

PLANNING AND LICENSING COMMITTEE

19 September 2023

APPEALS

Report of the Strategic Director of Places

Strategic Aim:	Delivering Sustainable Development	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Paul Browne - Portfolio Holder for Planning and Property	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160 psharp@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

- 1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/W/23/3320461 – Mr Jon Gibbison, Hereward Homes Ltd - 2022/1462/FUL**

Land Adjacent To 17 Whitwell Road, Empingham
Construction of 2 No. Stone Dwellings

Delegated Decision – Refusal for the following reasons:

The proposed new dwellings and garage blocks would result in a cramped form of development and would by virtue of their scale, design and form in relation to their location in the open countryside and defined Rutland Water Area show little regard for any local distinctiveness in relation to Empingham and the surrounding landscape and would appear as an incongruous element in its landscape setting, dominating views from the surrounding area and neighbouring land uses. Taking the above into account, it is considered that the development would be contrary to Policies CS3, CS4, CS19 and, CS24, of the Adopted Core Strategy Development Plan Document (2011), and Policies SP6, SP15 and SP23, of the Site Allocations Development Plan Document (2014), Sections 5, 12 and 15 of the NPPF (2021), The Design Guidelines for Rutland (SPD) and The National Design Guide, 2021.

2.2 APP/A2470/W/23/3321645 – Mr T Fiducia, Fiducia Enterprise Ltd – 2022/1214/FUL

Quarry Farm, Holywell Road, Clipsham, Rutland, LE15 7SQ

Section 73 for variation of Condition No. 2 (approved plans) relating to Planning Permission ref: 2020/0674/FUL (Proposed conversion of existing agricultural buildings to a dwelling with associated annex to include demolition of existing agricultural buildings). To allow change to permitted access route to dwelling.

Delegated Decision - Refusal for the following reasons:

The applicant seeks this alternative domestic vehicle access over a substantial length over a bridleway which is in poor condition and would need substantive upgrading. It is considered that the access running to an approximate length of 1150 metres and taking into account the nature of the surfacing and use of the track by large agricultural vehicles will lead to an unacceptable access for domestic vehicles. Furthermore, in order to bring the access track up to a standard which may be suitable for use by a domestic vehicle throughout the year the nature of the works that would have to be carried out would impact adversely on the character of this rural area. As a result of these factors the proposal is considered contrary to 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).

3. DECISIONS

3.1 APP/A2470/2/22/3299719 – Mr Richard Drownicki c/o Rural Solutions Limited – 2020/0059/FUL

Land on the North East Side of Pingle Lane, Morcott

1 No. New Dwelling

Committee Decision

Appeal Allowed – 16 August 2023

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

7.1 Alternatives have not been considered as this is an information report

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 As this is only a report for noting it has not needed to address authority, powers and duties.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment (EqIA) has not been completed for the following reason; because there are no relevant service, policy or organisational changes being proposed.

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 This report gives details of decisions received since the last meeting for noting.

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.