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## Rutland County Council

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

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 13th June, 2017** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs  
**Chief Executive**

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### **A G E N D A**

#### **APOLOGIES**

##### **1) MINUTES**

To confirm the minutes of the Development Control and Licensing Committee held on 16 May 2017.

##### **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 Rule 93.

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.

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Requests to speak on planning applications will also be subject to the RCC Public Speaking Rules.

--o0o—

The total time allowed for this item shall be 30 minutes.

**4) REPORT NO. 115/2017 PLANNING APPLICATIONS**

To receive Report No. 115/2017 from the Director for Places (Environment, Planning and Transport)  
(Pages 3 - 20)

**5) REPORT NO. 116/2017 APPEALS REPORT**

To receive Report No. 116/2017 from the Director for Places (Environment, Planning and Transport)  
(Pages 21 - 24)

**6) ANY OTHER URGENT BUSINESS**

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

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**DISTRIBUTION**

**MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:**

Mr E Baines (Chairman)	
Mr A Stewart (Vice-Chair)	
Mr G Conde	Mr W Cross
Mr R Gale	Mr J Lammie
Mr A Mann	Mr T Mathias
Mr M Oxley	Mr C Parsons

**OTHER MEMBERS FOR INFORMATION**

**PLANNING & LICENSING COMMITTEE**

**13<sup>TH</sup> JUNE 2017**

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

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

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## **Rutland County Council**

### **Planning & Licensing Committee – 13<sup>th</sup> June 2017**

#### **Index of Committee Items**

<b>Item</b>	<b>Application No</b>	<b>Applicant, Location &amp; Description</b>	<b>Recommendation</b>	<b>Page</b>
<b>1</b>	<b>2017/0233/FUL</b>	<b>Mrs Julie Pickwell, Liberty Homes Ltd. 13 Chapel Lane, Barrowden, Rutland, LE15 8EB. Demolition of existing dwelling and erection of three new properties. Variation of Condition 2 of planning permission 2013/0385/FUL, via new drawings for plots 1 and 2 indicating relocated garages with raised roof level to incorporate a first floor en-suite, and an enlarged ground floor at the rear.</b>	<b>Approval</b>	
<b>2</b>	<b>2017/0238/FUL</b>	<b>Mr Guy Gibbeson, Bloomsbury Planning &amp; Design Ltd. 24 Main Street, Preston, Oakham, Rutland, LE15 9NJ. First floor side extension, two storey rear extension and replacement single storey lean-to at rear.</b>	<b>Refusal</b>	

#### **Appeals Report**

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Ordnance Survey [100018056]

Scale - 1:1250  
Time of plot: 16:44  
Date of plot: 30/05/2017



**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	2017/0233/FUL		ITEM 1
Proposal:	Demolition of existing dwelling and erection of three new properties. Variation of Condition 2 of planning permission 2013/0385/FUL, via new drawings for plots 1 and 2 indicating relocated garages with raised roof level to incorporate a first floor en-suite, and an enlarged ground floor at the rear.		
Address:	13 Chapel Lane, Barrowden, OAKHAM, Rutland, LE15 8EB		
Applicant:	Mrs Julie Pickwell, Liberty Homes Ltd	Parish	Barrowden
Agent:		Ward	Ketton
Reason for presenting to Committee:	Referred by Chairman		
Date of Committee:	13 June 2017		

## EXECUTIVE SUMMARY

The proposed amendments to the design of the new dwellings on Plots 1 and 2 are in accordance with relevant Local Plan policies, and are in keeping with the spirit of the Inspector's decision letter when permission was initially granted on appeal.

Conditions imposed on that extant permission are recommended, with appropriate updates.

## RECOMMENDATION

**APPROVAL**, subject to the following conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown plan numbers 2732/1; 2016.127-001, 002, 003, 004, & 005; and Landscaping Plan LS1a, with associated documentation.  
Reason - For the avoidance of doubt and in the interests of proper planning.
2. No development above ground level 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 – The site is in a prominent location within the Barrowden Conservation Area, where the external materials will have a significant visual impact. This condition is required to ensure that the impact is in keeping with the character and appearance of the conservation area.

3. No further development shall take place until the implementation of a programme of archaeological work in accordance with the Written Scheme of Investigation and Palaeobotanical Report, prepared by Pre-Develop Archaeology, and submitted on 22 May 2017.

