner of the village. Currently the buildings are set back and low lying maintain space and openness .

The first house being situated directly opposite the existing house across a narrow road is an unacceptable invasion of privacy and reduction of light. Surely the upstairs windows will look directly into this house and garden ? The disregard for neighbours is of concern in this design.

The houses being straight onto the road is dangerous for safety of the occupants and for pedestrians. There is no pavement here and children already take refuge on the verge when cars pass. This is a relatively busy road although narrow, and the school bus passes this way...children regularly walk it as do elderly, dog walkers etc..

The village pump is an important historic asset and I would like to see preserved. I am not sure who this belongs to.

The village needs smaller houses to balance the demographic. I believe the villagers and village plan supports this.

Mrs Jean
Mitchell Just a comment about the revised plans for Pridmore's Haulage Yard.
The developers show photos of examples of houses with doors opening onto the street. What is not obvious is that 2 examples do not show that these properties have a footpath and then about 2 metres of grass separating them from the roads they open onto.

There are examples of 2 houses , 1 in Chapel Lane and 1 on Main Street which have doors opening onto the roadway. However having lived here for 32 yrs. I know these entrances have not, historically , been used frequently as Main Entrances over that period I have lived here.

I live opposite one of them which has over that time been a 2nd home , used only at weekends for most of that time, by the present occupant.

Also they were built in the 1800s or earlier and were Agricultural dwellings and barns built at a time when our village lanes were mostly used by pedestrians and a few horse drawn carts.

New build surely must reflect the fact that modern usage of these roads is vastly different. With not only increased amounts of traffic including large Service Vehicles , but also larger cars , larger buses and sometimes enormous agricultural machinery.

I believe in the current Rutland Local Plan and Strategy Documents it states that there is a requirement of RCC for the protection of residents ,presumably this includes from traffic on publicly owned roads as well as protection of Rutland Heritage Assets. Our Conservation Village is one of Rutland's Heritage Assets and what is allowed to happen here has potential ramifications for Rutland County's other Heritage Assets.

In the 1970s and 80s there was lax and inattention to preserving these assets in Planning Applications ,but thankfully times have changed and nationally there is more awareness of the importance to conserve places and buildings of character for future generations. I think of Councils and other Public Bodies as the frontline Guardians for this.

These proposed new houses front a narrow road with no footpath on the side nearest to the site. Tippings Lane is used by numerous large service vehicles , large 4x4 cars and Public Transport vehicles , including School Buses, and many school children, as well as adults , having to walk up and down the road from the drop off point / bus stop on the Village Green area.

Surely the Planning Officers and RCC Highways Dept. have a responsibility to take into account the increased new danger, that will be posed to residents , from the increase in personally owned cars of any new owners of the houses going to and fro at more frequent and varied times of the day, as opposed to the infrequent twice a day usage /access which I have observed over the years (early am / late afternoon only) when the Pridmore's lorries used the one wide access.

This is the difference which will occur with the changed usage this site.

So the safest possible access configuration for vehicles and people usage surely must be a requisite for any acceptable plan.

Yours sincerely

Jean Mitchell

Mr & Mrs Leslie WILKINSON We have looked at the revised plans for this application and still object to the new plans as in our last comments to you.

- 1, Houses too large for the plot, Barrowden now needs smaller houses.
2. Tippings Lane is a very busy road with the bus route and one of the main ways out of Barrowden to the A47.
3. Number one house is opposite No 4 Tippings Lane, and the outlook will be directly into their house and number two will over shadow their private garden.
4. We live in Redland Close and it will completely block our view towards the west especially in winter when it will obliterate the late afternoon sun.

Mrs Alison Last I have looked at the revised plans for the above planning application and, unfortunately, although the developer has made some changes, they don't significantly address my two main objections which are the size and the position of the properties that in my opinion, will cause: loss of light, overshadowing and loss of privacy for No 4 Tippings Lane and the visual impact of two large houses dominating many of the surrounding properties (including the cottage on the development site).

John & Pat Comber We would like to comment on your proposed plans for the above sight.
We were quite happy with the 3 smaller houses proposed originally in accordance with the village plan. There is a need in Barrowden for 3 bedroom homes but not for the enormous houses you are proposing.

We live in the 17th century stone thatched cottage Grade 11 listed and in a conservation village. The 2 very large houses you propose would completely dominate not only our home but also the centre of the picturesque village of Barrowden. Looking totally out of place along the narrow Tippings Lane

The very large and tall houses you propose would destroy the privacy of all our Garden and are totally out of keeping with the village plan.

Mr Hubbard Matt I have been instructed by my clients to provide planning support for an on-going planning application for residential development in Barrowden village - 2020/1359/FUL

Contemporary planning policies and the Barrowden and Wakerley Neighbourhood Plan (NP) are, in my opinion, generally supportive of the development, although the consideration of the application has stalled presently. The proposal is to redevelop a commercial brownfield site in the centre of the village with 2 large dwellings and is effectively a 'windfall site' in planning terms. There is a call for the provision of smaller dwellings on the site, in order to comply with the 'housing needs' as referred to in the NP.

However, there does not appear to be any evidence with the NP as to what the 'housing needs' are for the village, nor is this defined with the 'development plan'. Policy BW10 states that '...Development proposals for new residential development will be supported where they meet defined local need for homes, in particular single storey dwellings, with 3 or fewer bedrooms'. The supporting text for the policy, at paragraph 5.42, does go on to state:

'Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings would meet defined local need for housing in general, and any shortfall of such accommodation in particular'

What I cannot establish is what the actual housing needs for the village are, as there is no evidence of this with the documents that I have viewed, and nothing is apparent on the Council's website.

Are you able to provide me with this information, or provide me with a link to the relevant part of the Council's website where this information can be viewed, please?

I look forward to hearing from you with this information at your earliest

opportunity.

Yours faithfully.

Matt Hubbard

Kaybee
Developments
Ltd

Please see online for letter of support.

Mrs
Comber

Pat Proposed development of pridmores yard

We own the thatched cottage next to the Pridmores boundary.

I am writing to say we strongly object to the bungalow being so close to our boundary wall which will affect our privacy.

We have seen your plans and (Plot 4) is built right up against our garden wall. This will certainly invade our privacy. It will surely have windows on the south side looking straight in to our garden. Not very satisfactory for any future owners either.

Driveways and car parking are right next to our property with the inevitable noise that will bring and fumes. It seems we would be on the edge of a car park.

I hope you will make some satisfactory adjustments.

Hopefully removing the bungalow altogether.

Sincerely

John and Pat Comber

Rosemary Cottage

26 Main St

Barrowden LE15 8EQ

Mr Alan & Mrs
Jean Mitchell

Dear Richard,

These are some comments that we wish to make about the above Planning Application which is to be discussed at the Parish Council Meeting on 28th July.

1) The new configuration of 3 or 4 houses is still making a crowded site with a possible high no. of vehicles of the new residents and any necessary services vehicles accessing and exiting the site at various times , onto a well used road, used not only by villagers, school buses, agricultural vehicles but the many customers visiting the nearby Exeter Arms Public House.

So, we respectively suggest the preference should be for a maximum of 3 dwellings with the 2 larger houses having the Gable Ends facing onto the street and a smaller 1 storey property at the rear of the site. This would lessen the loss of privacy for 4, Tippings Lane , especially the garden area , and of Rosemary Cottage, which are the 2 most affected / impinged on neighbours of this development.

2) Over the many years we have lived in the village (38) and while working on the N.Hood Plan (5yrs)I have become aware that the historical orientation of many of the older stone houses is Linear ,with the Gable Ends presenting onto the streets and with the frontages South facing, eg. many of the Grade II Properties on Chapel Lane , which runs parallel to Tippings Lane, and also some of the older houses on Wheel and Kings Lane .

The original design of our house on Chapel Lane was indeed this configuration we were told by former residents. Also it was situated much further forward on the site , mirroring the Grade II listed property No 8 Chapel Lane immediately to the North and the other Grade II listed properties of no.10, 11 and 13 Chapel Lane.

However , after objections that this position would obscure the lovely , historic south view of no. 8 ,the plan was changed with our house positioned further back on the plot and also the design changed by the builder to reflect the one property immediately below ours , no 2, Chapel Lane (Cornerstones). So obviously with thoughtfulness plans can be changed for practical and aesthetic reasons.

As this is a Conservation Village we will be making these points to the Conservation Officer for Rutland and we would ask for all the comments

made in our previous letters to BPC and RCC Planning Dept. about this development to be taken into consideration please.

3) In fact the view north, towards Tippings Lane from the central Village Green below the site , is foremost that of the Gable Ends of Rosemary Cottage and the present house immediately south of Pridmore's Haulage site.

So In our opinion , to fit in historically , the 2 houses proposed for the front of the Pridmore site should have the Gable Ends facing onto the street. This would also give privacy to the 2 properties most affected, 4 Tippings Lane (especially its garden which will be overlooked , causing a loss of privacy) and Rosemary Cottage.

We understand the proximity of the rear bungalow will be extremely close to Rosemary Cottage garden / boundary so there will be a loss privacy for their garden and also intrusive noise from the parking area with the proposed configurations.

Our house is well back from the highway of Chapel Lane but on occasions we are still aware of low level traffic and pedestrian noise at times.

The street noises will be much greater for these properties with the proposed configurations as shown.

With the different configuration we are suggesting the new owners of these properties would also benefit ,as they would not have the intrusive noise and lack of privacy from traffic and pedestrians passing very close to the living areas, at the front of their properties.

Loss of privacy and intrusive noise ,which affects well being , are both relevant planning issues in our understanding.

Maybe these concerns should be considered by the developers if they are hopeful of interesting potential buyers.

3) We would like to point out that there is a very mature, healthy Ash Tree on the boundary of the site and Rosemary Cottage.

How will the this large tree and its roots be impinged on by this development ? We believe Ash Trees are now a protected species so surely attention must be given to this.

These are the reasons why we voice our objections to these revised plans.

Yours sincerely,

Mrs. Jean Mitchell

Mr . Alan Mitchell

Mrs Alison Last The positioning of the proposed new properties on Tippings Lane, in my opinion, is of no benefit to anyone. The two facing the road will significantly overlook Mr & Mrs Clarke's house, at 4 Tippings Lane, which is intrusive for all parties. Noise from the road will be channelled and reverberate and affect the houses on both sides. Tippings Lane is narrow and THE main thoroughfare to and from the village - especially traffic to the centre of the village and also to the pub and the village greens. It is a bus route (both public and school) and will be dangerous for anyone stepping out of the new properties as there is no footpath - unlike on the other side of the road. Why can't the houses go end on? Better for everyone and safer for all concerned; also better for the street scene. In Barrowden where the roads are narrow and without verges, if there is a choice of position, they should be end on.

My other concern is the very large, beautiful Ash tree at the back of Rosemary Cottage on the edge of the site. It is in excellent condition and should not be disturbed. The roots of this tree will be long reaching and I cannot see how a bungalow can be built right next to it. The position of the bungalow is also very intrusive to Mr & Mrs Comber directly overlooking their garden, the land at the back of them needs to be a garden area - in view of the ash tree especially.

Realistically the site, in my opinion, is only big enough for two new houses. I hope consideration is given to these points and common sense prevails.

Consultation Responses

Lead Local Flood Authority Officer As this isn't a MAJ development, surface water drainage isnt one of the things that is usually brought up. However I note the points raised by the Parish Council.

The EA surface water maps say that Tippings Lane, Barrowden has a low risk of surface water flooding. The EA flood maps also show this area in flood zone 1, where there is no risk of flooding.

However as the Parish Council have local knowledge of the area and what previously has happened through the village, therefore, I would recommend the following condition:

The development hereby permitted shall not commence until details of the design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;

- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

- c) Flood water exceedance routes, both on and off site;

- d) A timetable for implementation;

- e) Site investigation and test results to confirm infiltrations rates; and

- f) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

This will ensure that the proposed development can be adequately drained and there is also no flood risk off site from the proposed development. Any land drainage works (eg alterations to existing culverts or culvert repairs) will require land drainage consent. Land Drainage consent would be required on top of the planning application

INTRODUCTION

At a special meeting of Barrowden Parish Council on 16 February 2021 consideration was given to the new proposals for the above application based on drawings PL06A, PLO7A, PL08B & PL09B. The proposed development will be governed principally by the Barrowden & Wakerley Neighbourhood plan. It is the latest development planning document to have been adopted (December 2019) and therefore takes precedence over the relevant core strategy 2011 and site allocation and DPD 2014.

The parish council has previously considered this development, and councillors are of the view that they would support development on this site if it were in line with the provisions of the baritone and Wakerley neighbourhood plan and local and national planning policies.

NATIONAL PLANNING POLICY FRAMEWORK

Para 123 of the NPPF states that 'decisions should avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In view of the current Rutland position in relation to its five year land supply this means, as set out in the NPPF para 123 C), that .. Local planning authorities should refuse applications which fail to make efficient use of land.

