

Public Document Pack



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
Telephone 01572 722577 Facsimile 01572 758307 DX28340 Oakham

Ladies and Gentlemen,

A meeting of the **DEVELOPMENT CONTROL AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 27th September, 2016** commencing at 6.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/haveyoursay

A G E N D A

APOLOGIES

1) MINUTES

To confirm the minutes of the Development Control and Licensing Committee held on 30 August 2016.

2) DECLARATIONS OF INTERESTS

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

3) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions from members of the Public in accordance with the provisions of Procedure Rules.

The total time allowed for this item shall be 30 minutes. Petitions, deputations and questions shall be dealt with in the order in which they are received.

Questions may also be submitted at short notice by giving a written copy to the Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

4) DEPUTATIONS RELATING TO PLANNING APPLICATIONS

To receive any deputations from members of the Public in accordance with the provisions of Procedure Rule 94(4).

There will be no limit on the total number of deputations to be received but no more than two deputations will be permitted in respect of each planning application one of which, if required, will be from a statutory consultee.

Deputations which relate to a planning application included on the agenda for this meeting will be deferred until the application is considered by Members.

Following the deputation, the applicant or his agent will have a right of reply, the maximum time for which will be three minutes. Members will then have the opportunity to question the depute and if a response has been made, the applicant or agent, for a maximum of four minutes.

5) REPORT NO. 187/2016 DEVELOPMENT CONTROL APPLICATION

To receive Report No. 187/2016 from the Director for Places (Environment, Planning and Transport).
(Pages 5 - 28)

6) REPORT NO. 188/2016 APPEALS REPORT

To receive Report No. 188/2016 from the Director for Places (Environment, Planning and Transport).
(Pages 29 - 32)

7) ANY OTHER URGENT BUSINESS

To consider any other urgent business approved in writing by the Chief Executive and Chairman of the Committee.

DISTRIBUTION

MEMBERS OF THE DEVELOPMENT CONTROL AND LICENSING COMMITTEE:

Mr E Baines (Chairman)	
Mr J Dale (Vice-Chair)	
Mr G Conde	Mr W Cross
Mr J Lammie	Mr T King
Mr A Mann	Mr T Mathias
Mr M Oxley	Mr C Parsons
Mr K Thomas	Mr D Wilby

OTHER MEMBERS FOR INFORMATION

This page is intentionally left blank

REPORT NO: 187/2016

DEVELOPMENT CONTROL AND LICENSING COMMITTEE

27TH SEPTEMBER 2016

**PLANNING APPLICATIONS TO BE DETERMINED BY THE
DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

**REPORT OF THE DIRECTOR FOR PLACES
(ENVIRONMENT, PLANNING AND TRANSPORT)**

This page is intentionally left blank

Rutland County Council

Development Control & Licensing Committee – 27th September 2016

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation
1	2015/1075/MAJ	Spire Homes, Bayleys Close and Beckworth Grove, Empingham, Rutland Demolition of 10 dwellings and Beckworth Court and erection of 29 new dwellings	Approval

This page is intentionally left blank



© Crown copyright and database rights [2013]
Ordnance Survey [100018066]

Scale - 1:1250
Time of plot: 10:39
Date of plot: 13/09/2016



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2015/1075/MAJ	ITEM 1	
Proposal:	Demolition of 10 dwellings and Beckworth Court and erection of 29 new dwellings		
Address:	Bayleys Close and Beckworth Grove, Empingham, Rutland		
Applicant:	Spire Homes	Parish	Empingham
Agent:	Jefferson Sheard	Ward	Normanton
Reason for presenting to Committee:	Neighbour Objections		
Date of Committee:	27 September 2016		

EXECUTIVE SUMMARY

The scheme has been reduced in scale to come closer to density in accordance with policy and has been re-designed to better reflect the Empingham style of houses. The scheme provides 21 affordable units, now more closely reflects the local style and is in line with the prevailing density in pockets around the site. The scheme meets the requirements of the Development Plan and there are no material considerations of sufficient weight to outweigh the adopted planning policies.

