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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2023/0388/FUL	ITEM 4	
Proposal:	Replacement oak gate posts and 2 1.2m high oak gates.		
Address:	2 Stamford Road, Exton, LE15 8AZ		
Applicant	Mr K Heckels	Parish	Exton and Horn
Agent:		Ward	Exton
Reason for presenting to Committee:	Applicant is Cllr Heckels		
Date of Committee:	18 July 2023		
Determination Date:	20.06.23		
Agreed Extension of Time Date:	21 July 2023		

EXECUTIVE SUMMARY

The proposal comprises the replacement of oak gate posts and the erection of two 1.2 metre high oak gates to serve the access at 2 Stamford Road, Exton. The gates are visually acceptable, including having no detrimental impact on the character and appearance of the conservation area or on the setting of the listed building, would not impact on residential amenity and would be acceptable on the grounds of highway safety.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Location Plan
Block Plan
KH-GA001 Rev A Proposed Elevation

Reason: For the avoidance of doubt and in accordance with Policies CS19 and CS22 of the Core Strategy, Policies SP15 and SP20 of the Site Allocations and Policies DPD.

3. Development shall be carried out in accordance with the details contained in the application. The gates and posts shall be finished as per the applicant's email dated 15 June 2023.

Reason: To ensure that materials of an acceptable quality appropriate to the area are used and to accord with policies CS19 and CS22 of the Core Strategy and Policies SP15 and SP20 of the Site Allocations and Policies DPD.

Site & Surroundings

1. The site is located on the north-western side of Stamford Road and accommodates a detached dwelling comprising a stone and thatch structure with a single storey brick and tile element set side onto the highway. The vehicular access is located towards the south of the site leading to an area of hardstanding for parking and turning. A timber pedestrian gate is adjacent to the dwelling.

Proposal

2. The proposal comprises the replacement of the oak gate posts and the erection of a 1.2 metre high pair of oak gates. The gate posts would be at each end of the gates and would be 1.5 metres in height. The gates would open inwards.

Relevant Planning History

None.

Planning Guidance and Policy

National Planning Policy Framework 9NPPF) 2019

Chapter 2 – Achieving Sustainable Development

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well-Designed Places

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

SP20 – The Historic Environment

Core Strategy DPD (2011)

CS19 – Promoting Good Design

CS22 – The Historic and Cultural Environment

Neighbourhood Plan

None

Officer Evaluation

Impact of the use on the character of the area

3. The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to

the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.

4. The Local Planning Authority is required to ensure that special regard is given to preserving the listed buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act').
5. The NPPF refers to the importance of considering the impact of development on the significance of designated heritage assets. Policy CS22 of the Core Strategy and Policy SP20 of the Site Allocations and Policies DPD both seek to protect historic assets, their settings and their character and special features. Policy CS19 relates to design, Policy SP15 relates to design and amenity.
6. The proposal comprises the erection of replacement gate posts and new vehicular gates. The gate posts would be 1.5 metres in height with the gates 1.2 metres in height. The proposed gates would be visible from the public realm but would be of a suitable material with a design that is sympathetic to the character of the dwelling, street scene and conservation area. Overall, no objection is raised to the proposed gates and posts.
7. Subject to a condition relating to external materials and finish, it is not considered the proposal would be visually harmful. The proposal would preserve the character and appearance of the conservation area and would not adversely affect the setting of any nearby listed building by reason of the limited nature of the proposal.
8. The proposal accords with Sections 12 and 16 of the NPPF, Policies CS19 and CS22 of the Core Strategy, Policies SP15 and SP20 of the Site Allocations and Policies DPD and the above-mentioned Act.

Impact on the neighbouring properties

9. The proposal would not impact on the residential amenity of occupants of neighbouring properties given the limited nature of the application. The proposal is therefore 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

10. The proposal seeks permission for gates on the existing vehicular access. The Local Highway Authority has to review each application on a case by case basis, taking into consideration the existing situation/history of the site and traffic levels. The property is situated on a quiet, lightly trafficked road in Exton, and therefore a vehicle stopping on the highway would not be detrimental to highway safety or affect the free flow of traffic.
11. Additionally, having reviewed historic images of this site, it would appear at one point there was a gate utilising the gate posts which are still in situ. As such, the Local Highway Authority has no objections to the proposed gates at this location.

12. The proposal would not have an unacceptable adverse impact on highway safety and the proposal would be in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

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

Human Rights Implications

14. 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.
15. It is considered that no relevant Article of that act will be breached.

Consultations

16. None.

Neighbour Representations

17. None received.

Conclusion

18. Taking the above into account, it is considered that subject to the imposition of conditions the application would not result in harm to the character or appearance of the conservation area or affect the setting of any listed building. There would be no harm to residential amenity or highway safety. The proposal is in accordance with Sections 9, 12 and 16 of the NPPF, Policies CS19 and CS22 of the Core Strategy and Policies SP15 and SP20 of the Site Allocations and Policies DPD and the above-mentioned Act.