In response to the planning pre-application 2019/0292/PRE planning officer stated in his email of 12 November 2019 that at least three dwellings might be acceptable on this site subject to conditions.

The proposal of two oversized dwellings fails to meet the requirement of the NPPF para 123 given that up to double the proposed number number of dwellings could be accommodated on the site.

NEIGHBOURHOOD PLAN POLICIES

Considering each of the neighbourhood plan policies in turn, the parish council notes below where the proposed development fails to meet the requirements of those policies.

The BW1 LANDSCAPE CHARACTER & IMPORTANT VIEWS

Policy BW1 states that:

'The development shall conserve and enhance the positive characteristics of the local landscape outlined in Barrington and Wakerley landscape and character assessment'.

Within that character assessment, it states that:

'infill sites are sensitively integrated into the settlements and surrounding area in such a way as to not detract from the character of surrounding properties'.

As an infill site, the present application fails to meet the requirement of being sensitively integrated into the settlements and surrounding areas, as it will detract from the three listed buildings and the mature property opposite at 4 Tippings Lane.

The application does not meet the requirements of the policy.

Set at the entrance to the renowned vistas associated with an immaculately maintained village green, the view looking to the north and north-east from the green will be negatively impacted by the development. There is concern that the proposed buildings would be out of proportion, both in terms of scale and height. A cross section from the village through the gap between 1 Tippings Lane and 24 Main Streethad been requested of the developer, but this has not been forthcoming and therefore the council can only presume that the mass of the buildings will be clearly seen from the village green, which would have an adverse impact contrary to BW1 para 2.

The application does not meet the requirements of the policy.

BW6 DESIGN PRINCIPLES FOR BARROWDEN & WAKERLEY

Para 1 of the policy reaffirms the need for any development to meet neighbourhood plan landscape and character assessment. The scale and mass of the proposed two dwellings are not in keeping with the surrounding buildings. The largest of the two buildings, plot two, is in excess of 3660 ft² internal floor space (plus the opportunity to convert a further room for habitation), which is some 25% larger than the average 'large' house in the village. Plot one will be about 3000 ft².

Para 2 (E) it is noted that the development will have artificial Collyweston slate roofing.

Para 2 (G) it is noted that the windows and doors are in wood. However, there is still timber cladding showing on the northern elevation of plot 2. Timber is not appropriate for the main buildings and would only be acceptable on external appendages such as a porch.

The application does not meet the requirements of the policy.

Para 2 (H) the use of post and rail fencing along with hedging in place of wooden fences at the entrance to the site and all the way to the rear

boundary is noted. There are no drawings provided to confirm the location and detail of such hedging. Further details should be requested from the developer, ideally in the form of a detailed drawing.

The application does not meet the requirements of the policy

THE LOCAL IMPACT OF CONSTRUCTION

Given the narrowness of Tipping's Lane and the fact that this is a bus route, if planners are minded to approve the application, then the developer should be requested as a condition of the planning approval to provide a construction logistics plan which would include the requirement that no vehicles belonging to the contractor or subcontractor's should be parked outside the boundary of the site, especially on Tipping's Lane.

BW7 SURFACE WATER FLOODING

The developer has not commented on the parish council's previous concerns about the incorrect flood drawing provided, and the (inspector approved) map figure 8 in the neighbourhood plan should be relied upon. This clearly shows issues with surface water flooding on tipping is laying itself. Evidence has been presented by a resident that there was once a spring on the site, which is supported by the fact there is a hand pump on its South Eastern corner. Given recent experience of springs appearing at similar heights above the floodplain of the Welland, the developer should be requested to carry out a geophysical examination of the site to minimise the risk of altering the flow of underground water which is known to exist in this area of the village, e.g. spring water permanently runs through the basement of the adjacent Exeter arms.

The design statement is silent on detailed proposals for surface water management and the developer should be required, before determination of the application, to provide proposals as to how surface water can be successfully handled without harming the water table or entering the foul sewer system, which is already at capacity, as indicated in para 5.32 of the neighbourhood plan. While suds might be a solution, infiltration tests should be carried out to demonstrate that a suds solution would be successful and would not impact the surrounding properties by creating new springs due to additional water pressure.

The parish council would ask Rutland County Council approaches Anglian Water in respect of surface water drainage from this site, as this has been and a major issue on Tippings Lane.

Specifically, the proposal has failed to address BW7 para 1

Proposals will be required to demonstrate that the development will not result in a net increase in surface water run-off and should indicate how any

necessary mitigation measures will satisfactorily be integrated into the design and layout of the scheme.

The application does not meet the requirements of the policy.

BW8 INFILL & BACKLAND DEVELOPMENT

BW8 para 3 states that:

'Proposals will not result in significant overshadowing or overlooking or have a visually overbearing impact on adjacent dwellings and gardens'

This proposal will have an impact on 4 Tippings Lane, as it will result in significant overshadowing of that property as well as overlooking having a visually overbearing impact on that dwelling and more importantly on its rear garden, significantly reducing privacy from the dormer windows. The height of plot 2 is excessive and dominant. Despite the request in the planning pre-application response of 19 November 2019, no cross section in relation to 4 Tippings Lane has been provided.

The application does not meet the requirements of the policy

BW9 DWELLING SIZE & TYPE

Both policy BW9 and the latest version of the Rutland strategic housing market assessment clearly articulate the requirement for new developments to be designed for 3 or fewer bedrooms. This requirement is well evidenced both in terms of the SHMA but also by the village questionnaire from which the neighbourhood plan was developed.

The application fundamentally fails to meet the requirements of the policy

Village residents and the parish council indicated in response to the pre-planning application their desire to maximise the use of the site for more dwellings with fewer bedrooms, a maximum of 3, to meet the needs of younger families and older residents seeking to downsize.

No evidence has been presented, as required in paragraph 5.43, to demonstrate that there is an identifiable shortfall in the provision of dwellings of four or more bedrooms.

The application does not meet the requirements of the policy.

BW16 FIRBRE BROADBAND

It is noted that the dwellings will be provided with a full fibre broadband (FTTP). This should be a condition if planners are minded to grant permission.

OTHER COMMENTS

In relation to noise, it is noted that each dwelling there will be 2 air source heat pumps.

Given the rural location the low levels of noise especially during the night, a baseline noise assessment should be carried out by the developer, overseen by Rutland County Council environment department. The developer should guarantee a maximum noise level not to be exceeded by the air source heat pumps so that they have no or minimal impact on neighbouring properties.

HERITAGE ASSESSMENT

While the heritage assessment provides information, it does not offer any context for the new buildings in respect of their surroundings and seems to concentrate on the replacement of the existing commercial buildings. This is not an acceptable comparison and the additional comments provided by the developer are still nowhere near adequate. While a desktop assessment is acceptable, it should be carried out by an independent expert. We are pleased to note that the hand pump will be retained.

CONCLUSION

Barrowden parish council takes the view, in line with the majority of respondents to the application, that these revised proposals failed to meet many of the requirements of the neighbourhood plan policies, all of which are material considerations.

We therefore recommend that the application be refused.

In the event that the planning authority is minded to grant planning permission, the parish council will request, through ward councillors, that the matter be decided by the planning committee and not through delegated powers, on the basis that the proposals are fundamentally breach both national and neighbourhood plan policies.

Ecology Unit

The Preliminary Ecological Appraisal (PEA) (Philip Irving, January 2021), is satisfactory. No evidence of bats was found in any of the buildings on the site; all have negligible or no potential to support roosting bats. No evidence of badger or reptiles was identified. The nearby pond is stocked with fish making it unsuitable for Great crested newt (GCN). Therefore no further surveys or mitigation is required.

Recommendations in the PEA (see section 6) should be followed and made a condition of any planning permission, should it be granted. This includes the installation of bat bricks/boxes, holes in close-board fencing for hedgehogs and small mammals and landscape planting of native species beneficial to wildlife - these details should be illustrated on the plans.

Please let me know if you require any further information.

Kind regards

Donna

Donna Oxbrough
Senior Planning Ecologist
Leicestershire County Council
County Hall
Leicester
LE3 8RA

Public
Protection

I have reviewed the application including the intrusive site investigation by Ground Engineering (ref C14650) dated January 2019.

I have no objection to the application, but do note that one of the site

investigation's recommendation is for 'Further investigation would be necessary following the demolition of the garage building to establish the extent of fuel/oil pollution, which should inform the extent and subsequent removal of any obviously fuel/oil impacted soil. The latter measures should reduce the future risk to human health and water environment from low to moderate, to very low.' If Planning Permission is granted it will therefore be necessary to attach the phased contaminated land condition, this should ensure the applicant can demonstrate that there isn't an unacceptable risk to occupiers of the site, building materials or the surrounding environment.

Notes for applicant

Hydrocarbon impacted soils and ground water have been identified on this site. While a remediation scheme is anticipated please ensure this protects (including but not limited to):

' The village pond (approx. 70m south of the site) which hasn't been identified in the report but is thought to be fed by local ground waters. Protection will be necessary during phases of demolition/construction and investigation work.

' Potable water supply pipes to the proposed properties as standard plastic water supply pipes can be penetrated by hydrocarbons thereby potentially impacting future resident's supplies

Highway Department

In principal highways would have no objections to the proposed development as, after construction, the number of commercial vehicles/large vehicles travelling through Barrowden will be reduced.

The only issue highways have is the boundary treatment. The applicant has shown the visibility splays for dwelling No.2 and then for dwelling no.2 proposed a 1m high close boarded fence. This would significantly reduce the visibility splays of vehicles exiting dwelling No.2

If the boundary treatment for dwelling no.1 could be changed then highways would have no objections

Relevant Planning Policies

National Planning Policy Framework (NPPF)

Chapter 12 - Achieving well-designed places

Chapter 9 - Promoting sustainable transport

Chapter 16 - Conserving and enhancing the historic environment

Chapter 5 - Delivering a sufficient supply of homes

Neighbourhood Plan

BW1 - Landscape character and important views

BW6 - Design Principles

BW7 - Surface water flooding

BW8 - Infill and backland development within Barrowden

BW09 - Dwelling size and type

BW15 - Fibre broadband

Site Allocations and Policies DPD

SP20 - The Historic Environment

SP15 - Design and Amenity

SP21 - Important Open Space and Frontages

SP5 - Built Development in the Towns and Villages

Core Strategy DPD

CS19 - Promoting Good Design

CS22 - The Historic and Cultural Environment

CS13 - Employment & Economic Development

CS16 - The Rural Economy

CS03 - The Settlement Hierarchy

CS04 - The Location of Development

Planning Officer's Report

Evaluation

The proposed development will see the removal of all the existing buildings relating to the haulage business removed and two, 4 bed dwellings erected. The dwellings are indicated to be built from limestone with cut quoins, heads and cills and replica Collyweston slate roofs.

The dwelling, on the northern, higher part of the site would be a full two-storied house and the other a one and a half storey. Plot 1 has lowered eaves to provide rooms in a roof and allow a transition from the cottage to plot 2 which becomes a full two storey building. This transition follows the gradient of the road up towards the north.

Both dwellings have large rear protrusions featuring two storey rear facing gable ends. Plot 2 has an elongated side elevation which runs alongside the neighbouring garden to the north and steps down to the attached double garage.

The proposed buildings have been set back from the roadside, into the site, by 2.7m / 3.8m for Plot 2 and 2.3m / 3.3m for Plot 2. This setting back allows for the continuation of a grass verge at the frontages of the buildings, or areas of planting to soften the proposed stone walls. Additionally, the old Victorian water pump located at the front of plot 1 is to be retained.

Plot 1 has 3no dedicated spaces, 2no covered and 1no exposed. Plot 2 has a double garage, an exposed space and its own private driveway.

Neighbourhood Plan

The proposed development is governed by the Barrowden and Wakerley Neighbourhood Plan, adopted (December 2019).

BW1 Landscape Character and Important Views
BW6 Design Principles for Barrowden and Wakerley

BW7 The Local Impact of Construction
BW8 Surface Water Flooding
BW9 Infill and Backland development
BW10 Dwelling Size and Type
BW15 Fibre Broadband

Policy Considerations

The NPPF

The NPPF makes it clear in Section 2 that the purpose of the planning system is to contribute to the achievement of sustainable development. At paragraph 8 it identifies sustainable development as being 'economic', 'social' and 'environmental' whereby all planning proposals should contribute to building a strong, responsive and competitive economy, support strong vibrant and healthy communities and contribute to protecting and enhancing our natural, built and historic environment.

Paragraph 11 of the NPPF puts forward the presumption in favour of sustainable development and, in terms of decision making, states that development proposals that accord with an up to date 'development plan' should be approved without delay.

Paragraph 13 states that neighbourhood plans should support the delivery of strategic policies contained within local plans or spatial development strategies. Paragraph 29 indicates that neighbourhood plans can shape, direct and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan.

