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Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
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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, 4th July, 2017** commencing at 7.00 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 13 June 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 Rutland County Council Public Speaking Rules.

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

4) TERMS OF REFERENCE - PLANNING AND LICENSING

To note changes made to the Rutland County Council Constitution Part 8 – Terms of Reference and Scheme of Delegation to Officers.

(Pages 3 - 6)

5) REPORT NO. 133/2017 PLANNING APPLICATIONS

To receive Report No. 133/2017 from the Director for Places (Environment, Planning and Transport)

(Pages 7 - 28)

6) REPORT NO. 134/2017 APPEALS REPORT

To receive Report No. 134/2017 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.

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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

EXTRACT FROM RCC CONSTITUTION PART 8 - TERMS OF REFERENCE AND SCHEME OF DELEGATION

7. Planning and Licensing Committee

7.1 Planning

- a) The determination of all and any planning, listed building, advertisement or other allied applications and functions not specifically delegated to officers;
- b) Any agreement regulating development or use of land under Sections 106 and/or 106A of the Town and Country Planning Act (TCPA)1990;
- c) Any enforcement powers under any legislation relating to town and country planning or associated matters;
- d) Any formal comment or view on applications or proposals to be determined by any Statutory Body and government departments relating to matters within the remit of the Committee;
- e) Making any Direction, Order or issuing or serving any Notice under any legislation relating to town and country planning; and
- f) Any function under the Planning (Hazardous Substances) Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act (LBA) 1990.

7.2 Licensing

- a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the Council as licensing authority under Licensing Act 2003.
- b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the Council as licensing authority under Gambling Act 2005.
- c) To exercise all other functions relating to licensing and registration **including taxi, gaming, entertainment, food, scrap metal dealers and other miscellaneous licensing.**
- d) To hear and determine licensing applications and appeals where objections and/or representations have been received in relation to any of the above functions.
- e) Any other matters relating to licensing which may be referred to the Committee for consideration.

7.3 Licensing Sub-Committees

- a) To establish Panels (sub-committees) to determine matters that do not sit within the scope of delegation to officers, usually where representations have been received against a grant of a licence, or from the applicant against intended refusal or revocation of a licence/registration.

7.4 Commons Registration

- a) **To exercise all those functions and responsibilities relating to common land, town and village greens under the Commons Act 2006**

7.5 Highways Use and Regulation

- a) To exercise all those functions and responsibilities relating to highways and rights of way under the Highways Act 1980 and Wildlife and Countryside Act 1981

7.6 Health and Safety

- a) All those functions and responsibilities under any of the “relevant statutory provisions” within the meaning of Part 1 of the Health and Safety at Work Etc Act 1974 to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer

7.7 Delegations to Officers

7.7.1 The Director for Places (Environment, Planning and Transport), Planning Services Manager or Nominated Deputy is authorised to deal with the following matters:

- a) Any application under the TCPA 1990, LBA 1990, the Planning (Hazardous Substances) Act 1990, the Control of Advertisements Regulations 2007 and the determination and expression of the Council’s views where the Council, as local planning authority, is a statutory or other consultee and the making of observations on proposals made by or being determined by any other body subject to the following exceptions:
 - i. The applicant is the Council or someone acting as applicant on its behalf, with the exception of minor proposals.
 - ii. There is an Officer recommendation of approval and the application is submitted by or on behalf of a Rutland County Councillor, or an Officer of the Council directly or indirectly involved in planning work, a member of the Council’s Strategic Management Team or any other officer where the Director for Places considers that the application should be determined by the Committee in the interests of openness and transparency
 - iii. An application which has been requested by a Member to be determined by the Committee (which must include the reason for the request, and the Planning Services Manager considers that the reasons given are sufficient) shall be subject to specific additional assessment by the Operational Director for Places or the Development Control Manager, in consultation with the Chairman or Vice-Chairman of the Planning and Licensing Committee, who will decide whether the application should go to that Committee.
 - iv. An application which officers consider would normally be approved under delegated powers, but which has been submitted by a Member or Officer of the Council acting as an agent, shall be subject to specific additional assessment in consultation with the Chairman or Vice-Chairman of the Planning & Licensing Committee.