RECOMMENDATION

APPROVAL, subject to the completion of a S106 Agreement relating to the delivery of Affordable Housing on site, and 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, numbers 0467-A-2010B, 0467-A-2011D, 0467-A-2012B, 0467-A-2111A, 0467-A-2112A, 0467-A-2113A, 0467-A-2114B, 0467-A-2115A, 0467-A-2116A, 0467-A-2117A, 0467-A-4001, 0467-A-8101C, 0467-A-8102D, 0467-A-8103D, 0467-A-8104D, 0467-A-8200B, 0467-A-8201, 0467-A-82003B, 0467-A-82-4, 0467-A-8205B, 0467-A-8206, 0467-A-8207, 15254/240 Rev C, SK-LP-180468-01-A, SK-LP-180468-02 (the construction and transport management plans) and the mitigation proposals set out in Section 5 of the Ecology Report submitted with the application.
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials 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 and because no acceptable details have been submitted with the application.
4. No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.
Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance

5. No more than 10 of the 29 new dwellings hereby approved shall be occupied until the high friction surfacing on Loves Lane has been renewed and extended to the junction of Loves Lane and Main Street.
Reason: To ensure that the road surface, particularly close to the junction with Main Street is suitable to cater for the additional traffic generated by the development, particularly in adverse weather conditions, in the interests of highway safety.
6. No works above ground level on the superstructure of any dwelling hereby permitted shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, including the open space, which shall include any proposed changes in ground levels.
Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development and because no details have been submitted with the application.
7. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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.
8. Other than demolition, no works on the construction of foundations for any dwelling hereby approved shall be commence until final details of the design and implementation of the surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:
 - b) A timetable for implementation;
 - c) Site investigation and test results to confirm infiltrations ratesReason: To ensure that a sustainable drainage scheme is in place for the development, to prevent flooding adjacent to the site and further afield and because full details have not been submitted with the application.
9. No dwelling 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 thereafter in accordance with the agreed management and maintenance plan.
Reason: To ensure that the sustainable drainage scheme is implemented within an appropriate timeframe to provide adequate drainage before the new dwellings are occupied.

Notes to Applicant

All works affecting the highway shall be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made to highways@rutland.gov.uk

Steps should be taken to ensure sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

The construction vehicle route to the site should be clearly signed and a strict regime of wheel washing and street cleaning should be in place.

Site & Surroundings

1. The site is located on the west side of Loves Lane and comprises the concrete panel clad 'Airey' houses on Bayleys Close and the residential block known as Beckworth Court. There are currently 10 houses on Baileys Close, 2 having been demolished following a fire some time ago.
2. The site rises gently from south to north, being bordered on the northernmost edge by houses on an extension of Beckworth Grove which were constructed as an 'exception' site about 10 years ago. There are 29 'units' within the Beckworth Court building to be demolished.
3. To the south west is a large detached house on Chapel Close which is at a lower level than the houses on Bayleys Close.
4. Access to the site is via Loves Lane, Baileys Close and Beckworth Grove as existing. A garage court is also to be included in the development and has its own access off Loves Lane.
5. The site is not within the Conservation Area but that area does include dwellings on Main Street to the south of Walnut Close and on the east side of Loves Lane, up to No.7 on the corner of Glebe Close.