Section 5 of the NPPF relates to 'Delivering a Sufficient Supply of Homes' and states that, in order to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. At paragraph 60 it states that strategic policies should be informed by a local housing need assessment unless exceptional circumstances justify an alternative approach. Paragraph 61 reinforces this in stating that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Section 11 of the NPPF relates to 'Making Effective Use of Land' and promotes an effective use of land in meeting the need for homes (and other uses) while safeguarding and improving the environment and ensuring healthy living conditions.

Section 12 of the NPPF focusses on 'Achieving Well-Designed Places' and acknowledges that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 states that planning decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive, appropriately landscaped, sympathetic to local character, have a strong sense of place and are safe, inclusive and accessible.

Section 16 of the NPPF relates to 'Proposals Affecting Heritage Assets' and, at paragraph 189, requires an applicant to describe the significance of any heritage assets, or their setting, affected by a development proposed.

The Core Strategy

Policy CS3 of the Core Strategy provides the 'Settlement Hierarchy' for the County and identifies Barrowden as one of the 'smaller service centres' which, as stated in paragraph 2.19, is capable of accommodating a minor level of development where this would be appropriate to the scale and character of the village.

Policy CS4 focusses on the 'Location of Development' and states that smaller service centres can accommodate a minor scale of development, mainly on previously developed land, on a limited scale appropriate to the character and needs of the village concerned, comprising of affordable housing sites, infill developments and the conversion and reuse of redundant buildings.

The site is currently being used by a Haulage business. The relevant policies in this case are Policies CS13-e & CS16-d of the Rutland Core Strategy (2011). These policies safeguard land for employment uses in areas such as this.

The site has been marketed by a local agent who did not receive any interest or offers for the site for use as commercial. The current owners of the site have relocated their business into a site in South Luffenham.

Policy CS19 focusses on 'Promoting Good Design' and expects all new developments to meet high standards of design in order to address the criteria as listed.

Policy CS22 relates to 'The Historic and Cultural Environment' and expects all development to protect and, where possible, enhance historic assets and their settings and maintain local distinctiveness.

The Site Allocations & Policies DPD

Policy SP5 relates to 'Built Development in the Towns & Villages' and supports development in principle where (inter alia) it is of an appropriate scale and design, would not adversely affect the environment or local amenity, would not impact on the form, character or appearance of the settlement and would not be detrimental to features and spaces that contribute to character.

Policy SP15 focusses on 'Design & Amenity' and, as with Policy CS19 of the Core Strategy, seeks to ensure that all new developments are acceptable in terms of siting, layout, their relationship with other development, amenity, density, scale, form, massing, materials, crime prevention, landscaping and parking.

Policy SP20 relates to 'The Historic Environment' and, in part a) states that development within a Conservation Area will not be acceptable if it will have an adverse effect upon (inter alia) its immediate setting, the street scene, views into and out of the site, amenity and highway interests and important landscape features.

The site is within the Barrowden Conservation Area and the north west of the site lies directly adjacent to Important Open Space in accordance with Policy SP21 of the Site Allocations and Policies Development Plan Document (2014). This impact of the proposal on the Conservation Area and the important open space has been considered below.

Impact on the character and appearance of the area and local Heritage Assets

The application site is located on the western side of the southern end of Tippings Lane and is in the Barrowden Conservation Area. To the south-west is the Grade II Listed Rosemary Cottage and to the south-east Rose Cottage. The site is also in close proximity to Listed Buildings. No. 2, Tippings Lane, No. 24, Main Street and The Exeter Arms and its outbuildings. Other nearby buildings, Nos.1, 4 and 5 Tippings Lane are not Listed but can be proposed and their massing be considered non-designated heritage assets.

The proposal is to remove the existing building and hard surfacing and erect two detached dwellings. Both dwellings are located within the brownfield site of the existing Haulage Yard. The dwelling, on the northern, higher part of the site would be a full two-storied house and the other a one and a half storey. Both houses will be built close to the frontage to Tippings Lane, behind the stone wall through which will have new openings for vehicle and pedestrian access.

Policy BW1 Landscape Character and Important View of the Barrowden and Wakerley Neighbourhood Plan states that:

'The development shall conserve and enhance the positive characteristics of the local landscape outlined in the Barrowden and Wakerley Landscape and Character Assessment.'

Within that Character Assessment, it states that:

'Infill sites are sensitively integrated into the settlements and surrounding area in such a way as to not detract from the character of surrounding properties.'

Paragraph 1 of Policy BW6 Design Principles of the Barrowden and Wakerley Neighbourhood Plan re-affirms the need for any development to meet Neighbourhood Plan Landscape and Character Assessment. The scale and mass of the proposed two dwellings are not in keeping with the surrounding buildings.

Both houses would have extensive, double and single storey elements to the rear, one with an attached garage with accommodation in the roof space, adding to the overall massing. This excessive massing is inappropriate for the context and would be at variance with the established local vernacular. Most of the traditional houses in the locality have a single-room depth floor plan and whilst many have had additions, even two storey in some instances, these appear subservient to the original house whereas the proposed houses will from the outset appear as over-extended dwellings. Both dwellings have a large sprawling footprint and excessive form that do not reflect dwellings in this location and are at odds with the prevailing form and character of the area.

However, because of the concerns regarding the excessive massing and footprint of the proposed dwellings it is considered that the proposed development would neither preserve nor enhance the character or appearance of this part of the Conservation Area.

The site slopes significantly from the north down to the south. Likewise, there is a reasonable difference in level in the opposite east west direction, whereby the site levels are higher than the road. The proposal will involve a large amount of excavation to enable the dwellings to sit at a lower level within the Tippings Lane streetscene. These works will see a requirement for retaining wall structures in the rear garden and to the north boundary.

The impact of the dwellings on the landscape is further increased by the amount of earthwork which is to be removed to facilitate the houses. This is particularly evident with regards to Plot 2 whose excessive rear wing sits a considerable lower level than the neighbouring garden to the north.

Policy SP5 of the Site Allocations & Policies DPD relates to 'Built Development in the Towns & Villages' and supports development in principle where (inter alia) it is of an appropriate scale and design, would not adversely affect the environment or local amenity, would not impact on the form,

character or appearance of the settlement and would not be detrimental to features and spaces that contribute to character

Set at the entrance to the renowned vistas associated with the important open space of the village green, the view looking to the north and northeast from the green will be negatively impacted by the development. There is concern that the proposed buildings would be out of proportion, both in terms of scale and height. A clear view of the excessive built form to the rear will be gained from the village green through the gap between No. 1, Tippings Lane and 24 Main Street which would have an adverse impact contrary to BW1 Para 2.

The land subject to this application has open undeveloped areas important to both the setting of the nearby historic building Rosemary Cottage, No. 24, Main Street and to the character and appearance of the Barrowden Conservation Area. The proposed excessive development of the open areas of the site would result in a significant change of character to this part of the Barrowden Conservation Area and would detract from the setting of the Grade II Listed Rosemary Cottage. The harm to this heritage asset would be less than substantial but this harm would not be outweighed by the public benefit of two dwellings to the local housing stock.

The majority of proposed development is not seen within the setting of No. 2, Tippings Lane or the Exeter Arms so the development is not considered to harm these heritage assets.

In reaching our conclusion and recommendation the local authority have considered the statutory duty of Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, having special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The proposed excessive development of the open areas of the site would result in a significant change of character to this part of the Barrowden Conservation Area and would detract from the setting of the Grade II Listed Rosemary Cottage. The harm to this heritage asset would be less than substantial but this harm would not be outweighed by the public benefit of two dwellings to the local housing stock. Given this, the proposal would be contrary to Sections 12 and Section 16 of the NPPF (2021), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy BW6 of the Barrowden and Wakerley Neighbourhood Plan.

Both houses would have extensive, double and single storey elements to the rear adding to the overall massing. This excessive massing is inappropriate for the context and would be at variance with the established local vernacular. The dwellings having large sprawling footprints and excessive form do not reflect dwellings in this location and are at odds with the prevailing form and character of the area. Furthermore, this excessive built form will adversely interrupt a key vista from the established important open space of the village green to the south. This would fail to preserve or enhance character and appearance of the Barrowden Conservation Area. As such the proposed development would be contrary to Sections 5, 12 and 16 of the NPPF (2021, Policies CS19 (Promoting good design) and CS22 (The historic and cultural environment) of the Councils Adopted Core Strategy (2011), Policies SP5 (Built Development in Towns and Villages), SP15 (Design and amenity), SP20 (The historic environment) and SP21 (Important Open Spaces and Frontages) of the Site Allocations and Policies Development Plan Document (2014) and Policies BW1 and BW6 of the Barrowden and Wakerley Neighbourhood Plan.

Impact on the neighbours' residential amenities

The plots have been set back in the site slightly to maintain a distance of approximately 11.4m to No.4, Tippings Lane to the east.

Plot 1 is located directly opposite No.4. Tippings Lane and is reduced in scale to both respect the existing cottage to the south and reduce the impact on No. 4. Plot 2 is located opposite the garden of No. 4. The application submission includes sectional details showing the relationship of the development with No. 4 Tippings Lane.

The eave and ridge heights of the frontages of Plots 1 and 2 are comparable to No. 4, Tippings Lane and due to the distances maintained it is considered that the proposal will not be overdominant or create an oppressive environment for the occupiers of this neighbouring dwelling.

There are conifers that currently run along the boundary that fronts the site and are to a height and density that can be felt by the occupiers of No. 4 Tippings Lane from their window aspect. It is considered that the frontages of the proposed dwellings will have a similar impact on the aspect gained from the neighbouring windows opposite and their outlook will not be severely impacted upon.

Plot 1 will have windows to the ground and first floor which are directly opposite the windows of the front elevation of No. 4, Tippings Lane. The new windows serving the front elevation of Plot 1 will be approximately 11.3m away from the front windows of No. 4, Tippings Lane. The windows sited to the frontage of No. 4 are narrow openings with small glazing elements which do not allow extended views into the rooms they serve. Within village locations it is not uncommon to have properties sited directly opposite each other directly abutting the highway edge. This conforms with the more historic village lane character and one which the development emulates though the potential impact on No. 4 has been reduced by setting the frontage of Plot 1 slightly further back from the highway to increase separation.

Whilst No. 4 does not currently have windows opposite looking directly at the property the level of privacy that will be lost is not considered significant and does not weigh against the proposed development.

No. 4, Tippings Lane has a large curtilage and whilst Plot 2 will have windows that will allow views towards the garden it is considered that sufficient private amenity space will be maintained.

Details have also been submitted which indicate that No. 4, Tippings Lane will not be overshadowed or lose a level of light which they currently enjoy to an extent that weighs significantly against the proposal.

Plot 1 will have a side elevation closest to No. 1, Tippings Lane but there will be no first floor openings directly adjacent to the side elevation of this neighbouring property. There will be a driveway separating the two properties and a satisfactory distance of separation will be maintained.

No. 5, Tipping's Lane lies to the north of the site and has a substantial garden area. Plot 2 has built form which stretches along the majority of the boundary but due to the removal of earth the majority of the built form will be at a reduced level when viewed from the garden of No. 5. The first floor windows to the side elevation only has an en-suite and a bathroom window and with conditions ensuring they are fitted with obscure glazing and are fixed the private residential amenities of No. 5 can be protected.

No. 24, Main Street has an elongated rear garden that runs to the west of the development site. Only the corner of the curtilage of Plot 2 touches the far corner of the garden of No. 24 and due to the distance the property is from the main part of the garden and the dwellinghouse there will be no adverse impact on the private amenities of the occupiers.

The whole of the curtilage of Plot 1 bounds the garden of No.24. The depth of the proposed garden allows a buffer of built form and will be further broken up by the siting of an existing outbuilding within the garden of No. 24 directly on the boundary. Window positions of Plot 1 and

distances of separation in relation to No. 24 and its garden will result in the privacy of the occupiers of this property not be severely affected.

Taking into account the nature of the proposal and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway issues

Concerns have been raised regarding the impact of the development on pedestrian and highway safety.

The submission from the applicant states that the existing access to the site allowed the previous business use to have circa 5no trucks entering and exiting the site in early morning and evening, along with the respective staff cars which enabled them to get to and from work.

There is no footpath on the side of the road to the application site, nor any footpath on either side of Tippings Lane to the north. It is noted that there is a public footpath on the opposite side of the road, running parallel to no.4 Tippings Lane which allows safe pedestrian movement in this location.

The Highway Department has no objections to the proposed development as, after construction, the number of commercial vehicles/large vehicles travelling through Barrowden will be reduced.

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 Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Flood Risk

Concerns have been raised regarding the potential for flood risk on the site.

The Environment Agency surface water maps say that Tippings Lane, Barrowden has a low risk of surface water flooding. The EA flood maps also show this area in flood zone 1, where there is no risk of flooding.

The Lead Flood Authority have been consulted and have no objections subject to a condition stating that development shall not commence until details of the design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority.

Pollution Risk

The site usage has included Pridmore's Haulage, that and the nature of the buildings currently on the site suggests there is potential for ground contamination to be identified.

