

PLANNING AND LICENSING COMMITTEE

25 April 2024

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/23/3332608 – Mr P Hinch – 2023/0168/FUL**
Land to the North of Greetham Wood, Stretton Road, Greetham
Erection of agricultural grain store

Delegated Decision - The proposed agricultural building, by reason of the size, scale, massing and design, would not preserve the character and appearance of the site or surrounding area. The proposal would be contrary to policies CS16 and CS19 of the Core Strategy which seek to ensure development would maintain and enhance the environment, contribute to local distinctiveness and be appropriate and sympathetic to its setting in terms of, amongst other things, scale, height and appearance. The proposal is also contrary to Policies SP7, SP13, SP15 and SP23 of the Site Allocations and Policies DPD which seek to ensure development would not be detrimental to visual amenity and would reinforce local distinctiveness.

2.2 APP/A2470/D/24/3339253 – Mr R Comber – 2023/1077/FUL

Brookdene House, 11A Water Lane, Ashwell, LE15 7LS

New attached double garage to existing property

Delegated Decision - It is considered that the proposed garage, by reason of siting, design, scale, size and massing would result in a harmful impact on the character and appearance of the conservation area. It is considered that the harm to the conservation area is than substantial harm on the character and appearance of the conservation area which is not outweighed by any public benefit. Accordingly, the proposal therefore fails to accord with Sections 12 and 16 of the NPPF (2023), 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 Policies Development Plan Document (2014) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.3 APP/TPO/A2470/9689 – Mr Simon Coles – 2023/0238/PTA

11 Foxfield Way, Oakham, LE15 6PR

1 no. Sycamore tree - Reduce secondary stem (northeast of the tree) by up to 1.5m from the distal end of branches as per annotated photo.

Delegated Decision - The height of the Sycamore being reduced at the secondary stem (northeast of the tree) by up to 1.5m from the distal end of branches (as per annotated photo) would compromise the value of the TPO and is not considered acceptable. The Sycamore tree, by virtue of its size, form, and location makes a significant contribution to the character and appearance of the area. The reduction of the height of the tree would result in a detrimental impact to public amenity.

2.4 APP/A2470/D/24/3341635 – Mrs Sally Ann Waycot – 2023/1208/FUL

7 Manor Close, Ryhall

Two storey side extension

Delegated Decision - The proposed two storey side extension, by virtue of its size, scale, massing and siting, has an overly stretched and disproportional appearance, which, combined with its cramped surroundings would result in a visually incongruous addition to the street scene (when viewed from both Manor Close and Back Lane), to the detriment of visual amenity. As such, the proposal is contrary to planning policies CS19 of the adopted Core Strategy (2011), SP15 of the Site Allocations and Policies Development Plan Document (2014), Section 12 of the National Planning Policy Framework, and Section 6G of the Design Guidelines for Rutland SPD (2021). The proposed two storey side extension, by virtue of its

location and bulk, would result in a poor relationship with 2 Back Lane, Ryhall, adversely affect natural light to the windows on the north elevation of the neighbour's property, to the detriment of their residential amenity. As such the proposal would be contrary to planning policies CS19 of the adopted Core Strategy (2011), SP15 of the Site Allocations and Development Plan Document (2014), and the adopted Supplementary Planning Documents (SPD): Extensions to Dwellings (2015) and the Design Guidelines for Rutland (2021). The proposed alterations and extensions will involve roof work to the existing dwelling. Without the submission of a Preliminary Roost Assessment, there is insufficient evidence to demonstrate that the proposal could proceed without potentially affecting any protected species that may be present on site. The proposal therefore fails to accord with Policy SP19 in the Site Allocations DPD (2014). In the absence of acceptable plans demonstrating that 3 car parking spaces can be satisfactorily accommodated on the site, the proposal is considered to be unacceptable on highway safety grounds. As such the proposal would fail to accord with Section 9 of the NPPF and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

3. DECISIONS

3.1 APP/A2470/D/23/3334892 – Hayley Travers - 2023/0789/FUL

19 Main Road, Barleythorpe, Oakham, LE15 7EE

Increase roof height to provide second floor accommodation. Front and rear extensions.

Delegated Decision

Appeal allowed – 21st March 2023

No Application for costs

3.2 APP/A2470/W/23/3323586 – Mr Philip Davies – 2022/1213/MAO

Land to the East of Normanton Road, Edith Weston

Outline application for up to 62 no. dwellings, landscaping and open space with all matters reserved except access.

Appeal Decision Quashed - 18 March 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.