Reason - To allow proper investigation and recording of the site, given its archaeological and historic significance.

4. Notwithstanding the approved landscaping and boundary treatments scheme (Ref:



LS1a, referenced in Condition 2, above), the first five metres of the vehicular access shall be constructed from a porous hardbound material. This surfacing and the other hard landscaping details within the approved scheme shall be implemented prior to the first occupation of any of the approved dwellings. The soft landscaping details within the approved scheme shall be implemented within the first planting and seeding season (October - March inclusive) following recommencement 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 - Given the prominent location within the Barrowden Conservation Area, an appropriate scheme of hard and soft landscaping and boundary treatments is required to ensure that the new development preserves the character and appearance of the area. A porous hardbound driveway is required to avoid displacement of loose material onto the highway in the interests of highway safety, whilst ensuring that its drainage is sustainable.

5. No further development shall take place until the existing hedgerow on the eastern side boundary has been protected by the erection of temporary protective fences in accordance with BS5837:2012 and of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the hedgerow. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The hedgerow is an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site.

6. No dwelling shall be occupied until parking and turning areas have been laid out in accordance with approved plan 2016.127-004. These parking and turning areas shall thereafter be retained and kept available for the parking and turning of vehicles.

Reason - To ensure that parking of vehicles in the adjoining streets does not occur in the interests of highway safety, and that appropriate parking is provided

7. No structure or other obstruction exceeding 0.9 metres in height shall be placed within the sight lines shown on approved plan 2016.127-004.

Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

#### Advisory Notes:

1. The developer is encouraged to liaise with the Local Highway Authority in the preparation of an Access Management Plan for Construction Vehicles, intended to address the issues arising from use of narrow village lanes in gaining access to the site for materials, plant, machinery and contractor's vehicles. The Management Plan shall address potential damage to the highway, and the need for sufficient off loading facilities for delivery vehicles within the limits of the site.
2. The developer will need to obtain a Highways Licence from Rutland County Council Highways Department before any work can commence on the new access. This will

require that the access is built to a standard specification and that contractors are sufficiently insured against public liability whilst operating in the highway.

Road cleaning will need to be carried out during construction to ensure that the highway is kept clear of deleterious material.

## Site & Surroundings

1. The application site is in a prominent location at the junction of Chapel Lane, Crown Lane and Wheel Lane, within the Planned Limits to Development of Barrowden, and also within the Barrowden Conservation Area.
2. This part of the conservation area is characterised by a series of narrow lanes, with terraced, semi-detached and detached dwellings in an irregular pattern. The prominent building material is stone.
3. The site frontage contains a low stone wall, and the end wall of a stone outbuilding. There is a mature hedgerow on the eastern boundary. This all contributes to the character and appearance of the conservation area. Site levels then rise gently towards the rear of the site.

## Proposal

4. Planning permission for demolition of an existing dwelling and construction of three new dwellings (2013/0385/FUL), was granted on appeal on 15 September 2014. The dwelling has since been demolished. The current Section 73 application is intended to make the following variations to Plots 1 and 2:
  - Garages are moved forwards and their ridge height increased, to provide a first floor en-suite facility in the roofspace. The design of the up & over garage doors is also adjusted,
  - Part of their ground floor (only) is extended by one metre to the rear.
5. Given the conservation area location, the Local Planning Authority must exercise its special duty to consider if these proposals would preserve or enhance the character and appearance of the area.
6. Any approval would be a fresh permission. However, given that the developer already has an extant permission available (which has been “secured” in perpetuity through a commencement of development via demolition of the existing dwelling), further consideration is not given in this report to matters other than the proposed changes and the conditions to be imposed on any new permission.
7. Given that relevant material considerations have not changed in the interim, this application does not provide an opportunity to revisit that earlier decision.