An intrusive site investigation by Ground Engineering (ref C14650) dated January 2019 has been submitted.

Environmental Protection has no objection to the application, subject to a phased contaminated land condition.

Crime and Disorder

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

Human Rights Implications

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.

Planning Balance – Housing Delivery

The Framework seeks to contribute towards the achievement of sustainable development through meeting the needs of the present without compromising the needs of future generations. A key thread of this objective is to ensure that housing development is well located and supported by the necessary infrastructure and facilities.

Paragraph 11d of the Framework states that where there are no planning policies, or the policies most important for determining the application are out of date (including where a Council cannot demonstrate a five-year supply of deliverable housing sites), a decision maker should grant planning permission. This is unless the policies of the Framework provide a clear reason to refuse development, or any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole. The Council does not have a 5-year Housing Land Supply (HLS).

The proposal will see the development of a brownfield site, within the planned limits of development of a smaller service centre (Policy CS3 of the Core Strategy) which has been marketed for a commercial use without success. The principle of residential development on the site and the loss of the commercial use may be accepted subject to the consideration of other material considerations.

As a consequence, this is of significant weight in favour of the proposal. Accordingly, the proposal would benefit from paragraph 11d of the Framework and the presumption in favour of sustainable development.

However, the two large 4 bed properties proposed do not relate well to the Strategic Housing Market Assessment 2019 Update mix which is much more varied (please see table immediately below).

	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Market	0-5%	25-30%	45-50%	20-25%
Affordable Home Ownership	15-20%	35-40%	35-40%	5-10%
Social/affordable rented	40-45%	25-30%	20-25%	5-10%

Nor has anything happened in actual delivery (in the green table below) to alter that. The green table below shows all new development in Rutland in the 5 years between 2016 and 2021 of all tenures, less a few obscure types rounded to zero based on Valuation Office Agency statistics.

1 bedroom	7.14%	60
2 bedroom	25.00%	210
3 bedroom	32.14%	270
4 bedroom	28.57%	240
5 bedroom	5.95%	50
6+ bedroom	1.19%	10
TOTAL	100.00%	840

Referring to Census 2011 figures for Barrowden (table below), this shows that the average house had 3.6 bedrooms. This would indicate that more than half of the properties in Barrowden had more than 4 or more bedrooms.

KS403EW - Rooms, bedrooms and central heating			
Source	ONS Crown Copyright Reserved [from Nomis on 11 November 2021]		
Population	All households		
Units	Households		
date	2011		
geography	Barrowden		
measures	value	percent	
Central Heating			
Occupancy rating (bedrooms) of -1 or less	0	0.0	
Average household size	2.4	-	
Average number of rooms per household	7.4	-	
Average number of bedrooms per household	3.6	-	

Policy BW9 – Dwelling size and Type, of the Barrowden & Wakerley Neighbourhood Plan states the following:

‘Development proposals for new residential development will be supported where they meet defined local need for homes, in particular single storey dwellings, with 3 or fewer bedrooms.’

At paragraph 3.9 of the Neighbourhood Plan the existing house types within the village are assessed, which shows that there are 5 No. 1-bedroom houses (2%), 30 No. 2-bedroom houses (14%), 64 No. 3-bedroom houses (30%), 80 No. 4-bedroom houses (37%) and 36 No. 5+ bedroom houses (17%).

Barrowden has a high proportion of dwellings with 4 or more bedrooms (54%). Dwellings with 4 bedrooms or more take up a large percentage of dwellings within Rutland. Conversely the percentage of housing stock in Barrowden with 1, 2 and 3 bedrooms is significantly lower than in Rutland.

Both Policy BW9 and the latest version of the Rutland Strategic Housing Market Assessment clearly articulate the requirement for new developments to be designed for 3 or fewer bedrooms. This requirement is well evidenced both in terms of the SHMA but also by the village questionnaire from which the Neighbourhood Plan was developed.

As already discussed the proposal excessive massing is inappropriate for the context and would be at variance with the established local vernacular, impacting adversely on the Barrowden Conservation Area and an important open space.

The siting of two large 4 bed dwellings on the site which does not meet an identified local housing need is not considered to be an effective use of land where a greater number of dwellings with 3 bedrooms or less could be delivered.

The adverse effects of the proposed development would significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole.

Consequently, even with the significant weight applied in favour of sustainable development, the benefits of the proposal do not outweigh the harm identified to the desired housing mix or to the character and appearance of the area. Therefore, the identified conflict with the development plan is not outweighed by other material considerations.

Conclusion

Due to excessive rear massing, design and siting the proposed development will impact adversely on an important open space, the character of the Barrowden Conservation Areas and the setting of the Grade II listed Rosemary Cottage.

The provision of two, 4 bed dwellings does not meet the required housing need for Barrowden or make best use of the land and the benefit of the delivery of these properties will not outweigh the identified harm.

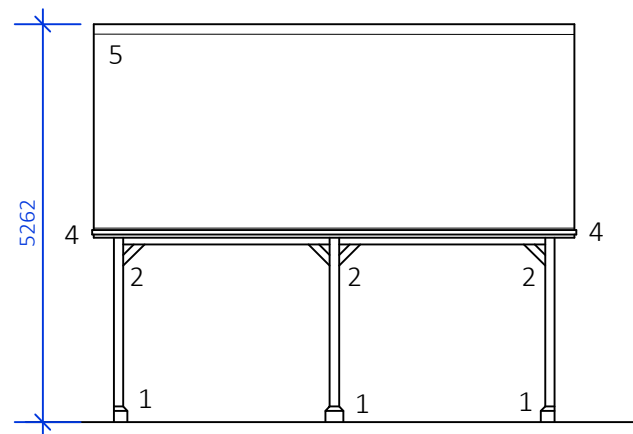
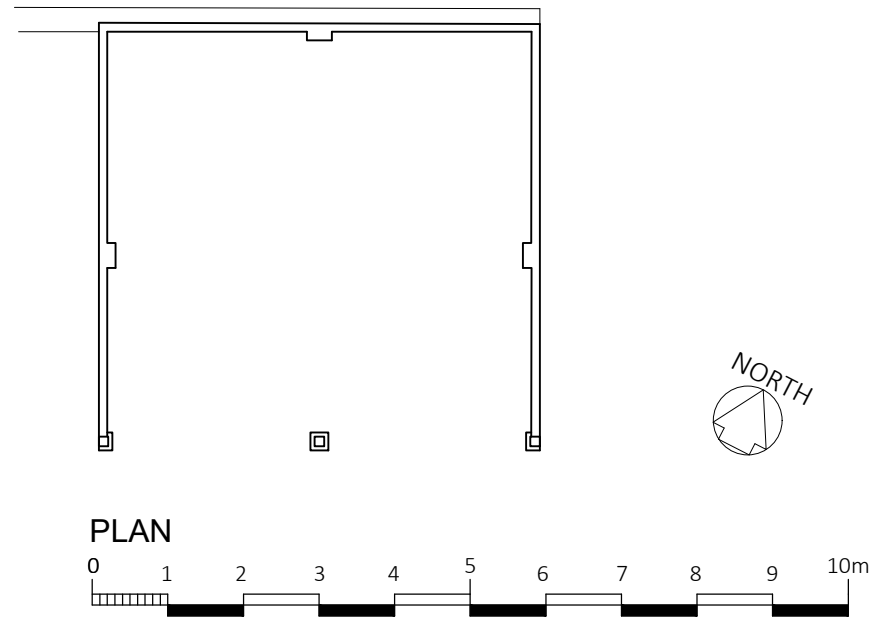
Taking the above into account, it is considered that the proposed development would be contrary to Sections 5, 12 and 16 of the NPPF (2021), Policies CS19 (Promoting good design) and CS22 (The historic and cultural environment) of the Councils Adopted Core Strategy (2011), Policies SP5 (Built Development in Towns and Villages), SP15 (Design and amenity), SP20 (The historic environment) and SP21 (Important Open Spaces and Frontages) of the Site Allocations and Policies Development Plan Document (2014) and Policies BW1, BW6 and BW9 of the Barrowden and Wakerley Neighbourhood Plan.

Recommendation: Refuse

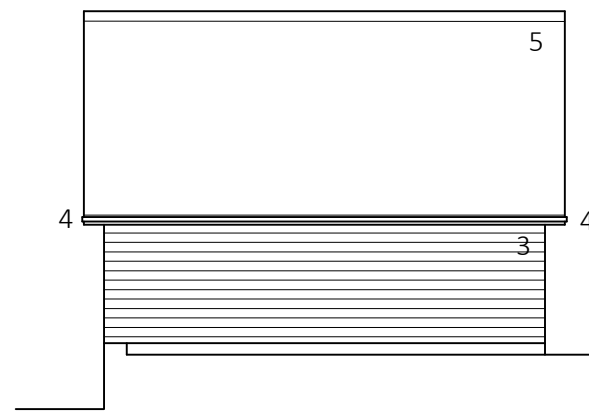
1. The land subject to this application has open undeveloped areas important to both the setting of the nearby historic building Rosemary Cottage, No. 24, Main Street and to the character and appearance of the Barrowden Conservation Area. The proposed excessive development of the open areas of the site would result in a significant change of character to this part of the Barrowden Conservation Area and would detract from the setting of the Grade II Listed Rosemary Cottage. The harm to this heritage asset would be less than substantial but this harm would not be outweighed by the public benefit of two dwellings to the local housing stock. Given this, the proposal would be contrary to Sections 12 and Section 16 of the NPPF (2021), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and Policy BW6 of the Barrowden and Wakerley Neighbourhood Plan.
2. Both houses would have extensive, double and single storey elements to the rear adding to the overall massing. This excessive massing is inappropriate for the context and would be at variance with the established local vernacular. The dwellings having large sprawling footprints and excessive form do not reflect dwellings in this location and are at odds with the prevailing form and character of the area. Furthermore, this excessive built form will adversely interrupt a key vista from the established important open space of the village green to the south. This would fail to preserve or enhance character and appearance of the Barrowden Conservation Area. As such the proposed development would be contrary to Sections 5, 12 and 16 of the NPPF (2021), Policies CS19 (Promoting good design) and CS22 (The historic and cultural environment) of the Councils Adopted Core Strategy (2011), Policies SP5 (Built Development in Towns and Villages), SP15 (Design and amenity), SP20 (The historic environment) and SP21 (Important Open Spaces and Frontages) of the Site Allocations and Policies Development Plan Document (2014) and Policies BW1 and BW6 of the Barrowden and Wakerley Neighbourhood Plan.
3. The proposal for two, 4 bed dwellings does not meet the identified local need for homes for Barrowden and is not making an effective use of land contrary to Sections 5 and 11 of the NPPF (2021) and Policy BW9 of the Barrowden and Wakerley Neighbourhood Plan.

Notes to Applicant

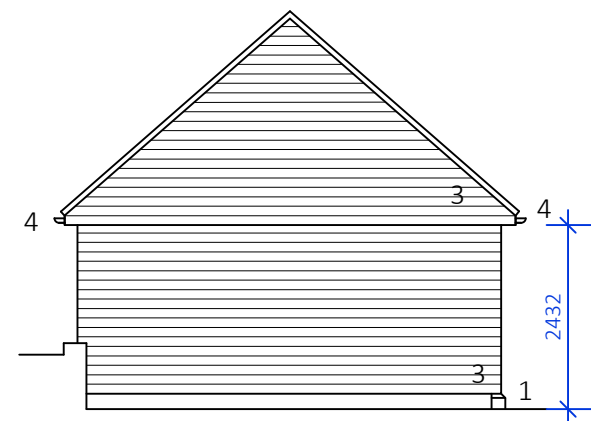
1. For the avoidance of doubt this application has been determined based on Drawing Numbers: PL06A, PL08B, PL09B and PL20A.