Proposal

6. The proposal is to demolish 10 of the remaining dwellings together with the residential block at Beckworth Court and erect 29 new dwellings. These would be a mix of 2 storey semi-detached and terraced houses and 1 detached bungalow.
7. The indications are that the development of 8 units on the Beckworth Court site will be for open market sale and the remaining 21 will be affordable units, for rent or shared ownership.
8. A pair of original semi-detached dwellings (Nos. 5 and 6 Bayleys Court) would be retained as one is in private ownership and the applicant has not been able to negotiate its purchase. These would remain as one private and one affordable property.
9. The layout has been revised twice and has been subject to comprehensive re-consultation. The revision loses several plots from the 49 originally proposed in an effort to reduce the density and produce a higher quality scheme that is less car and road dominated.
10. It was originally proposed to erect 3 bungalows on the garage court area but that is now being retained as parking only, the garages being demolished, and used as allocated and visitor parking for the scheme and also to allow parking for vehicles for existing dwellings on Beckworth Court where there is limited road width for on-street parking and where residents asked if parking could be provided. A footpath would enable gated access to the rear of those dwellings. A security gate would enable access to the car park for residents from Bayleys Close. The car park would be overlooked by new dwellings and the rear first floor windows of dwellings on Beckworth Grove.
11. The revised layout is shown in **APPENDIX 1** with elevations and typical street scenes at **APPENDIX 2**.

Relevant Planning History

Application	Description	Decision
2004/1271	Erection of 13 dwellings, Land off Beckworth Grove (site to the north)	Approved Aug 2006

Planning Guidance and Policy

National Planning Policy Framework

Para 14: Presumption in favour of Sustainable development. Para 7 explains that there are 3 dimensions to sustainability; economic, social and environmental.

Para 47 – LPA's should set out their own approach to housing density to reflect local circumstances

Para 59 – Design polices should avoid unnecessary prescription and concentrate on guiding overall scale, density, massing, layout and access in relation to neighbouring buildings and the local area more generally.

The Rutland Core Strategy (2011)

CS3 (The Settlement Hierarchy) of the adopted Core Strategy identifies Empingham as a Local Service Centre.

CS4 (The location of development) states the Local Service Centres can accommodate a small scale level of growth mainly through small scale allocated sites, affordable housing sites, infill developments and conversion or reuse of redundant suitable rural buildings, approximately 24 dwellings per annum in this settlement category up to 2026.

CS10 – Housing Density and Mix

CS11 – Affordable Housing

CS19 – Promoting Good Design

Site Allocations and Policies DPD (2014)

Policy SP1 (Presumption in Favour of Sustainable Development) states the Council will take a positive approach when considering development proposals that reflect the NPPF presumption in favour of development. The NPPF also highlights that housing should be located where it will enhance or maintain the vitality of rural communities.

Policy SP5 (Built development in the towns & villages) states that sustainable development within the Planned Limits of Development of the villages will be supported provided that:

- It is appropriate in scale and design to its location and to the size and character of the settlement;
- It would not adversely affect the environment or local amenity
- It would not individually or cumulatively with other proposals, have a detrimental impact upon the form, character, appearance and setting of the settlement or neighbourhood and its surroundings
- It would not be detrimental to features and spaces which contribute to the important character of the settlement and the locality.

Policy SP15 - (Design & Amenity) states that development should reflect the characteristics of the site, complement the character of the surrounding area, protect the amenities of neighbours, be of a suitable scale, form and mass, use appropriate materials and make safe provision for access and parking.

Other Material Considerations

Supplementary Planning Document – Developer Contributions (January 2016 – came into effect 1 March 2016)

This states that for schemes of 5 dwellings or more, affordable housing should be provided on site at a minimum rate of 30% (subject to viability).

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a listed building or its setting. Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character of a conservation area.

Consultations

12. Empingham Parish Council

On **original submission**, Concerns about:

- Loss of Beckworth Court
- Density of housing
- Transport Assessment
- Pressure on Community Services
- Consequential effects on Listed Buildings and the Conservation Area. The proposed development has potentially serious adverse effects on both.