- v. There is an Officer recommendation of approval which is materially contrary to the National Planning Policy Framework and/or the Development Plan.
 - vi. There is an Officer recommendation of approval contrary to a previous refusal by the Planning and Licensing Committee and the policy framework has remained substantially unchanged since the refusal.
 - vii. Material planning objections have been received from a town/parish council or local resident, unless it is considered upon assessment that the development will result in no significant adverse impact. Such assessment to be carried out in consultation with the Chairman or Vice-Chairman of the Planning and Licensing Committee.
- b) All functions, applications and powers in respect of enforcement. Any decision to issue an enforcement notice, serve an injunction, issue a stop notice, issue a planning enforcement order, or serve a discontinuance notice shall be carried out in consultation with the Chair or Vice-Chair of the Planning & Licensing Committee.
 - c) All functions, applications and powers under The Hedgerow Regulations 1997, Tree Preservation Orders and Trees in Conservation Areas under the TCPA 1990 and Part 8 (High Hedges) of the Anti-Social Behaviour Act 2003
 - d) To consult and respond to consultations from neighbouring authorities, government departments and other bodies on all day to day matters
 - e) To determine applications to discharge conditions on any planning or related applications
 - f) To exercise powers under the General Permitted Development Order, the Development Management Procedure Order, any other such Regulations present and future and all directions and prior notifications in these Orders.
 - g) To formulate conditions and reasons for refusal the substance of which has been determined by Committee
 - h) Any certificate of existing or proposed lawful use or development under the TCPA 1990
 - i) To negotiate, agree and where appropriate amend terms of legal agreements and secure their fulfilment
 - j) To defend appeals against the Council's decisions and to represent the council at Hearings, Inquiries and the Courts
 - k) To decline to determine any application pursuant to Section 70(A) of the TCPA 1990
 - l) Determination of any matter under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and any similar or successor regulations
 - m) Any application for a certificate of appropriate alternative development under Section 17 of the Land Compensation Act 1961 (as amended)
 - n) Determinations on overhead lines matters under Section 37 of the Electricity Act 1989 and subordinate Regulations.

- o) All Officers in Development Control team are authorised to enter onto land for any purpose permitted by any provision under TCPA 1990, LBA 1990 or any other legislation relating to town and country planning

7.7.2 The Director for Places (Environment, Planning and Transport), is authorised to deal with the following matters:

- a) The agreement and operation of protocols, management agreements and/or Service Level Agreements
- b) The determination of applications for licences where no objections are received. This includes all applications made under the Licensing Act 2003 and Gambling Act 2005.

7.7.3 The Scheme of Delegation in Part 8 of the Constitution also applies.

PLANNING & LICENSING COMMITTEE

4TH JULY 2017

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

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

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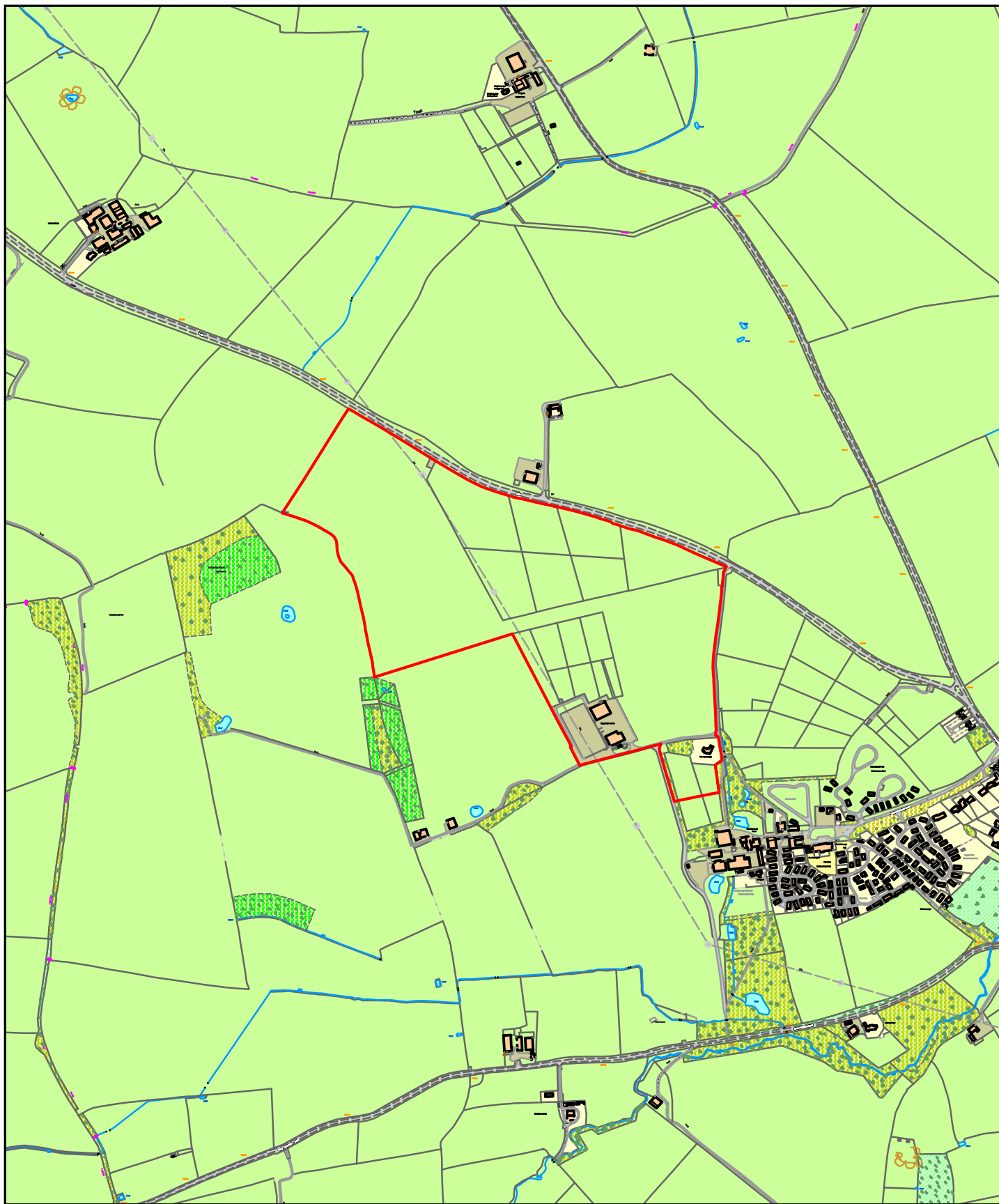
Rutland County Council