SOUTH ELEVATION



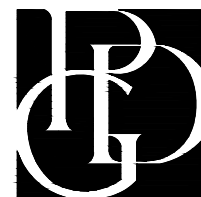
NORTH ELEVATION

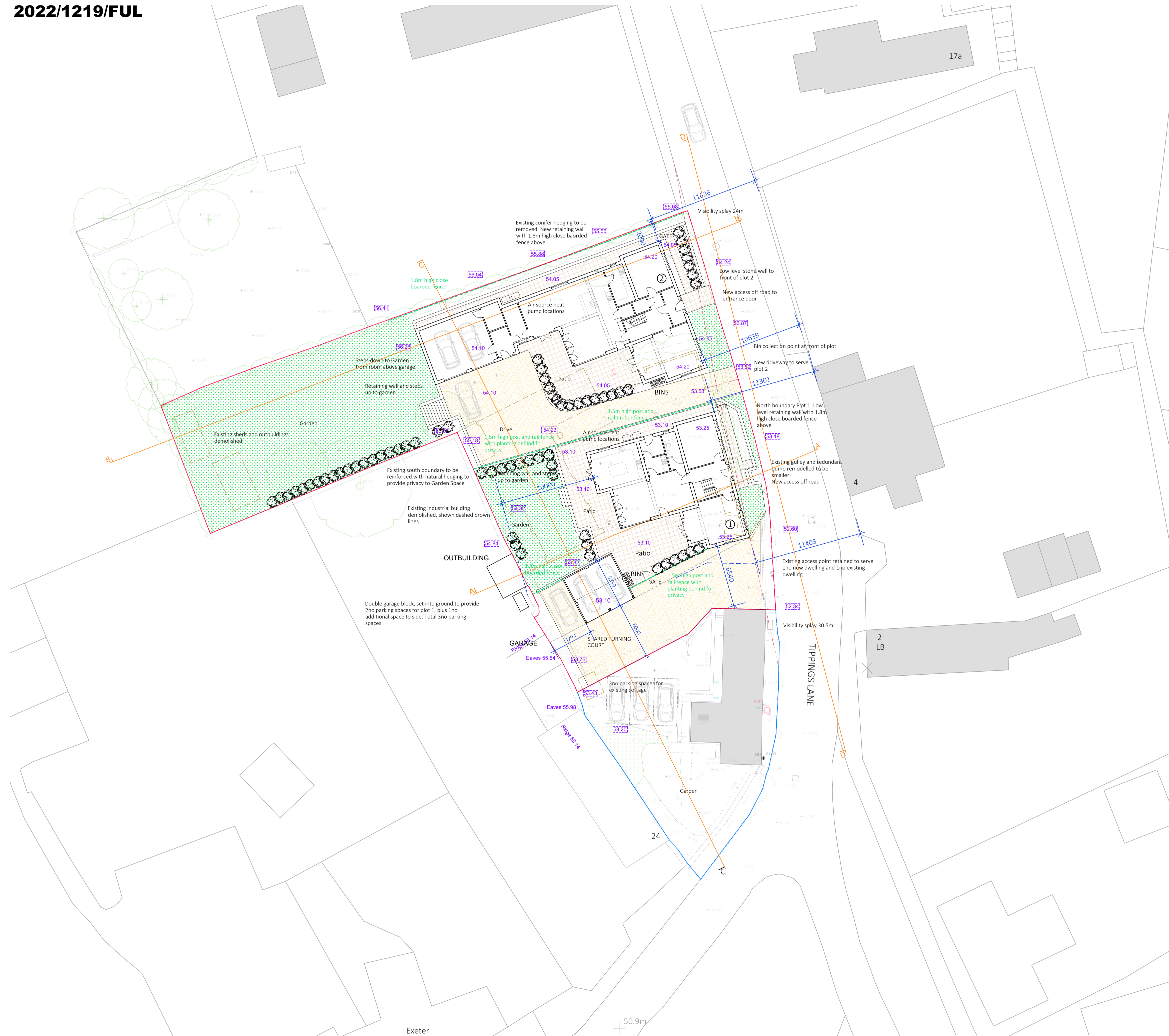


SIDE ELEVATION

KEY:

- 1. STONE SADDLES
- 2. NATURAL OAK FRAMING
- 3. TIMBER BOARDING, WESTERN RED CEDAR OR SIMILAR, STAINED BLACK
- 4. PVCu RAINWATER GOODS, BLACK GUTTERING ON STANDARD PVCu BRACKETS, BLACK
- 5. NATURAL BLUE SLATES





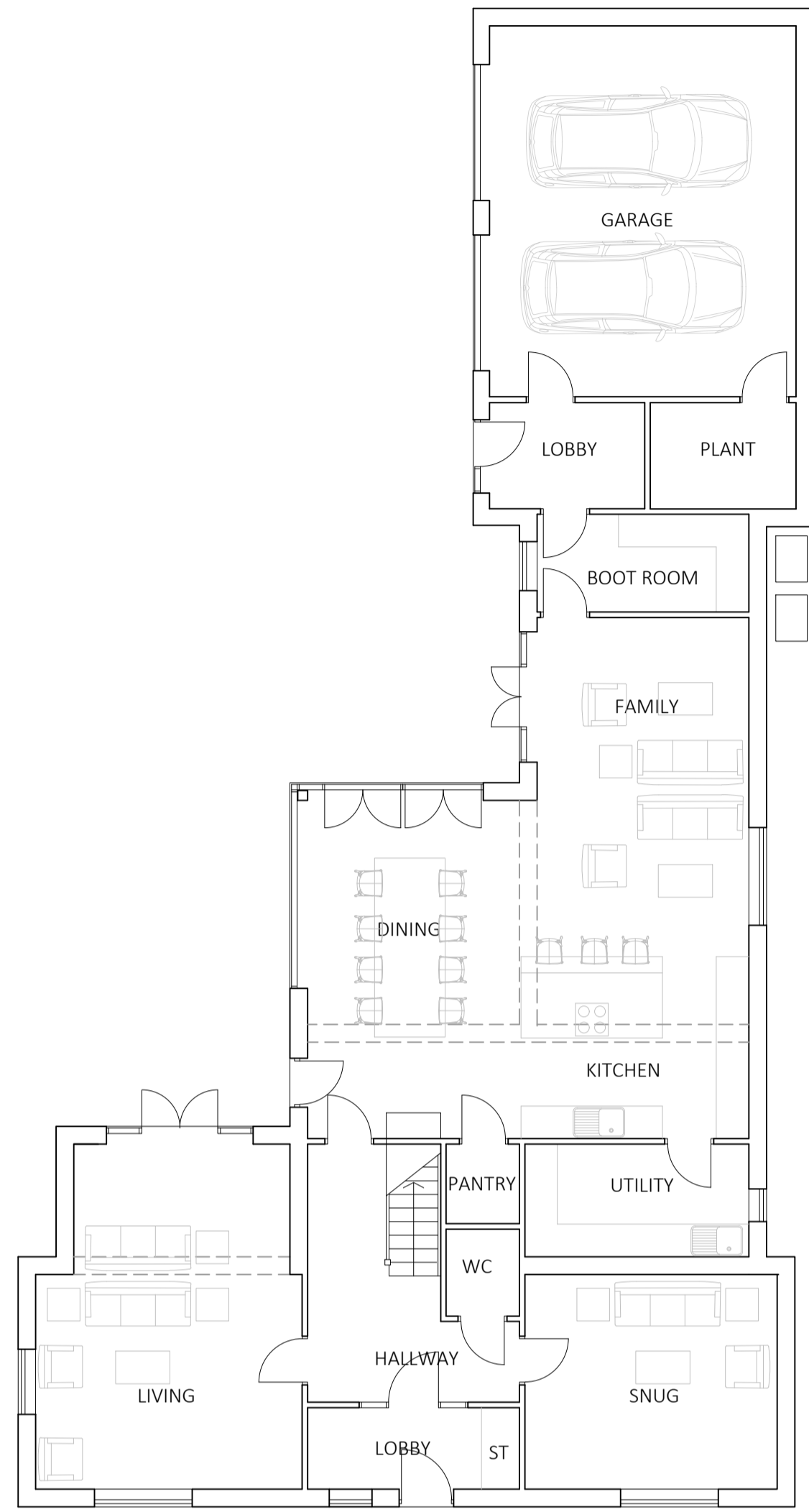
0 2 4 6 8 10m

NORTH

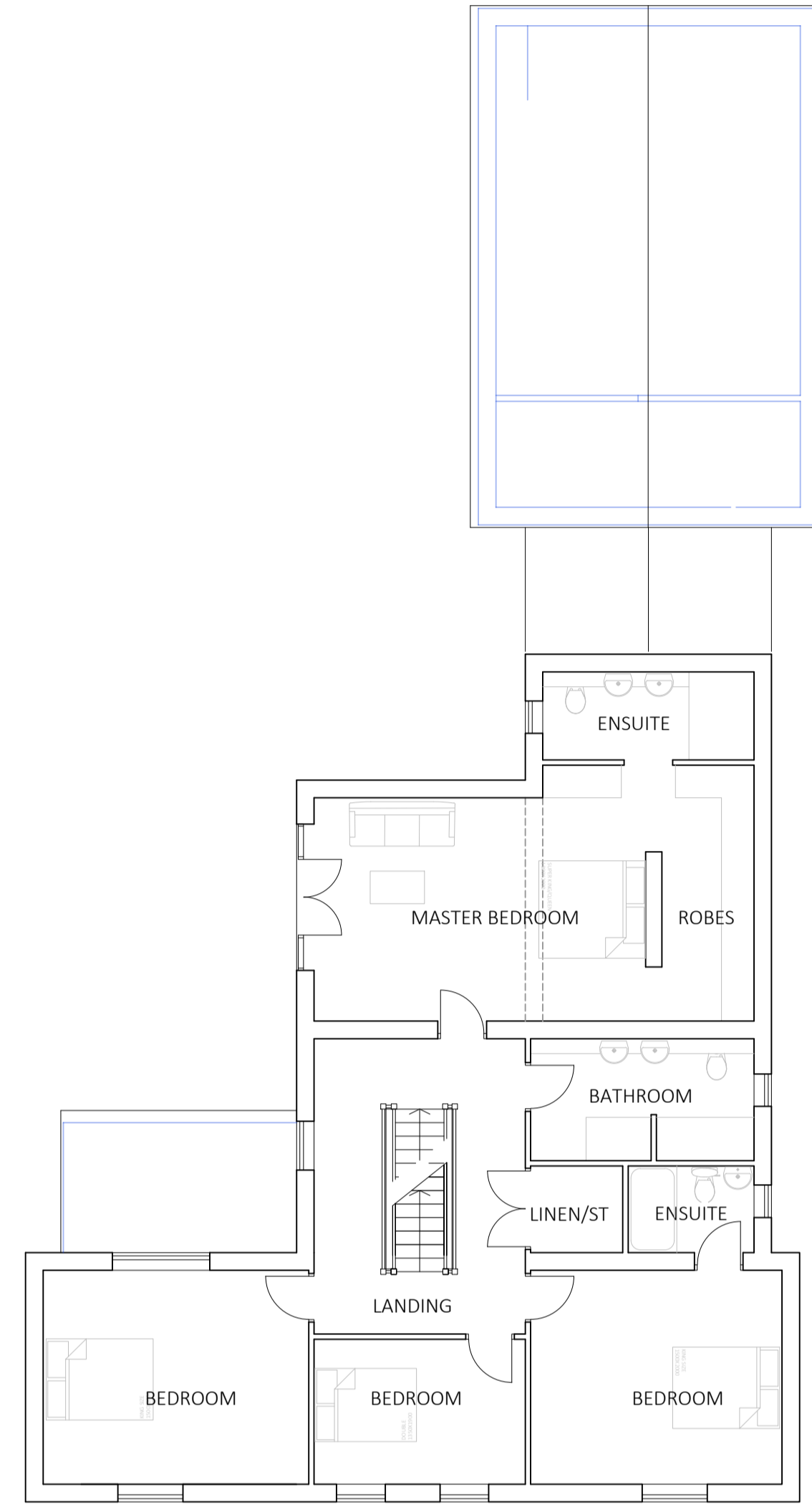
KEY:

- NEW ACCESS DRIVEWAY - GRAVEL
- GRASS
- AREAS OF PAVING
- AREAS OF LANDSCAPING / PLANTING
- 1.5m HIGH TIMBER POST AND RAIL FENCING