On **revised scheme**:

- EPC supports in principle the objective of improving the housing stock and expanding the social and affordable housing in Empingham village. Our position continues to be one of seeking to improve the proposed development, such that it has a positive impact on the Parish without undue adverse impact on the existing infrastructure and residents. The modified proposals for this brownfield site to demolish a total of 39 dwellings and erect 29 two and three bedroomed properties for sale, shared ownership and rent is a significant improvement to the initial application. The proposed development would improve the housing stock and encourage the development of Empingham village as a thriving local service centre.
- Loss of Beckworth Court as a community facility needs to be addressed – isn't there a need? Can't it be made fit for purpose?
- The reduction of 13 (31%) to 29 dwellings is welcomed. The proposed density of housing is acceptable to EPC.
- Many views have been expressed – both subjective and quantitative. They may have differed in detail, but all seem to agree that there would be an increase in the level of traffic into, out of and along the access road, Loves Lane. It is generally acknowledged that the traffic mix would also change.
- EPC has raised this issue several times, the applicant has submitted a revised assessment, and an independent report commissioned by residents has been produced. These public discussions are though incomplete without a similarly open input from RCC.

- EPC would welcome a public statement by RCC about whether the roads and junction meet statutory requirements, and whether they can reasonably be expected to safely carry the level and composition of traffic (including pedestrians and cyclists).
- Some residents have expressed concern about potential overlooking of the adjacent properties, in particular proposed new housing overlooking houses to the north in Beckworth Grove. Some have questioned the materials that are proposed.
- EPC believes that the future of the existing parking and access at the rear of the south side of Beckworth Grove is a matter that must remain between the applicant and the residents concerned. We do though consider that there is still work to be done in terms of casual parking along Loves Lane itself and improvements to pedestrian access to the Play Field.
- These may not be directly linked to the proposed development, but the need for them is most certainly going to increase. We look to RCC and the applicant for an extended pavement through to the Play Field's Loves Lane entrance, and for a long-term solution to the on-road parking along the upper part of Loves Lane.

Other Issues

EPC's previous responses drew attention to various specific issues. Of these, we are satisfied that both the School and the Medical Centre will be able to handle any resulting increase in demand, but we are told of continuing issues with the existing foul sewer and of low mains water pressures. Both of these raise the question of adequacy of provision for any increase in residency. For the issue of surface water run-off, we note that the applicant has specified measures to deal with surface water within the site.

EPC would welcome assurance that the services are and will remain adequate, and that the planned soakaways will not further exacerbate the existing problem of surface water flooding along Main Street, east of the Surgery.

Implementation

Any such large development will involve significant movements of materials, as well as noise and some disturbance to services.

EPC notes that RCC Highways has insisted that a Delivery Schedule is agreed. EPC believes there should be a properly structured Implementation Plan for the complete development to demonstrate to all interested parties how the applicant will minimise and mitigate any short-term negative impact on the residents and the village as a whole, including ensuring continuity of services.

EPC also supports a request by residents that the already empty properties on the site be demolished and the site cleared as soon as possible.

13. Anglian Water

On original scheme:

Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment is unacceptable due to discharge rate to the public surface water sewers being too high. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We will request that the agreed strategy is reflected in the planning approval

On **revised**:

Comments awaited.

14. Ecology

On **both schemes**:

The Protected Species Survey of Beckworth Court (CBE Consulting, September 2015) recorded no evidence of bats within the buildings, although one bat was possibly seen emerging during one of the surveys. The mitigation recommendations for the redevelopment of this building are satisfactory and we would request that compliance with section 5 of this report is required as a condition of the development.

15. Lead Local Flood Authority

On **original scheme**:

Objection - the current proposal may lead to an increase in flood risk. We expect all developments to limit their discharge rate to that of greenfield as per Anglian Waters Policy (3.7.4.3 of the BSP consulting report). We expect that to be around 5 l/s, also mentioned by Anglian Water. We are pleased to see the applicant looking at infiltration and the use of permeable paving on this site, however, we would like the development to keep as much water as possible out of any foul sewer. The attenuation on the site needs to be designed to cater for the 1 in a 100 year + climate change storm event, and for events between the 1 in 30yr and 1 in 100yr areas must be shown where water will sit including exceedance.

On **revised**:

No objection subject to a condition calling for final details to be submitted for approval and implemented before occupation.