Planning & Licensing Committee – 4th July 2017

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation
1	2017/0104/MAJ	Mr M Appleby, Hilltop Equestrian Centre Melton Road, Langham Construction of Residential Accommodation for Staff at Ranksborough Stables	Approval
2	2017/0436/FUL	Mr A Woolley Land at Uppingham Road, Preston Change of use from horticultural to glamping / camping. Construction of No. 6 Safari Tents for holiday use and Reception and the creation of a car parking area including footpaths and a drive	Refusal

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Ordnance Survey [100018056]

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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

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Application:	2017/0104/MAJ	ITEM 1	
Proposal:	Construction of Residential Accommodation for Staff at Ranksborough Stables.		
Address:	Equestrian Centre, Melton Road, Langham, Rutland		
Applicant:	Mr M. Appleby, Hilltop Equestrian Centre	Parish	LANGHAM
Agent:	Mr Ross Thain, Ross Thain & Co. Ltd	Ward	Langham
Reason for presenting to Committee:	Contrary to the Development Plan		
Date of Committee:	4 July 2017		

EXECUTIVE SUMMARY

In principle, new residential accommodation in the countryside is contrary to the provisions of the development plan. However, limited accommodation intended to meet the operational needs of this rural enterprise (including its licensing requirements) is accepted, subject to the recommended occupancy condition.

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, numbers 1070-02-01, 02, 03 & 04.

Reason – For the avoidance of doubt and in the interests of proper planning.

3. Occupation of the residential accommodation shall be limited to persons employed at the Equestrian Centre, Melton Road, Langham, as identified on approved plan no.1070-02-01.

Reason – The site of the permission is outside any area where planning permission would normally be forthcoming for residential development were it not for the special circumstances as set out in the application.

Advisory Note:

1. 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 extends to some 3.1 hectares, within the open countryside, north of the village of Langham.
2. It had been used as a polo ground and associated livery stables until 2016. Planning permission (ref: 2016/0642/MAJ) was then granted on 18 October 2016 for the works necessary to enable a racehorse stabling and training facility to be relocated from its previous address in Nottinghamshire. These works are now complete and the racing stable is operational.
3. Consequently, in addition to a large area used as paddocks, the site now includes:
 - four barns used for stabling
 - a large ménage
 - three new horse walkers
 - an all-weather gallop
4. A detached dwelling within the south-east of the landholding is now occupied by the proprietor of the racing stables.
5. The site is generally flat, with access taken from Melton Road. Other than the all-weather gallop, the stables and other facilities are all located at the west of the site, and open to only limited view from public areas.

Proposal

6. The current application proposes a single storey chalet style block of 120 square metres intended to provide living accommodation for seven members of staff. The applicant's Design and Access Statement describes this as a "lightweight temporary accommodation block". The facility includes seven single bedrooms, two bathrooms and a shared kitchen/living area.
7. Three such blocks (providing accommodation for a total of 21 members of staff) were initially included in the 2016 planning application, but were then deleted from the scheme when advised that such new residential accommodation in the countryside is contrary to policy.