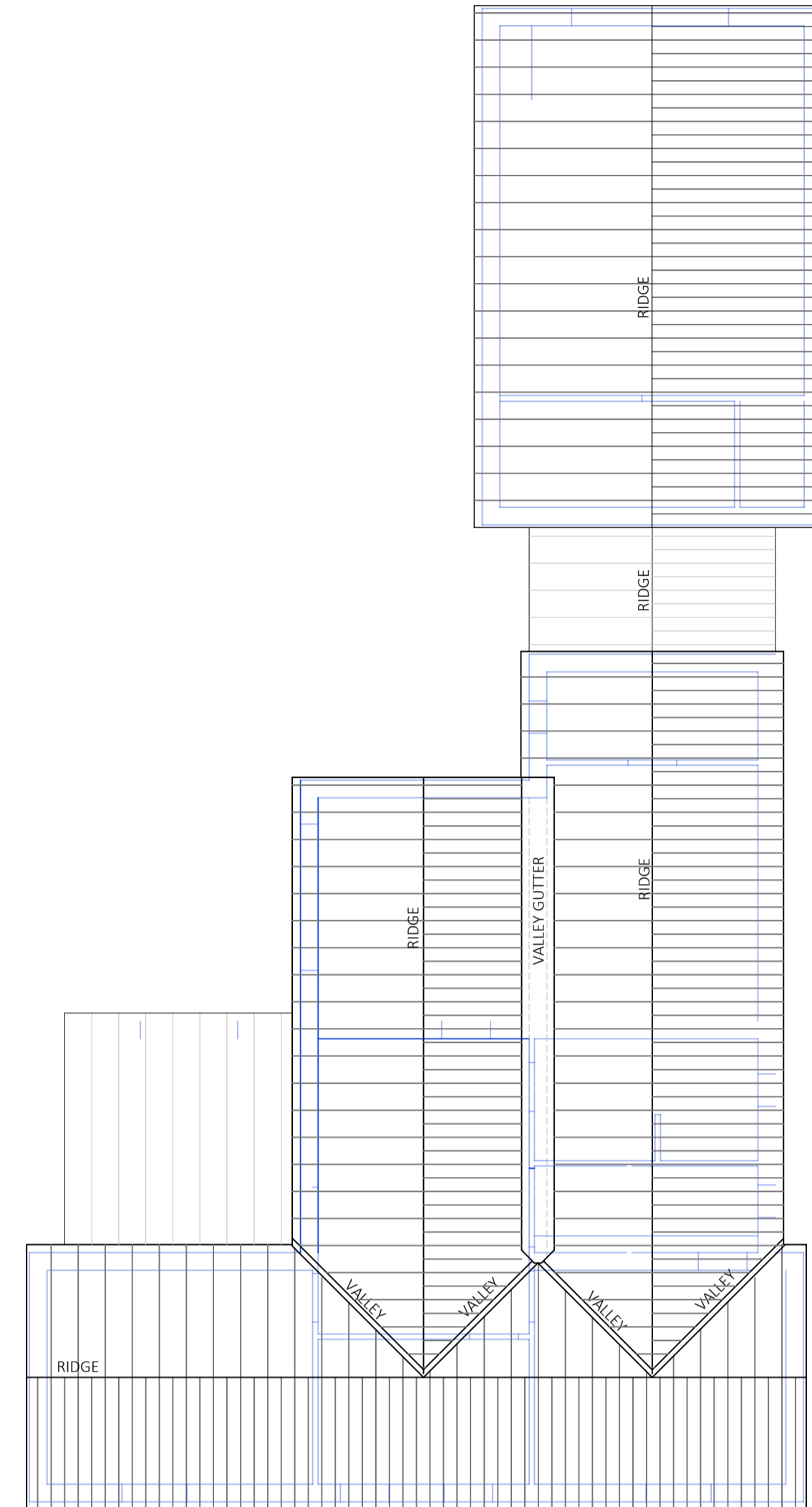
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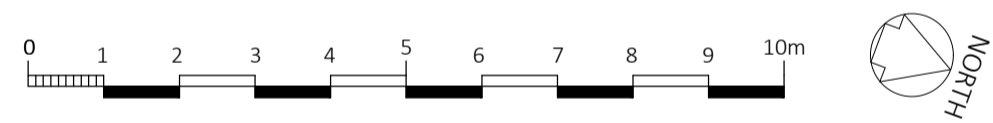
GROUND FLOOR PLAN



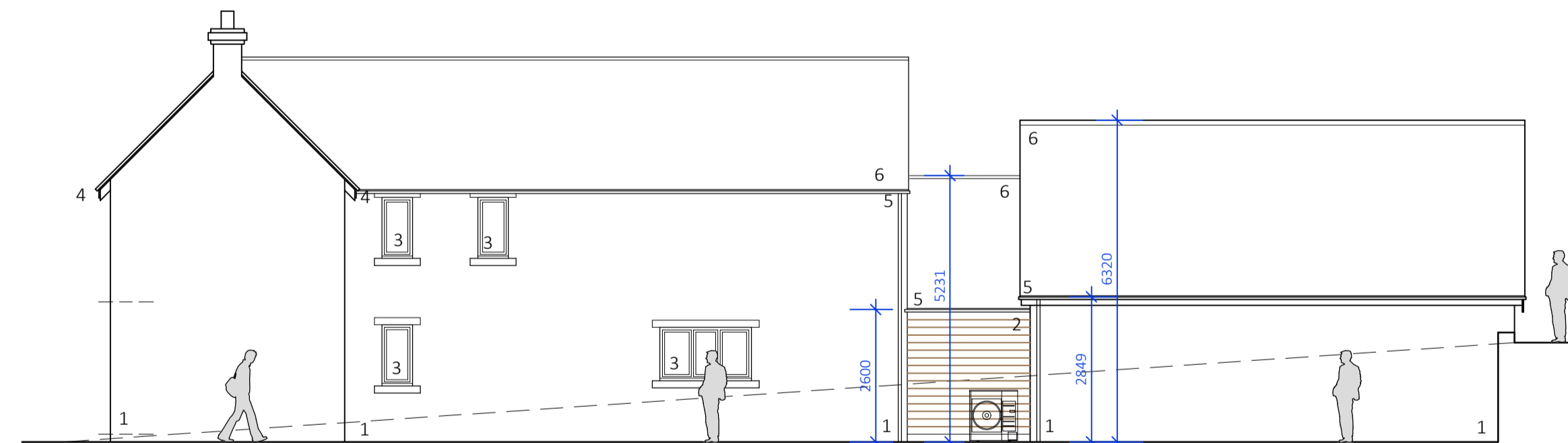
FIRST FLOOR PLAN



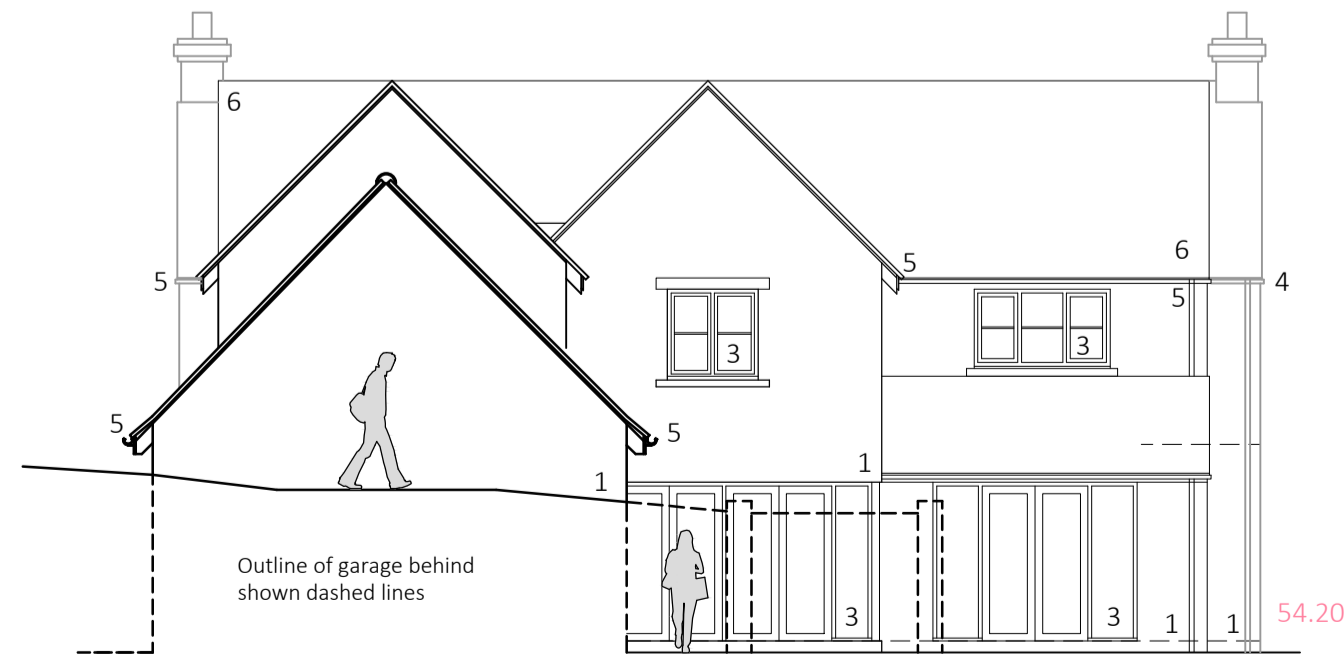
ROOF PLAN



FRONT (EAST) ELEVATION



SIDE (NORTH) ELEVATION



REAR (WEST) ELEVATION



SIDE (SOUTH) ELEVATION

KEY:

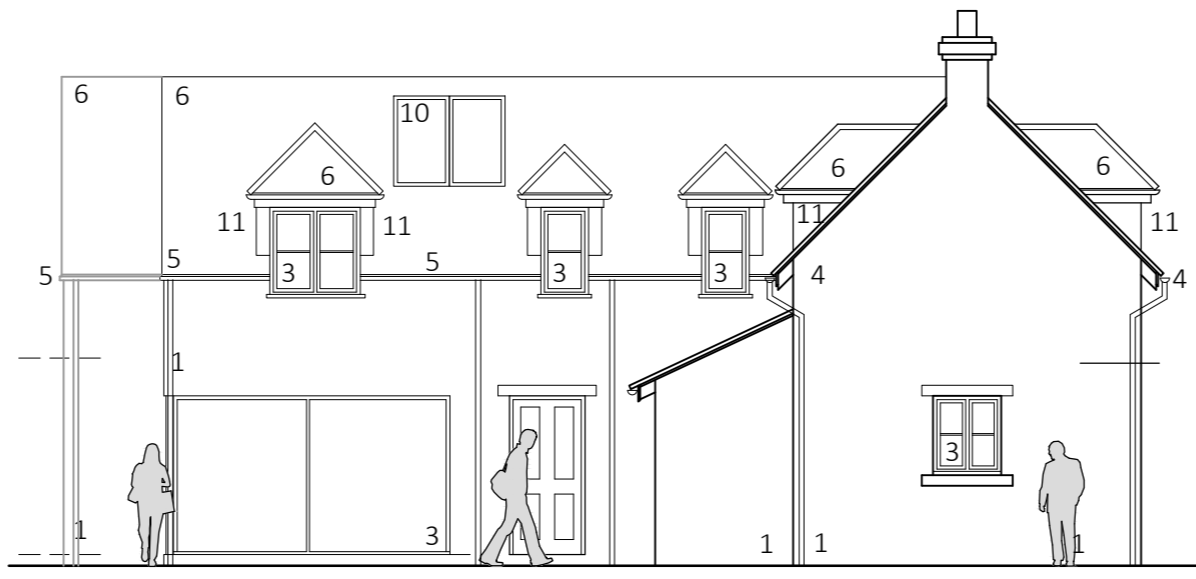
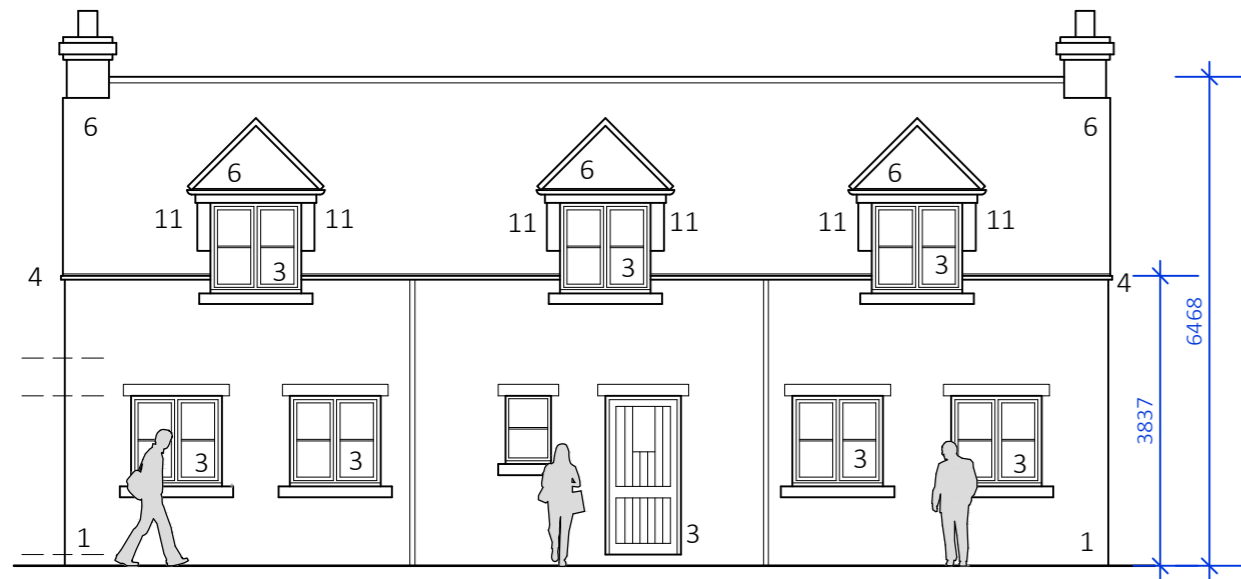
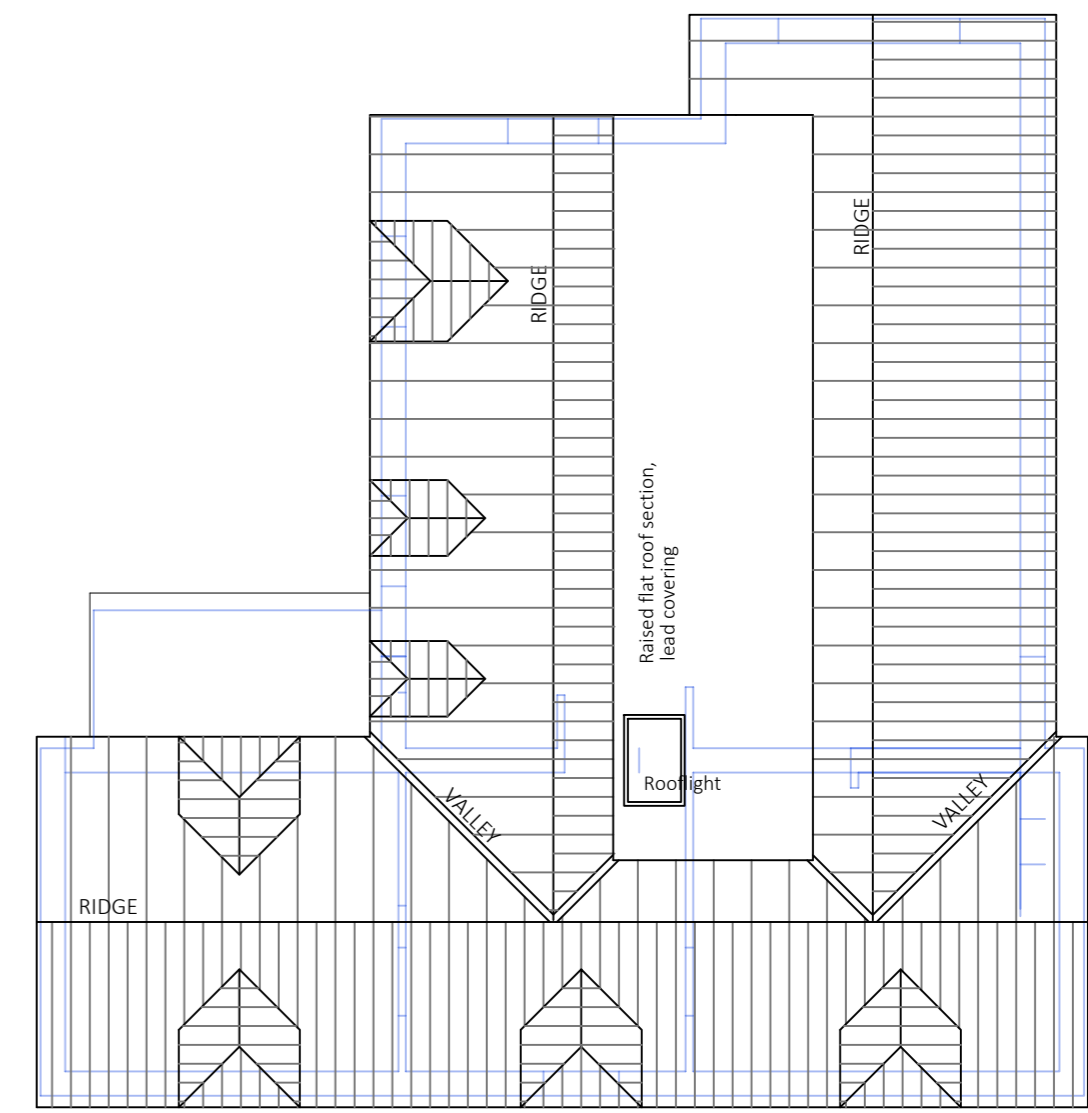
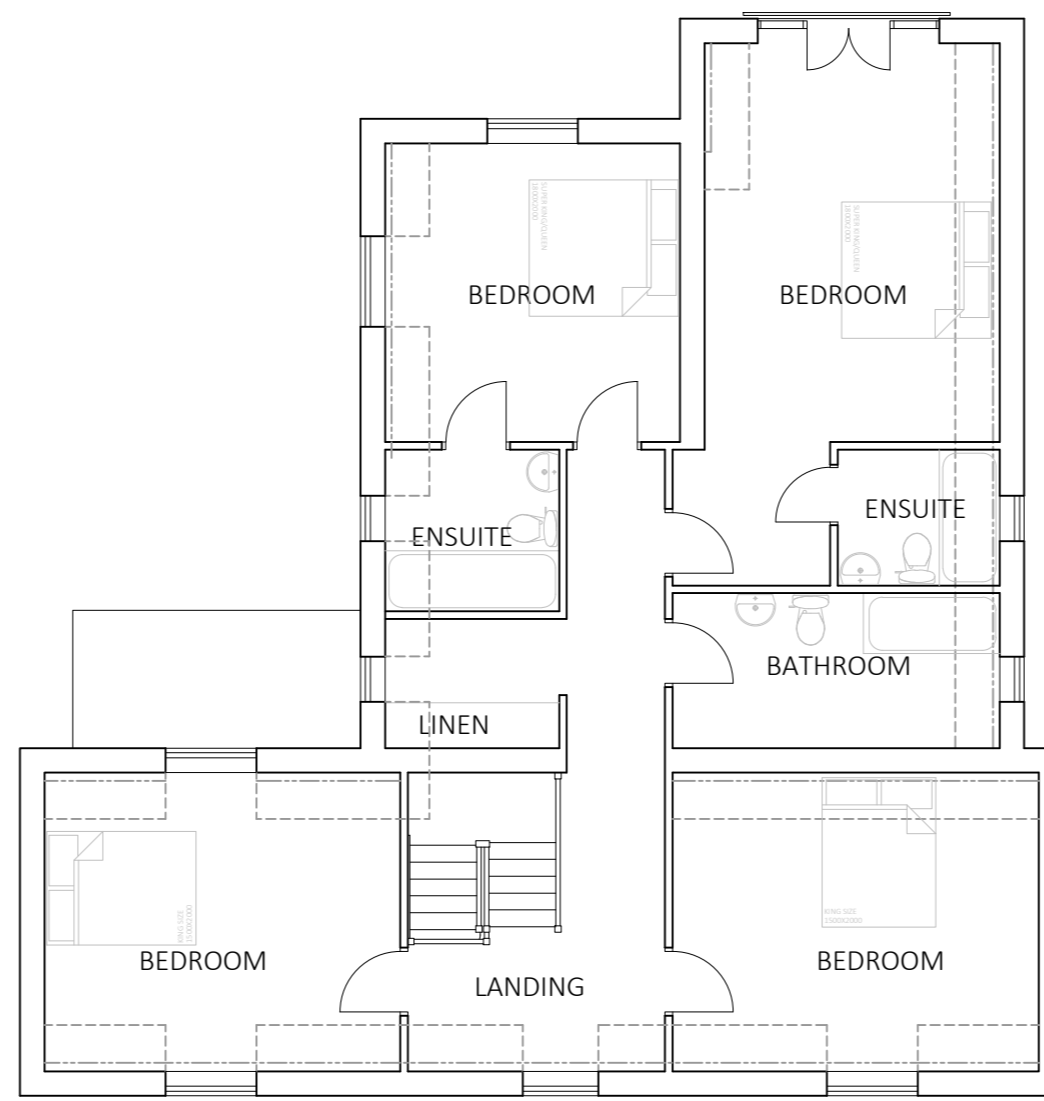
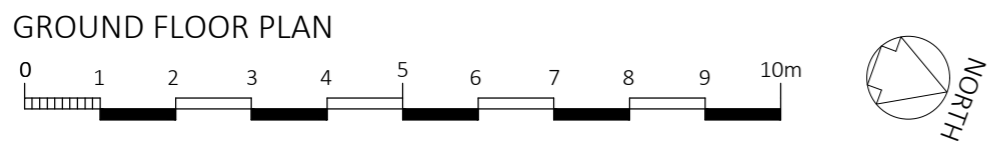
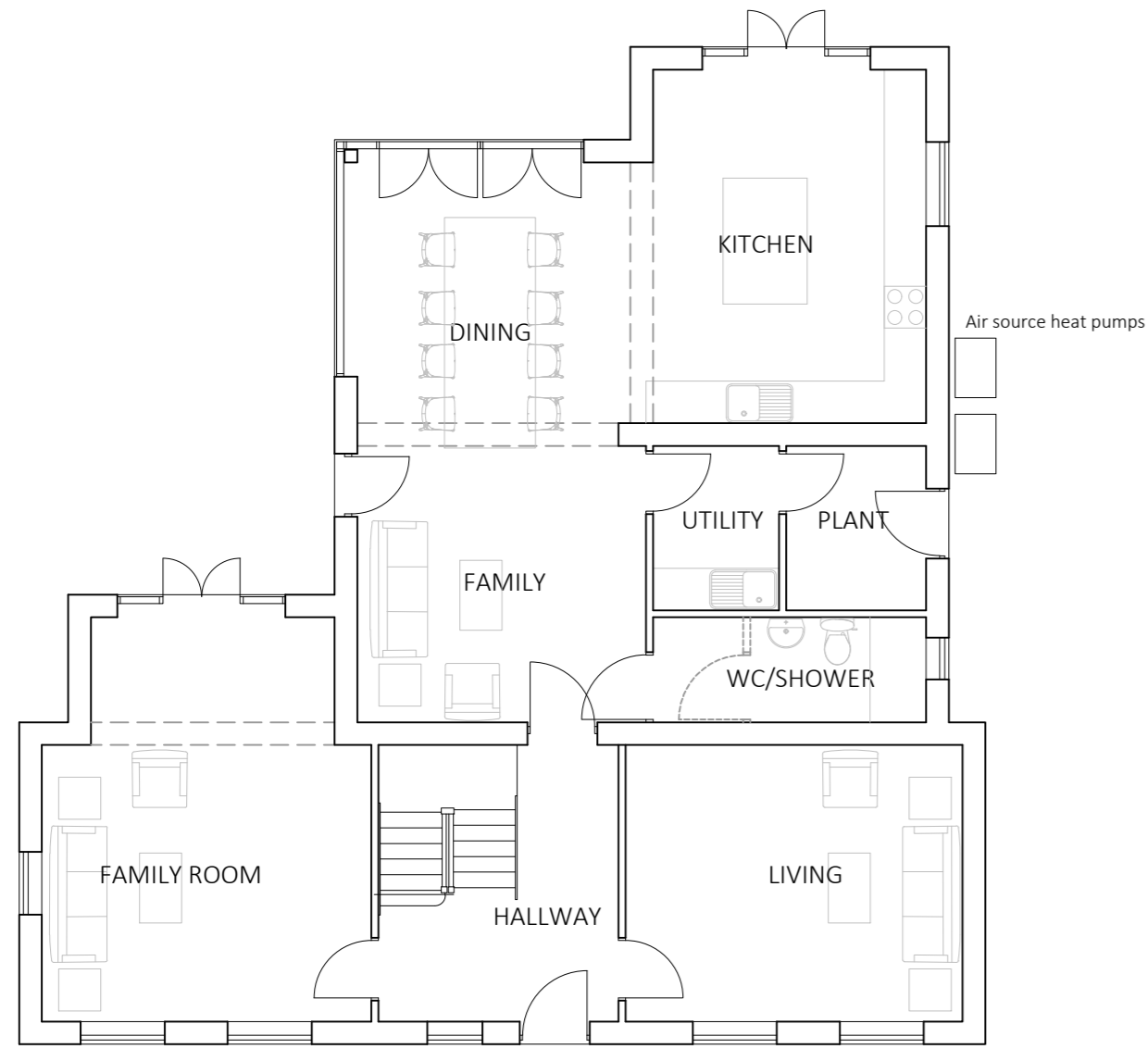
1. LIMESTONE WALLS, WITH CUT QUOINS, HEADS AND CILLS
2. NATURAL TIMBER BOARDING, WESTERN RED CEDAR OR SIMILAR
3. TIMBER WINDOWS AND DOORS, COLOUR PEBBLE GREY
4. PPC ALUMINIUM RAINWATER GOODS, BLACK
5. PVCu RAINWATER GOODS, BLACK
6. GUTTERING ON RISE AND FALL BRACKETS
7. GUTTERING ON STANDARD PVCu BRACKETS, BLACK
8. SIGA HERITAGE ROOFING, RUTLAND, REPLICA COLLYWESTON SLATES
9. ROOFLIGHTS - CONSERVATION TYPE
10. FRAMELESS GLASS JULIETTE BALCONY
11. PROPRIETARY PPC ALUMINIUM GARAGE DOORS
12. LOCATION OF AIR SOURCE HEAT PUMP(S)
13. GMR-FRAMED PORCH CONSTRUCTION, ON PROPRIETARY STEEL POSTS
14. PHOTOVOLTAIC PANELS BY SPECIALIST
15. RETAINING WALL: TIMBER SLEEPERS SET IN BETWEEN STEEL COLUMNS
16. RENDERED DORMER CHEEKS