16. RCC Highways

On the revised layout and following a further traffic survey, no objection subject to informatives being brought to the attention of the applicant.

Neighbour Representations

17. Letters had been received from 22 local residents on the original scheme on the following grounds:
- Additional traffic using Loves Lane and its junction with Main Street.
 - Lack of parking on the site.
 - Concern about density and the impact that would have on parking etc.
18. There does not appear to be any objection to the proposal on the grounds of impact on adjacent dwellings.
19. A local resident had written supporting the scheme as follows:
- There is a demand and need for such properties in the village, which would have a positive effect on the local services, which is in everyone's interest.
 - Most recent development in Empingham has been very large and very expensive properties. Proposal is welcome to those requiring more affordable homes, and who would contribute to the important everyday life of the village.
20. An independently procured Transport and Highways Review has been submitted by local residents. This refers to the original scheme.
21. On the revised scheme, there has been two letters of support stating:
- Welcomes the variety of new dwellings in the village
 - scheme would provide exactly the type of housing needed in the village
 - Occupiers would support the local school and be an advantage to all other local facilities in Empingham, which is important for our village life
 - one supporter does express some concern about additional vehicles
 - Concerns over the increased traffic should bear in mind that all the original houses in Bayleys Close had cars
 - Some residents and visitors to Beckworth Court had cars
 - The proposed new surfacing will be an improvement on Loves Lane.

The Head of Empingham Primary School has written in support of the scheme saying that the school has capacity and this will help secure the future of the village school.

22. There have been 5 further letters of objection on the following grounds:
- Loss of Beckworth Court as a valuable community asset – a health economic assessment should be undertaken, loss to the wellbeing of the local community. Want to see comment from Social Services/hospitals about how easy/expensive it is to access this facility
 - Traffic generation will be doubled which is unacceptable. Traffic travels too fast on Loves Lane that is too narrow and has a blind bend. Delivery vehicles will have difficulty getting in.
 - Want to see a RCC response to the Independent Traffic Assessment submitted by residents.
 - Independent TA is relevant to the revised scheme.
 - Risk of fatality increased by 200-300% which is totally irresponsible
 - Make sure surface water is dealt with to prevent flooding on Main Street

Planning Assessment

23. The main issues are policy/principle of development, heritage impacts, design, residential amenity, highway safety and provision of affordable housing.

Planning Policy/Principle

24. The proposal is now for the development of 29 new dwellings, on brownfield land, within the planned limits of development of Empingham. The development plan identifies Empingham as a Local Service Centre which can accommodate this scale of development, especially as it is previously developed land. As such, the main consideration will be whether the proposal is appropriate to the character of the village and meets the criteria set out in policy SP5 and SP15.
25. Policy CS10 of the Core Strategy states that density of new development in villages will be expected to achieve 30 dwellings per hectare(dph) having regard to the character of the surroundings and other design principles. The supporting text implies that over 30 dph is acceptable provided it is in keeping with the surrounding character. Whilst densities can be subjective in terms of how they are measured, the current density of 32dph is acceptable in this location, having regard to the prevailing mix of densities in the locality.
26. The existing density of the overall site (excluding Beckworth Court due to its apartment nature) is approximately 26 dwellings per hectare (dph). This is very low due to the size of gardens on Bayleys Close in particular and the garage court being included. The Beckworth Grove extension (2006) is approximately 42dph but was approved at a time when much higher densities were encouraged.
27. The higher density, whilst leading to parking at the front of some properties, as on many previous affordable schemes, does not have a wide visual impact on the character of the area because it is tucked away at the end of Bayleys Close. The density of the units on the Beckworth Court site is higher in stand alone terms, but this does match the new units to the North. Improvements have been made to the layout of this element from the original scheme and parking spaces have been pushed back between houses where possible to minimise the car domination on frontages.