## Relevant Planning History

Application	Description	Decision
74/0200	Construction of one dwellinghouse and improvement of vehicular access	Approved 23-05-1974
75/0097	Erection of a	Approved

	dwellinghouse	28-04-1975
2013/0385/FUL	Demolition of existing dwelling. Construction of three two-storey dwellinghouses	Refused 16-01-2014 Appeal Upheld 15-09-2014

## Planning Guidance and Policy

### National Planning Policy Framework (2012)

Section 7	Design
Section 11	Natural Environment
Section 12	Historic Environment

### The Rutland Core Strategy (2011)

Policy CS19	Design
Policy CS21	Natural Environment
Policy CS22	Historic Environment

### Site Allocations and Policies DPD (2014)

Policy SP15	Design and Amenity
Policy SP19	Biodiversity and Geodiversity
Policy SP20	Historic Environment

### Barrowden Village Design Statement

Section 3	Physical Environment
Section 4	Built Environment
Section 5	Particular Features

## Consultations

### 8. Barrowden Parish Council

“Barrowden Parish Council held an open public planning meeting on 27 April. At that meeting it was decided to refuse the application 2017/0233/Full. The original planning application 2013/0385/FUL for this development was refused by Barrowden Parish Council and RCC but passed on appeal on 15 September 2014 (with revised plans). The current planning application applies to plots 1 and 2. The garage to plot 1 sits much further forward than on the previous plans, plot 2 garage is further forward as well. Both garage roof heights are raised to accommodate ensembles on the first floor at the rear of the garages. The increase in height of plot 1 garage is significant, less so for plot 2. The appeal inspector said The garages serving plots 1 and 2 would be set back between the dwellings, enhancing the feeling of space between the houses. see appeal Reasons page 3 point 5. Also, However, the short row of dwellings would not be uncharacteristic in the village and there would be adequate space around them to ensure that the layout did not appear cramped. See Reasons page 3 point 6. The current application, however, does make the houses look more cramped, the taller garage rooves take away the sense of open space between the houses. We therefore feel the new plans do affect the layout and density of the building design and affect the visual appearance, which are material planning considerations. Current resident concerns include many of the original ones regarding the three new houses. The main objection quoted in the appeal and raised again now, being the development having a materially harmful effect on the character and appearance of Barrowden conservation area. Other objections both in 2013 and now, include overshadowing; loss of privacy; layout and density; highways issues (access, traffic congestion and pedestrian safety) and drainage/flood risk lower down Chapel Lane and Wheel Lane. However, the appeal inspector did not accept these arguments and approved

the plans .If the plans were to be approved by RCC the Parish Council (PC) would like certain conditions applied. Original materials to be used, namely natural stone and roof tiles clay pantiles of natural grey slate. A traffic management programme is agreed (Barrowden PC have already submitted a proposal for this to RCC). A contractors logistics programme is agreed. Given the sensitive nature of the site RCC consider removing permitted development rights. A contribution towards affordable housing is made by the developer to RCC. See email received on 18-05-2017 for comments and advice.”

9. **Highways**

No objection, subject to standard conditions and advisory notes.

10. **Archaeology Consultant**

The submitted Written Scheme of Investigation is acceptable

11. **Ecology Consultant**

The bat survey of March 2015 did not discover any bats on the site or in the immediate vicinity.

## **Neighbour Representations**

12. Five individual objections received, raising the following issues:

- Concern at practice of seeking amendments after approval granted for an initial scheme
- Overdevelopment of site
- Increased suburbanisation
- Cumulative modest increases in size should be resisted
- The proposed changes will add to the overbearing impact and worsen the outlook from neighbouring dwellings
- Reduced green areas within the site and consequent impact on surface water drainage
- Increased dwelling sizes will add to parking pressures
- Poor access for emergency service vehicles
- Impact on the Conservation Area
- Insufficient regard for the Village Design Statement
- Proposed materials are not prevalent in the village; any approval should be conditional on the use of local stone.

13. Concerns were also expressed regarding the current condition of the site, regarded by objectors as “untidy”.

## **Planning Assessment**

14. The main issues are the:

- Design amendments
- Public response, and
- Recommended conditions.

### **Design amendments**

15. In assessing the proposed changes, some detailed consideration must be given to the Inspector’s Appeal Decision of 2014, which is a significant material consideration.

16. Her paragraph 5 specifies that the set back of the garages on plots 1 and 2 enhances the “feeling of space between the houses”. However, her paragraph 6 then notes that a short row of dwellings such as this would not be uncharacteristic in the village and that

the ridge heights are noticeably lower than on the existing (now demolished) dwelling.