Relevant Planning History

Application	Description	Decision
FUL/2007/1078	Change of use from agriculture to equestrian, and erection of american barn stabling for polo ponies	Approved 05-02-2008
2016/0642/MAJ	Construction of two additional barns, three horse exercisers and an all-weather gallop, with change of use of land at the north-west of the site from agriculture into an extension to the equestrian centre (for use as part of the gallop).	Approved 18-10-2016

Planning Guidance and Policy

National Planning Policy Framework

Section 3	The Rural Economy
Section 6	Residential Development
Section 7	Design

The Rutland Core Strategy (2011)

Policy CS1	Sustainable Development
Policy CS3	Settlement Hierarchy
Policy CS4	Location of Development
Policy CS16	The Rural Economy
Policy CS19	Design

Site Allocations and Policies DPD (2014)

Policy SP1	Sustainable Development
Policy SP6	Housing in the Countryside
Policy SP15	Design

Appendix 1 Agricultural, Forestry and other Occupational Dwellings

Consultations

8. Langham Parish Council
The need for this accommodation is accepted, but should be used by employees of the stables, should be subject to a landscaping condition, and should be removed if the use of the site were to change.
9. Highway Authority
No objection, subject to an advisory note regarding road cleaning during construction.

Neighbour Representations

10. One letter received, asking that a sustainable drainage system be installed to address surface water run-off.

Planning Assessment

11. The main issue is the principle of such residential development within the open countryside. Other matters are then addressed at the end of the report.

Principle of residential use

12. Development Plan policies impose very strict control over new residential development in the countryside. The key policy is SP6 which specifies that new residential development should only be permitted in the rural area if it provides either affordable housing to meet a defined local need, or new housing to meet the operational needs of an established rural enterprise.
13. In this case, the proposed residential development would be in accordance with this policy if it were accepted that the racing stables is a rural business and that the proposed accommodation is essential to its operation.