Design

28. The design has been improved to more reflect the traditional Empingham style, much of which is defined by stone and red brick farmhouses and Estate dwellings. The site is surrounded by more modern development and the design is thereby considered to be appropriate for this location to comply with policies CS19 and SP15.
29. Materials are specified as red brick and small plain red tiles to match the traditional estate cottages in the historic part of the village. Dormers on some plots have been narrowed to 2 lights wide and more detail of the dormer design has been submitted to ensure that they are not bulky or clumsy.
30. The overall development is not readily or widely visible from beyond the end of Bayleys Close or Beckworth Grove. The character of the area is typified by the remaining concrete clad Airey houses and 1960/70's semi-detached houses and bungalows. The design is now acceptable to meet the requirements of the design policies set out above.

Heritage Impacts

31. The Local Planning Authority has a statutory duty to ensure that the character and appearance of the Conservation Area and the setting of listed buildings is not harmed.

The Parish Council suggests that the scheme could have an impact on listed buildings and the Conservation Area. The Conservation Area boundary runs to the south of the site, excluding the bungalows on Walnut Close, but does then run north along a short section of Loves Lane and then off to the east along Glebe Close. There are views into the site from the Conservation Area at the junction of Loves Lane and Bayleys Close but these are not considered to be detrimental to the character and appearance of the Conservation Area, bearing in mind the current situation. The development would therefore have a neutral effect on the character and appearance.

32. There are no listed buildings immediately adjacent to the site but two cottages on the east side of Loves Lane are listed. The scheme is not considered to adversely impact on the setting of those buildings.

Residential Amenity

33. The scheme is located adjacent to residential boundaries at Beckworth Grove extension, Chapel Close (off Main Street) and existing original dwellings on Bayleys Close and Beckworth Grove. Plot 2 on Bayleys Close is at a higher level than 4 Chapel Close. That property is screened to some extent by a row of conifers within its own boundary. The relationship between the proposal and the neighbour is not however dissimilar to the existing situation.
34. The only other area where impact on existing dwellings could be an issue is plots 24-29 on Beckworth Grove. These are back to back with the Beckworth Grove extension, although the existing dwellings are at a higher level. The Council has no minimum distance standards so it would be difficult to justify a reason for refusal based on that relationship.
35. Plots 13/14 have first floor windows facing the side garden of 13 Bayleys Close, although the nearest to the rear of 13 Bayleys Close is obscure glazed bathroom and again there in minimum distance, so the relationship is acceptable.
36. The scheme therefore complies with policy SP15.

Highway Safety

37. Following the submission of the revised layout and a further traffic survey, the highway authority now considers that the scheme is acceptable. It provides for 69 parking spaces in total for 29 units (plus 1 existing dwelling retained), including on plot and garage court parking, the latter of which is also intended to allow some residents of Beckworth Grove to have rear access (although there is no legal requirement to do so), plus some spaces on the highway already defined.
38. There is concern locally that the development will still generate more traffic than can be accommodated by the highway network, including during construction. The latter is a short term temporary issue and cannot be lent weight in the determination of this application although a construction management plan has been submitted. The road network centred on Loves Lane is not subject to heavy traffic flows at the moment. One of the main concerns is speed on Loves Lane where there is a tight bend. Current thinking on road design is that roads should have varied widths, be narrowed and have bends as this slows traffic better than artificial calming schemes on wide straight sections of road, such as road humps. The development is not considered to generate such additional traffic that the network as it stands would go beyond its capacity to operate safely and efficiently.
39. The applicant has agreed to fund the renewal of the high friction surface on Loves Lane, including extending it down to the junction with Main Street which will assist in

preventing traffic sliding out onto Main Street in icy conditions, an issue identified by some residents.

40. The scheme thereby complies with Policy SP15 in terms of parking, access and general highway safety.

Affordable Housing and other Contributions

41. From 1 March 2016, developer contributions in Rutland are dealt with by the Community Infrastructure Levy (CIL). This means that such contributions are no longer 'negotiated' or included in a S106 agreement. S106 will now only relate to affordable housing provision and any other site specific requirements, the latter of which is not relevant in this case.
42. The new Supplementary Planning Document seeks a minimum of 30% affordable units as part of the S106 agreement. However, the applicant, as a main provider of social housing, intends to provide considerably more than that on site. This is a positive factor that should be given weight in any decision.