REC'D 11/02/2021
2020/1359/FUL

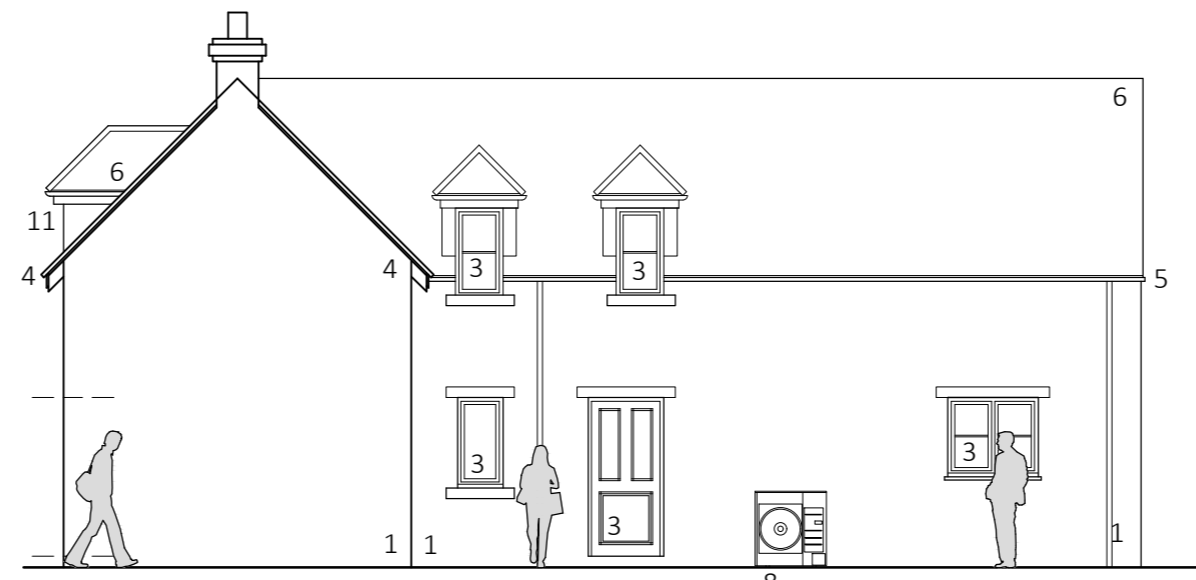
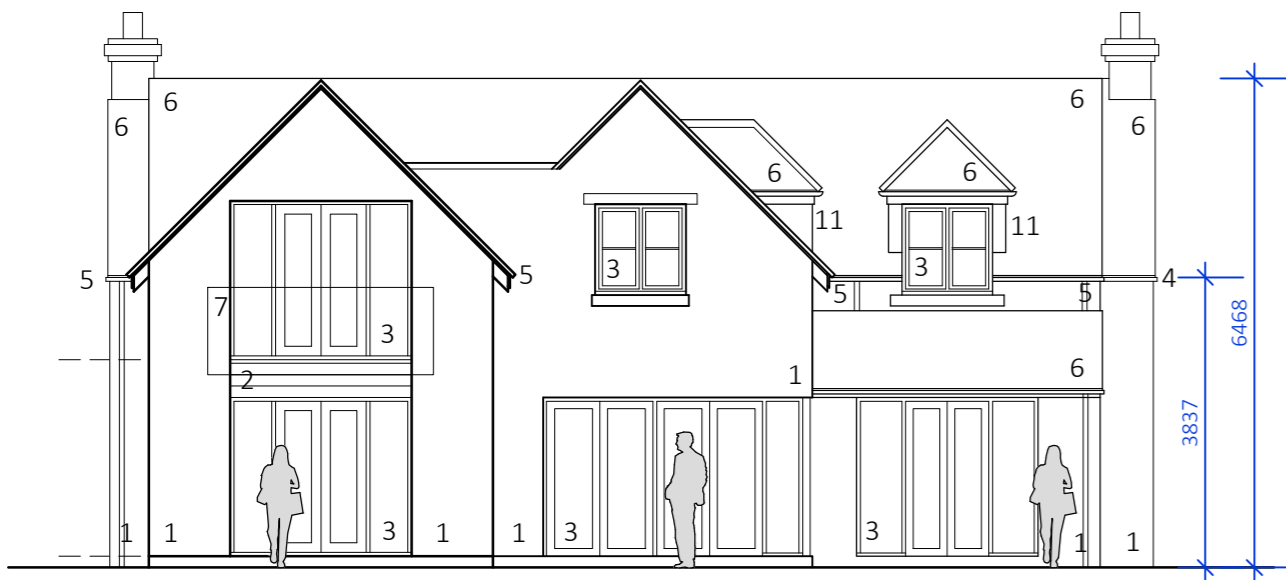


REVISION B
REVISION A
PLANNING: Front elevation, entrance door. Notation
AWAITING REVISION
RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN
PROPOSED PLANS PLOT 2
Scale: 1:100 @A1 Date: 11/2020
Drawn: CRB Dwg No: 20037/PL09B

CRB 10/02/21
PDG ARCHITECTS LTD
1 Eaglethorpe Barns,
Eaglethorpe, Warrington,
Peterborough, PE8 6TJ
T: 01733 371000
E: design@pdgarchitects.co.uk
W: www.pdgarchitects.co.uk



- KEY:
1. LIMESTONE WALLS, WITH CUT QUOINS, HEADS AND CILLS
 2. NATURAL TIMBER BOARDING, WESTERN RED CEDAR OR SIMILAR
 3. TIMBER WINDOWS AND DOORS, COLOUR PEBBLE GREY
 4. PPC ALUMINIUM RAINWATER GOODS, BLACK.
 5. PVCu RAINWATER GOODS, BLACK
 6. SIGA HERITAGE ROOFING, RUTLAND, REPLICA COLLYWESTON SLATES
 7. FRAMELESS GLASS JULIETTE BALCONY
 8. LOCATION OF AIR SOURCE HEAT PUMP(S)
 9. OAK FRAMED PORCH CONSTRUCTION
 10. PHOTOVOLTAIC PANELS BY SPECIALIST
 11. RENDERED DORMER CHEEKS
 12. LEAD CHEEKS TO INSET ROOF BULKHEAD



REC'D 11/02/2021
2020/1359/FUL

REVISION B
REVISION A

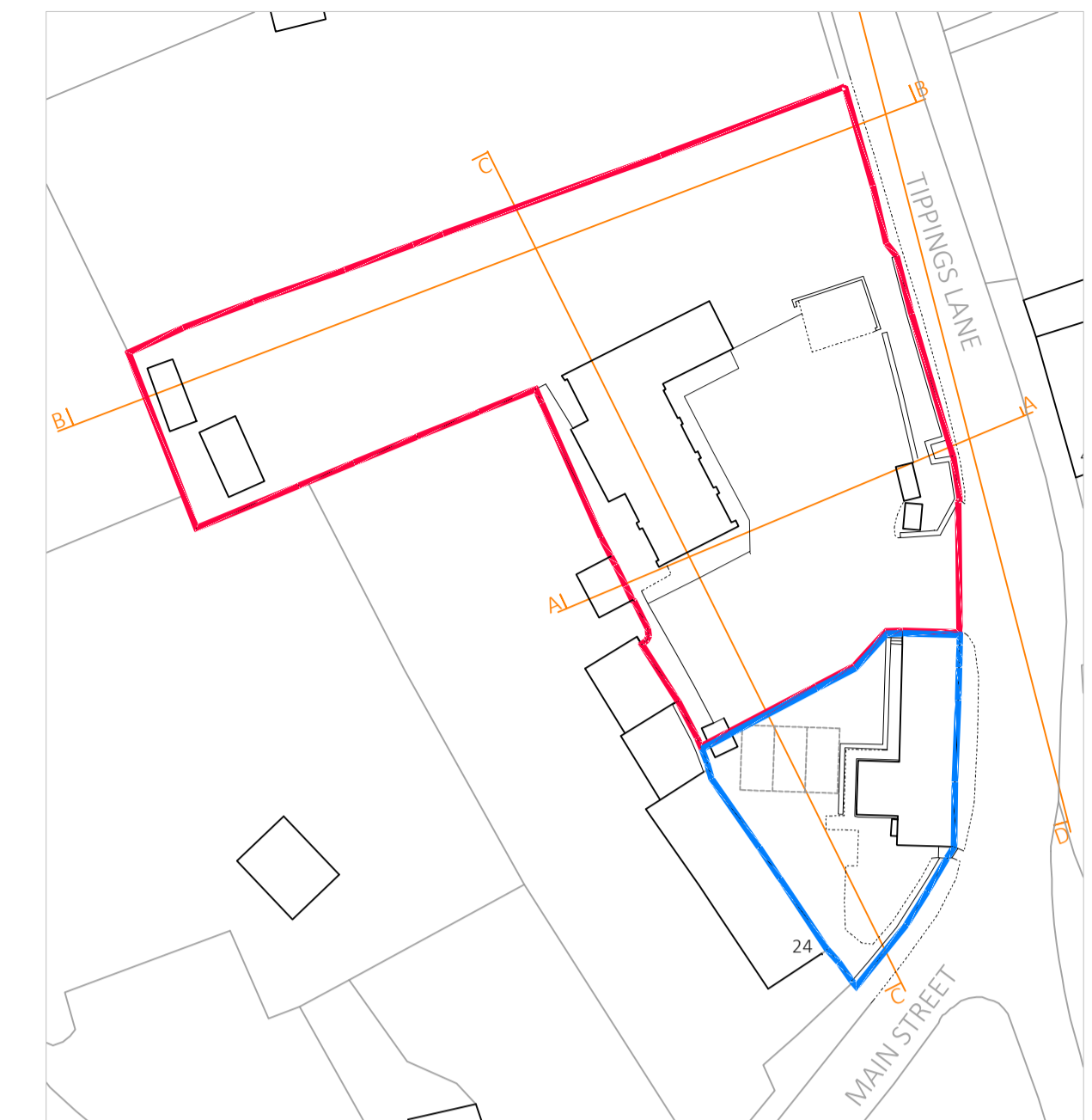


PLANNING: Front elevation door. Notation.
AWAITING REVISION
RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BAROWDEN
PROPOSED PLANS - PLOT 1
Scale: 1:100 @A2 Date: 11/2020
Drawn: CRB Dwg No: 20037/PL08B

CRB 10/02/21

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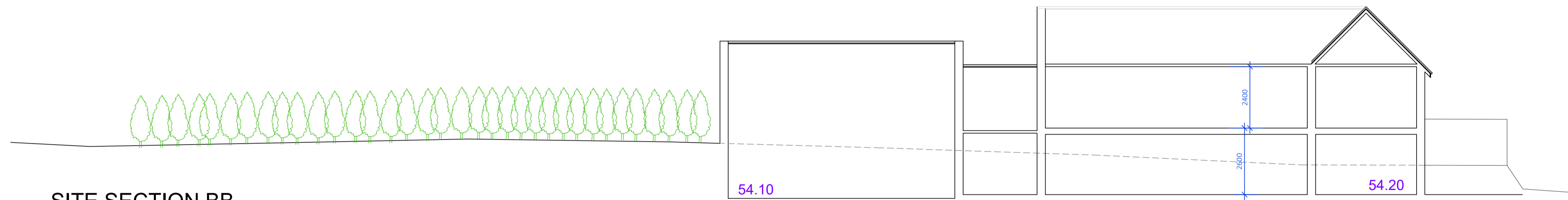
rec'd 11/02/2021
2020/1359/FUL



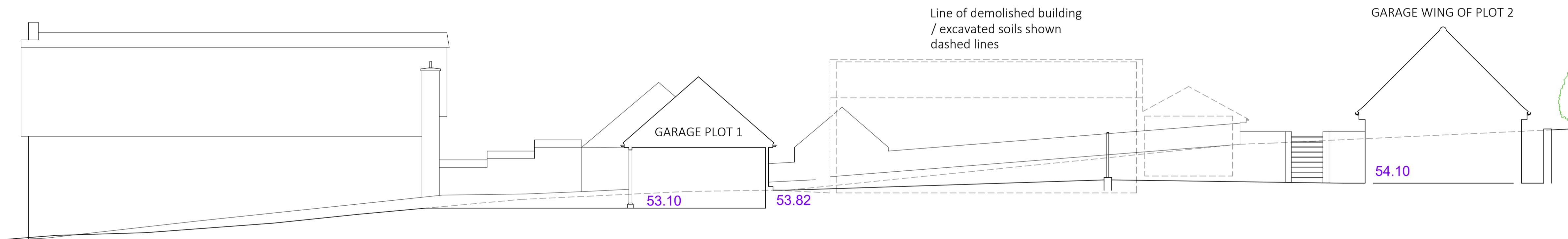
SECTION LOCATION PLAN



SITE SECTION AA



SITE SECTION BB



SECTION / ELEVATION CC



SECTION / ELEVATION DD



REVISION A



PLANNING: To suit revised layouts
RESIDENTIAL DEVELOPMENT
1 TIPPINGS LANE, BARROWDEN
PROPOSED SITE SECTIONS
Scale: 1:100 @A1 Date: 11/2020
Drawn: CRB Dwg No: 20037/PL07A

CRB 10/02/21
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