17. The proposed changes must therefore be considered against these comments before concluding if the relocation and increased height of the two garages would close down the gaps between the dwellings and thereby undermine one of the characteristics that resulted in her approval of the appeal proposals.
18. The current proposal maintains a 500mm set back from the front elevation of the dwellings to the front of the garages. The increased ridge height of these garages is 1.7 metres (sloping away from the front) and remaining 1.3 metres below the height of the dwellings; this is significant given the Inspector's comment about the lower ridge heights than the (now demolished) existing dwelling.
19. Given this, the proposed changes to these garages still allow some perception of openness between the dwellings, and avoids any terracing effect, thereby remaining within the spirit of the Inspector's decision. The changes have a neutral impact on the conservation area, which ensures that the duty to preserve its character and appearance is satisfied.
20. The modest increase in ground floor footprint at the rear of the two dwellings has no further impact.
21. None of the proposed changes has an impact on any other matters such as residential amenity or access and parking arrangements.

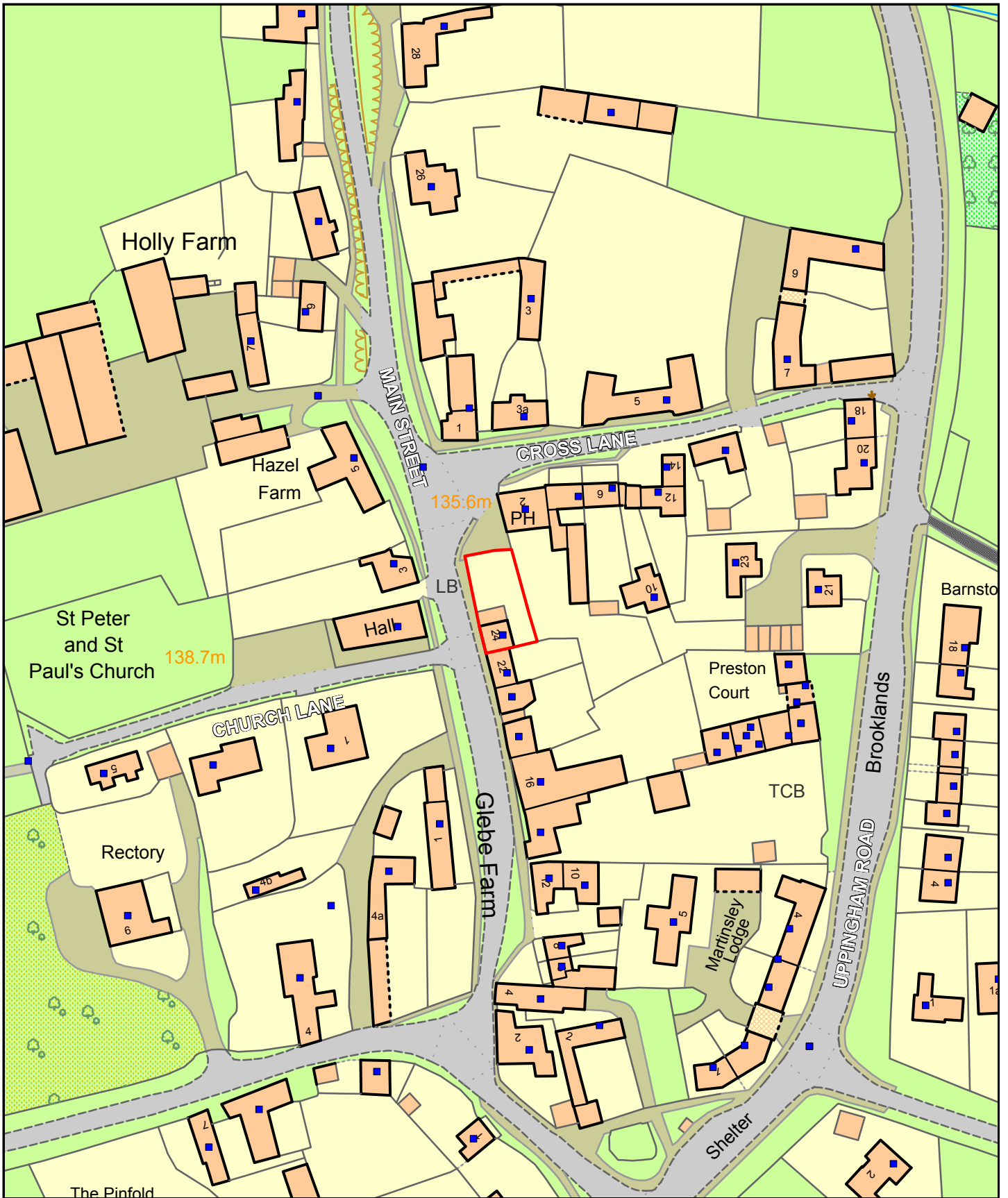
### **Public Response**

22. The concerns raised by neighbours and the Parish Council are noted; many of these revisit concerns raised when the previous application was being considered. However, given that the developer has a fall back position via the extant permission, consideration should only be given to the impact of the proposed variations.
23. The Parish Council and some of the local residents have commented that the repositioning and increased height of the garages will have a greater visual impact and be contrary to the evaluation set out in the Inspector's paragraph 5. However, for the reasons set out above, the currently proposed changes are not sufficient to undermine the principles established by the Inspector.
24. Concerns raised by objectors that are relevant to the conditions imposed on the extant permission are addressed below. Management of construction traffic cannot be addressed by condition, but is being addressed separately in discussions with the Highway Authority
25. Concerns regarding the present condition of the site cannot be addressed here as the appropriate planning powers for dealing with "untidy sites" do not apply to sites where development is underway.

### **Recommended Conditions**

26. Given that any approval would be a fresh planning permission, consideration must be given to whether the previous conditions should be carried forward.
27. **Time limit**  
This is not required as the previous permission has been commenced.
28. **Approved Plans**  
These are updated in the recommendation, above.

29. **Materials**  