Loss of Beckworth Court

43. Some residents have objected to the loss of Beckworth Court. This is owned and managed by Spire Homes and has been under-occupied for some years. The Council has no powers to insist that the building is retained and used as accommodation for elderly (or other) residents. It is dated and uneconomical to bring up to standard. Anecdotal evidence is that it has not been popular and it has been difficult to let any vacant units in recent times. This is not therefore a material consideration.

Other Issues

44. It is noted that the surface water drainage issue is still to be clarified. It is not expected that this will prove to be a barrier to the development and that technical evidence/details need to be submitted for approval, especially for the revised layout. It is anticipated that this will be resolved by the date of the meeting when an update will be provided.

The contractor is to check all dimensions on site and report any discrepancies to the architect. All drawings are copyright, designs and patents act 1988 have been generally assigned.

For individual details, site plans refer to drawing 0467_A_2010 for BayView Site, Drawing 0467_A_2012 for Beckworth Site.

SCHEDULE OF ACCOMMODATION

Residential:
 01 no. - 2B Bungalow @ 65m²
 06 no. - 2B Houses @ 75m²
 22 no. - 3B Houses @ 85m²
 29 no. - Units Total

01 no. - Existing House
 30 no. - Total Units

Parking:
 64 no. - Parking Spaces Total
 05 no. - Off site parking
 69 no. - Total
 (230% parking provision)

Site Area:
 0.907 Hectares
 Density:
 33 units/hectare approx.

Refer to individual house types for floor areas.

B 19.08.2016 Drawn: tm Check: JH

Amendments from RCC meeting 19.08.

A 06.07.2016 Drawn: tm Check: JH

Draft Planning Issue

Unit 10 The Forum, Park, Lynchwood
 Peterborough, PE2 8FT
 Telephone +44(0)1733 375900
 Facsimile +44(0)1733 286640
 Website www.jeffersonsquadarchitects.com



