

## **Parish Council Comments on Planning Application 21/01392/FUL**

**Application Number:** 21/01392/FUL

Address: Scotland House, Lower End, Scotland Lane, Burton Overy,  
Leicestershire LE8 9DR

**Proposal Summary:** Demolition of existing dwelling and erection of a replacement dwelling; change of use of part of field to garden land and associated landscape works (revised scheme of 18/01516/FUL)

### **Comments**

Burton Overy Parish Council (BOPC) considered this planning application at a meeting held on 23<sup>rd</sup> August in the Village Hall. In addition to the four current councillors and the parish clerk, the meeting was attended by 7 members of the public. The conclusion of the meeting was that **the BOPC raises a strong objection to the proposed development**. The reasons for this decision are outlined below.

This application represents the sixth in a series of recent submissions seeking the demolition of the existing building (a modest 3-bedroom cottage plus attached garage) and the erection of a replacement dwelling (17/00935/FUL; 18/00162/FUL; 18/01032/FUL; 18/01516/FUL; 20/00142/FUL; 21/01392/FUL). The first three of these applications were withdrawn following local objections. The fourth application (18/01516/FUL) was given planning approval in November 2018, despite ongoing local objections including those raised by the BOPC. The fifth application (20/00142/FUL) proposed a radically revised building layout on a substantially larger scale than the approved plan. Following local opposition and the strong objections raised by BOPC, this proposal was emphatically refused by Harborough District Council in October 2020. The current application (21/01392/FUL) is a revised version of the previously refused proposal (see below), notwithstanding the fact that this is not acknowledged in any of the current documentation.

There is an issue at the heart of the BOPC concerns relating to the redevelopment of the Scotland House site, which is perhaps best considered in the context of the application that was approved in 2018. At the time the Parish Council objected to the fact that the application involved a change of use of part of an adjacent paddock. More precisely the planning application and its subsequent approval entailed the subsuming of 15% of the paddock area into the new garden/garage space (see the Design and Access statement provided with application 18/01516/FUL). The Parish Council was very concerned that the change of use applied to an area within the Conservation Area but outside of the Limits of Development specified in the Burton Overy Neighbourhood Plan (NP; the submitted NP was subsequently made in November 2018). It remains the view

of the BOPC that this planning relaxation sets a dangerous precedent in contravening a clearly specified policy of the NP. The Parish Council accepts, of course, that in the case of this specific site, planning approval has been granted for the building design detailed in 18/01516/FUL. To state the obvious, the need to extend the residential curtilage over and above that pertaining to the original modest cottage dwelling is driven entirely by the desire to accommodate a very large six-bedroom house. The BOPC asserts that any complete redesign (as proposed in the two most recent applications) will need to be subject to all the prior tests of validity of a curtilage extension into the countryside. It should not be the case that a new application can simply “piggy-back” on the prior design. This being case the BOPC reiterates its strong objection to any building outside of the Limits of Development defined in the NP (in line with NP Policy S2).

In responding to the previous application (20/00142/FUL) the BOPC took the view that the proposal failed to meet many of the essential criteria identified in the earlier planning consent. In the event, Harborough District Council refused this application. The following are extracts from the decision notice:

“1. The proposed development fails to achieve a satisfactory standard of design. The development does not respect the local character and distinctiveness of the settlement. The combined form/footprint, scale, massing, proportions and style of the dwelling would be out of keeping with the site and its semi-rural, edge-of-settlement context. The conspicuousness of the site, being on elevated land, at a street head and surrounded by a number of Public Rights of Way (Green Infrastructure assets), would exacerbate harm to visual amenities.

The development's impact on the tree & foliage belt to the east of the site (noting excavated paths and engineered gardens) would exacerbate harm. The elongation of the dwelling into paddock land to the west and the additional garden engineering to the north would exacerbate harm on the semi-rural nature of the site.

2. The Application does not contain sufficient ecological information to demonstrate that the proposal would not have an unacceptably detrimental impact on ecological interests (bats and badgers). The proposal also fails to protect and enhance the biodiversity value of the Neighbourhood Plan designated Site of Environmental (natural and historical) Significance "Scotland Thicket" (Policy ENV 2; site 146).”

At issue here is whether the current application (21/01392/FUL) adequately ameliorates the above concerns.

The current proposal envisages a dwelling with a very wide front aspect consisting of a central gable and doorway with two double-storey bays to each

side. In terms of the scale of the build the only significant difference between the current proposal and refused application would seem to be the removal of the adjacent double garage with a room above. Even with this modification the front aspect of the proposed building is roughly 12% wider than the approved design (this is an estimate as no definitive information is given in the proposal). However, it seems astounding that anyone might consider building a modern 6-bedroom house without including the convenience of a garage. It is a fair supposition that once built, planning permission would soon be sought to rectify the omission. There is nothing else in the current application to mitigate the issues detailed above in relation to the scale and appearance of the proposed build.

The NP recognises the **Special Character of Burton Overy**, a small village that, extraordinarily, retains its rural character, open countryside setting, uninterrupted and extensive views in all directions and largely intact medieval layout. The NP further notes that ‘the particular relationship of the village to the farmed landscape within and around it, are fundamental to Burton Overy’s exceptional and precious character and attractiveness as a place to live’. Scotland House occupies a very prominent site at the end of Scotland Lane. The proposed building on its relatively elevated site and with its 9 windows and door facing Scotland Lane, together with multiple windows facing eastward, would have a completely overbearing impact both on the street scene and on neighbouring properties. The problem is compounded by the fact that the design of the new build shows no sympathy whatsoever to the traditional form and scale of the existing building or its surroundings (the cedar cladding utilised in the approved design was at least an attempt to blend the new building into its surroundings). As such it would be very harmful to the unique charm of the village which is much prized by both residents and visitors alike. It would be visible and overly-dominant from as far back as the junction of Elms Lane and Rectory End.

The current application does contain both a recent Tree Survey (dated July 2021) and Ecological Appraisal & Protected Species Survey (dated June 2021). The Tree Survey envisages the removal and replacement of a number of “poor quality” trees plus the planting of a new mixed hedgerow along the southern and eastern boundaries of the property. It is a moot point as to whether these recommendations, even if enacted to the full, would adequately mitigate the overall harm to the semi-rural nature of the site. The Ecological Appraisal & Protected Species Survey highlights specific requirements in respect of an active badger sett and the presence of bats. It is proposed that the active badger sett is closed and a new artificial sett be provided elsewhere in the site. The need for this drastic action is, of course, is a direct result of the extension of the residential curtilage into the adjoining paddock area.

The final concern of the Parish Council relates to the practicalities of siting a house of this size at the end of a narrow lane with limited access and egress and with little or no on-street parking. Burton Overy does not benefit from any form of public transport. It follows that the new occupants of Scotland House and their visitors will be reliant on cars for all their major transport needs. For a 6-bedroom dwelling this could imply significantly more than 4 parked vehicles at certain times. Attendant issues relating to noise, traffic and on-street parking may all impact on the general amenity of the local residents. Put bluntly, residents fear the prospect of a “hotel plus carpark” on their doorstep. This a different perspective on the points raised several times above. The proposed development is not of an appropriate size and scale for the site and its location.

To reiterate, the BOPC raises a strong objection to this application.