Although not discharged prior to the commencement of development on the extant permission, this does not go to the heart of the matter and can still be addressed. The plans approved by the Inspector specified Clipsham stone with brick detailing and a pantile roof, with the Inspector then imposing this condition for details to be submitted and approved. Although some discussions have been undertaken with the developer, this matter remains outstanding and so the condition is included in the recommendation, above.
30. **Archaeology**  
A Written Scheme of Investigation has been approved but not yet implemented. The recommended condition has been adjusted accordingly.
31. **Bat Survey**  
This is not required as the previous dwelling is now demolished. A bat survey of 2015 had indicated that no bats were present.
32. **Landscaping and 8. Boundary treatments**  
A scheme of landscaping and boundary treatments has been submitted with the current application, and is acceptable. It is therefore added to the list of approved plans/documents in recommended Condition 2, above. Its key features are:
- Strengthening and lengthening of the existing hedge along the eastern boundary of the site.
  - New hedging supported by a picket fence at the south-west corner of the site; this is partly intended to ensure that Plot 1 doesn't encroach into an area of land that is within the developer's ownership, but outside the previously approved development site.
  - New tree planting within the site.
  - Retention of part of an existing small outbuilding on the site frontage. The Inspector's Decision had noted its neutral impact on the character and appearance of the conservation area; its retention will retain some of that character.
  - Five metre tarmac driveway, with gravel driveway beyond.
  - Specification of ground levels, as required by the landscaping condition.
33. However, the proposed surfacing material for the first five metres of the driveway isn't permeable, as required by the Highway Authority, so this part of the previous condition is repeated in the recommendation, above. This recommended condition also requires compliance with the approved landscaping and boundary details.
34. The Inspector's landscaping condition also required details of tree protection measures. These weren't included in the details submitted with the current application given that no trees are retained. However, given the proposed retention of the existing hedge on the eastern boundary, and given its positive contribution to the character of the area, a condition is recommended to secure its protection during construction works.
35. **Parking and Turning Areas**  
This is a compliance condition, and is repeated in the recommendation.
36. **Sight Lines**  
This is also a compliance condition, and is repeated in the recommendation.
37. The conditions are renumbered accordingly, above.