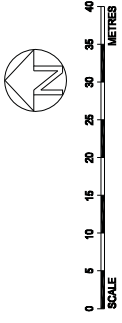
Jefferson
 Squad
 Architects

Drawn: tm Check: JH

Project
 Residential Development
 Bayleys Close & Beckworth Court
 Empingham

Drawing
 29 Plot - Full Site Plan

Scale	1:500@A2	Date	July 2016
Ref.	0467	Number	A_2010
		Rev.	B





Plot 07

Plot 06

Plot 05

Plot 04

Plot 03

Plot 02



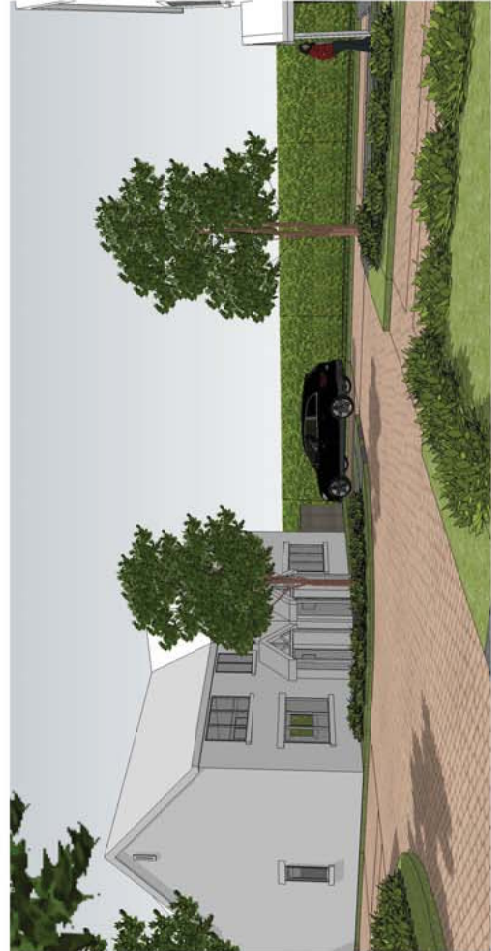
Plot 12

Plot 11

Plot 10

Plot 09

Plot 08



This page is intentionally left blank

DEVELOPMENT CONTROL AND LICENSING COMMITTEE

27th September 2016

APPEALS

Report of the Director for Places (Environment, Planning and Transport)

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No.	
Cabinet Member Responsible:	Councillor Terry King, Portfolio Holder for Places (Development) and Finance	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning and Transport)	Tel: 01572 758461 dbrown@rutland.gov.uk
	Gary Pullan, Development Control Manager	Tel: 01572 720950 gpullan@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 Development Control & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/W/16/3153613 - Mr Jon Gibbison – 2015/1113/FUL**
 Clatterpot House, 4 Clatterpot Lane, Cottesmore, Oakham, Rutland
 LE15 7DW
 Construction of 2 x 3 Bedroom detached houses. One with integral garage and one with a detached garage
Delegated Decision

- 2.2 **APP/A2470/W/16/3154429 – Mr Jon Gibbison – 2015/1111/FUL**
 Casterton Lane, Tinwell, STAMFORD, Rutland, PE9 3UQ
 Construction of detached 2 bedroom cottage at the site of 4 old garages
 along Casterton Lane, Tinwell
Delegated Decision
- 2.3 **APP/A2470/D/16/3154930 – Mr C Nicols – 2016/0293/FUL**
 Springwell House, 26 Audit Hall Road, Empingham, Oakham, Rutland
 LE15 8PH
 Two storey extension to dwelling
Delegated Decision
- 2.4 **APP/A2470/W/16/3154482 – Mr Clive Giles – 2016/0998/FUL**
 14b Queen Street, Uppingham, Oakham, Rutland, LE15 9QR
 Conversion of outbuilding to dwellinghouse including installation of new
 windows and access door (part-retrospective)
Delegated Decision
- 2.5 **APP/TPO/A2470/5329 – Mr M Smith – 2016/0272/PTA**
 The Red House, 35 The Nook, Whissendine, Oakham, Rutland, LE15 7EZ
 1 No. Horse Chestnut – Crown reduction of approximately 15% and shape
 back to growth, cutting mostly at dropping growth points
Delegated Decision
- 2.6 **APP/A2470/D/16/3155483 – Mr I Imison – 2016/0280/FUL**
 4 Stretton Road, Greetham, Oakham, Rutland, LE15 7NP
 New Vehicular access and car park
Delegated Decision
- 2.7 **APP/A2470/W/16/3155671 – Philip James Breslin – 2016/0020/FUL**
 Land opposite White Horse Inn, Stamford Road, Morcott, Rutland
 Vehicular access to land
Delegated Decision
- 2.8 **APP/A2470/W/16/3152094 – Mrs Maria Goulding – 2015/0932/FUL**
 Cosy Dub Farm, Braunston Road, Brooke, Oakham, Rutland, LE15 8HW
 Construction of a permanent dwelling at Cosy Dub Farm to accommodate
 an agricultural worker
Delegated Decision

3. DECISIONS

- 3.1 **APP/A2470/D/16/3153758 – Mr R Harris – 2016/0193/FUL**
 59 Manor Lane, Langham, Rutland, LE15 7JL
 Remove existing attached garage and construct a side extension to both
 sides and a front extension to the dwelling bungalow plus the erection of a
 single detached garage
Delegated Decision
Appeal Allowed

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 **APP/A2470/C/16/3155253 – Mr Clive Giles – 2015/0112/CMP**
14a & 14b Queen Street, Uppingham, Rutland LE15 9QR

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.