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Ordnance Survey [100018056]

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Time of plot: 09:27  
Date of plot: 30/05/2017



**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	<b>2017/0238/FUL</b>	<b>ITEM 2</b>	
Proposal:	<b>First floor side extension, two storey rear extension and replacement single storey lean-to at rear.</b>		
Address:	<b>24, Main Street, Preston, OAKHAM, Rutland, LE15 9NJ</b>		
Applicant:	<b>C/o agent</b>	Parish	<b>Preston</b>
Agent:	<b>Mr Guy Gibbeson, Bloomsbury Planning &amp; Design Ltd</b>	Ward	<b>Braunston and Belton</b>
Reason for presenting to Committee:	<b>Chairman referral following request from Ward Member</b>		
Date of Committee:	<b>13<sup>th</sup> June 2017</b>		

## EXECUTIVE SUMMARY

The two storey side extension would be perpendicular to Main Street, in contrast to the rest of the attached row of buildings along Main Street. This would appear out of keeping with the established village character, which, combined with the design of the extension, would have a detrimental impact upon the character and appearance of Preston Conservation Area, and the setting of adjacent listed buildings. The application is therefore recommended for refusal.

## RECOMMENDATION

**REFUSAL**, for the following reasons:

1. The orientation of the proposed two storey extension is perpendicular to Main Street and the row of buildings on this side of the road. The extension would not be in-keeping with the established linear street scene character. This would create a discordant relationship with the existing three storey property, with the gable of the two storey extension abutting the side of the three storey building. Combined with the design of the extension, this would have an adverse impact upon the character and appearance of Preston Conservation Area, and the setting of the row of attached listed buildings to the south (starting at no. 22 Main Street), as well as further listed buildings to the north (no. 3 Main Street and no. 2 Cross Lane). Although this harm is less than substantial, it is not outweighed by any wider public benefit. As such, the proposal is contrary to planning policies CS19 and CS22 of the adopted Core Strategy (2011), SP15 and SP20 of the adopted Site Allocations and Policies Development Plan Document (2014), and paragraph 134 of the National Planning Policy Framework (2012).

## Site & Surroundings

1. The site is a three storey red brick house in the centre of Preston facing Main Street, within the conservation area. There is a row of attached listed buildings immediately to the south (starting at no. 22 Main Street), and further listed buildings to the north (no. 3 Main Street and no. 2 Cross Lane, among others).
2. There is evidence (both on site and through historic photos/maps) that shows that historically there was a linear building running along the western boundary of the site, hard up to the pavement, and extending to the north of the site. An ironstone boundary wall and evidence of a pitched roof remains of this previous development.
3. To the north of the building is garden, and beyond this a triangular gravelled space outside of the application site that facilitates vehicular access to the site.



## **Proposal**

4. The proposal is for a two storey extension to the side, replacing an existing flat roof side extension. A flat roofed single storey extension to the rear is also proposed that would largely replace an existing lean-to rear extension. External changes shown on the plans also include blocking up the existing front door, the replacement of windows and the creation of new window openings to the rear. The location of the vehicular access has been amended during the lifetime of the application.
5. While the existing house is red brick, this is not the predominant material within the historic core of the village, and therefore the proposed materials for the two storey extension are ironstone and Welsh slate (with the rear extension being rendered).

## **Planning Guidance and Policy**

### **National Planning Policy Framework**

Section 12. Conserving and enhancing the historic environment

### **The Rutland Core Strategy (2011)**

Policies:

- CS1 Sustainable Development
- CS2 Spatial Strategy
- CS3 Settlement Hierarchy
- CS4 Location of Development
- CS19 Design
- CS22 The historic and cultural environment

### **Site Allocations and Policies DPD (2014)**

Policies:

- SP1 Sustainable Development
- SP5 Built Development in Towns and Villages
- SP15 Design and Amenity
- SP20 The Historic Environment

## **Consultations**

6. Preston Parish Meeting – No official response received, however the Ward Member has advised that one person in nearly forty residents was against the proposal, though offered no reasons for this.

## **Neighbour Representations**

7. No. 2 Cross Lane – No objection to the proposed development provided that the driveway parking is moved as per the revised plan [i.e. further away from no. 2's access], and the old opening in the wall is closed up using local matching stone as best as possible as a mandatory requirement, and before building work commences.

## **Planning Assessment**

8. The main issues are the impact upon heritage assets (Conservation area/setting of listed buildings), scale and design, and residential amenity.

## **Impact upon heritage assets/ scale and design**

9. The character of this part of Main Street is linear housing running parallel to the road, directly adjacent to the footpath. Conversely the proposed two storey extension would be side-on to Main Street, presenting a new frontage to the corner of Cross Lane. While the removal of the flat roofed side extension would be welcome, its replacement would not be in-keeping with the established street scene character of parallel linear development on this side of Main Street. The extension would create a discordant relationship with the existing three storey property, with the gable of the two storey abutting the side of the three storey building, appearing visually as an incongruous relationship, to the detriment of the character and appearance of Preston Conservation Area, and the setting of the row of attached listed buildings to the south (starting at no. 22 Main Street) as well as further listed buildings to the north (no. 3 Main Street and no. 2 Cross Lane). Although this harm is less than substantial, it is not outweighed by any wider public benefit.
10. It is acknowledged that there are buildings across the road with gables facing the street, however these are both individual separate buildings whereas the proposed gable would be at the end of a run of buildings, sitting awkwardly with the red brick building. Given this, direct comparisons cannot be made.
11. Other design details contribute to this impact, such as the large size and appearance of the ground floor side window on the gable compared to more traditional fenestration along this row. The proposed dormers would cut into the eaves line (rather than being wholly within the roof slope), which would necessitate additional down pipes on the new front elevation. Overall, the proposal would have a detrimental impact upon the character and appearance of Preston Conservation Area, and the setting of nearby listed buildings. Although this harm is less than substantial, it is not outweighed by any wider public benefit.
12. Notwithstanding the above impacts of the two storey development, there is no concern with the replacement of the rear lean-to with a modest flat roofed extension. It would not be prominent from public viewpoints or neighbouring properties (due to a high boundary wall), and would not have a detrimental impact upon the area.

## **Residential amenity**

13. The comments from the neighbouring property are noted, and following private discussions with the neighbour the agent has revised the plans, proposing to relocate the existing vehicular gated access further away from the neighbouring property. This would involve a new opening in the stone boundary wall, with the existing access to be blocked up. It is understood that there is an ongoing ownership/right of access dispute regarding the triangular gravel area adjacent to the north of the site. While noted, this is not a material planning consideration for the current application. Officers have no concerns over the location of the existing access, and have not sought the revisions. Notwithstanding this, while it would make the driveway more prominent within the street scene, provided that the wall was infilled the impact upon the surrounding heritage assets would not be significant. For the avoidance of doubt this infilling of the wall would be in the interests of preserving the character of the conservation area, rather than due to any impact upon residential amenity.
14. The plans have also been revised during the lifetime of the application to remove a dormer from the proposal. This would have directly faced the private amenity area of the neighbouring property to the south (no. 22 Main Street). Additional windows are proposed on the rear of the existing building. While these would be permitted development (as they are on the existing building as opposed to the proposed extension), some of these would serve non-habitable areas, or are shown as obscured glazing. One of the new windows on the second floor would serve a bedroom. This

window is orientated at an angle to no. 22, and would not have a significant detrimental impact upon residential amenity.

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## PLANNING AND LICENSING COMMITTEE

13<sup>th</sup> June 2017

### 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 Oliver Hemsley, Portfolio Holder for Places (Development) and Finance	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning and Transport)	Tel: 01572 758461 <a href="mailto:dbrown@rutland.gov.uk">dbrown@rutland.gov.uk</a>
	Gary Pullan, Development Control Manager	Tel: 01572 720950 <a href="mailto:gpullan@rutland.gov.uk">gpullan@rutland.gov.uk</a>
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/D/17/3171061 – Sue Johnson – 2016/1057/FUL**  
 30 Main Street, Greetham  
 Retrospective application in relation to feather edged fence panels attached to garden wall on left of house - as facing from Main Street  
**Delegated Decision**

- 2.2 **APP/A2470/W/17/3170269 – Mrs Joanna Smith – 2016/1128/FUL**  
The Acorns, Baulk Road, Bisbrooke  
Removal of condition 1 & Variation of condition 2 attached to Planning  
Permission F/96/0037/9  
**Delegated Decision**

### **3. DECISIONS**

- 3.1 **APP/A2470/D/17/3167846 – Mr David Larkworthy – 2016/1140/FUL**  
12 North Street West, Uppingham, LE15 9SG  
Replace the existing metal gate with a hard wood quality gate sympathetic  
to the area.  
**Appeal Allowed - 12/05/2017**

### **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

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