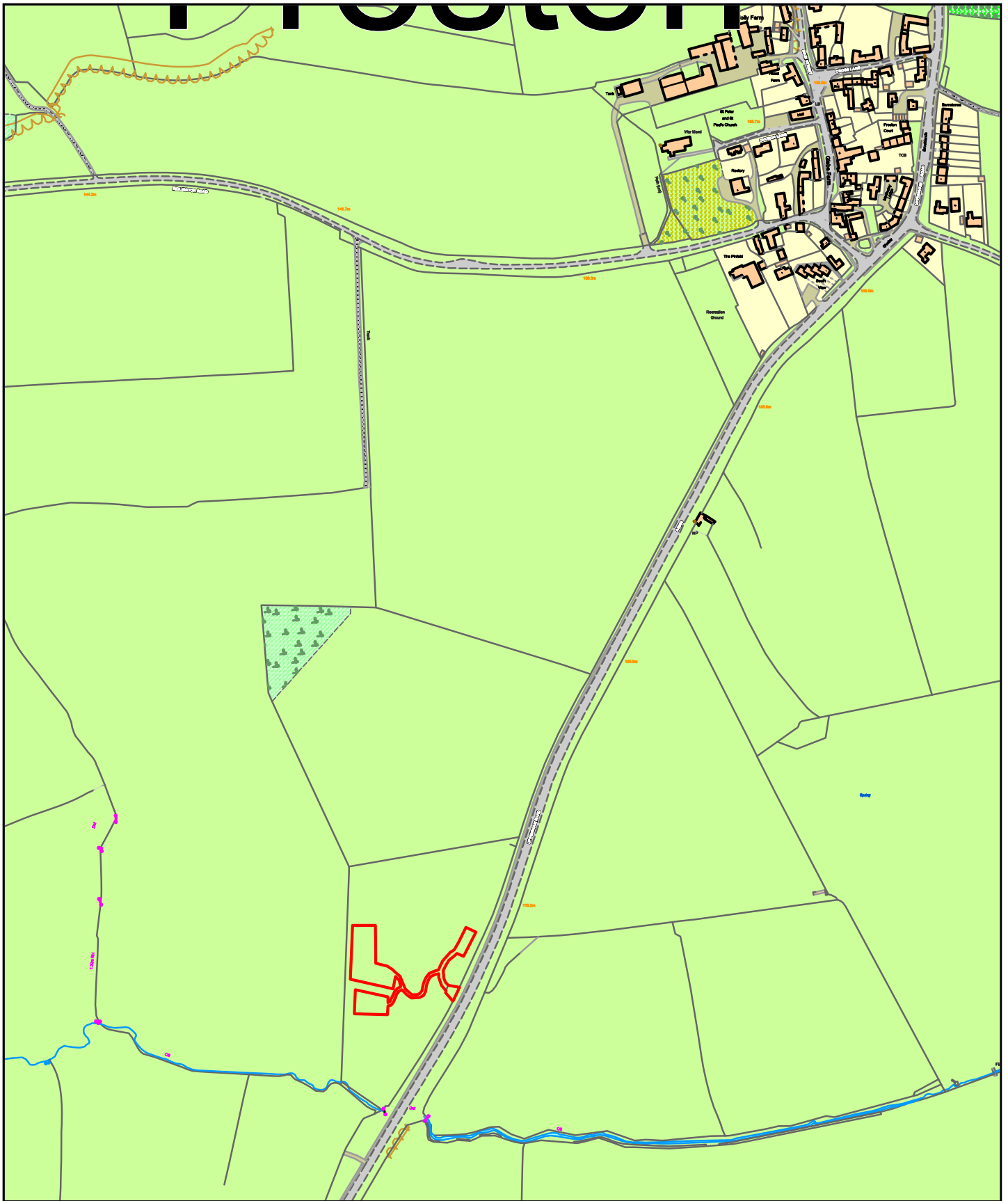
14. After due consideration of the applicant's supporting documents, it can be accepted that the commercial stables are an established rural enterprise. Although it has been operational on this site for only for a few months, it is accepted that such a facility, requiring an extensive area of land and potentially able to accommodate up to 120 horses, could not reasonably be located in a town or village.
15. In then assessing whether the residential accommodation is essential to the operation of the business, careful consideration must be given to Appendix One of the Site Allocations DPD. This sets out the detailed criteria for assessing potential agricultural workers dwellings and then specifies, in its paragraph 15, that the same criteria should be applied to other occupational dwellings ".....in a manner and to the extent that they are relevant to the nature of the enterprise concerned."
16. In this case, the functional and financial tests applied to agricultural workers accommodation to ensure that there is a genuine need for someone to be resident on the premises, and that the farm enterprise can support the associated cost, are not relevant to the very different (non-agricultural) rural business on the current application site. Instead, this use requires an assessment of whether the stabling and associated facilities for up to 120 racehorses has its own operational need for staff to be resident on the premises.
17. The applicant's supporting documentation specifies that such premises must be licenced by the British Horse Racing Association (BHRA) which requires that the horses are monitored on a 24 hour basis. A supporting letter from the Association specifies that "...it is therefore considered essential that the trainer and as many responsible employees as required by the size of the operation should be present at the yard at all times. This necessitates suitable accommodation overlooking the yard and the entrance." The letter then goes on to emphasise fire risk and security.
18. In his other supporting documents, the applicant acknowledges that the earlier proposal for 21 of his staff to be resident on site (before its deletion from the previous application) was intended to address the absence of low rental accommodation in the area. Such accommodation is required because most staff are young stable hands or grooms. In support of the current application, he now specifies that ".....it is only absolutely critical to have seven people on site at all times, together with the applicant living in the property at the south east of the premises, to deal with the requirements of the operation" He also advises that cctv can be used to alert staff to any overnight problems within the stables; the practicalities of dealing with a potentially distressed racehorse then requires a minimum of five people to deal with the situation. He suggests that a lesser number may not be adequate and could potentially put the staff and horse at some risk. Finally, he advises that the proprietor's dwelling at the south-east of the site is too distant from the stables to provide this level of overnight cover.
19. Having considered all these factors, it is accepted that an on-site residential presence is necessary for a racing stables of this size.
20. Should permission be granted, the applicant has suggested that a condition be imposed to limit use of the accommodation to the current operation, and that the permission would cease if there were ever a change of use. A condition should not be used to limit such permission to a specific business, but it can be used to link the residential accommodation to the use of the site, thereby addressing the specific reason why residential use is being approved despite its variance from policy. Recommended Condition 3 imposes this control and therefore ensures that there is no abuse of the exception to the normal policy of restricting residential development on the countryside.

21. Although described by the applicant as a lightweight temporary structure, it is not necessary to consider a temporary permission, as any decline in its condition and appearance would not have much impact on the character of the countryside, given its proximity to other functional timber buildings on the site, and its distance from public viewpoints.

Other Considerations

22. There are no ecology, archaeology or heritage issues to address. Access is available via the main site entrance on Melton Road, which is acceptable to the Highway Authority. An approval of this application is also likely to reduce traffic levels as seven members of staff would no longer need to travel to and from their employment.
23. There are no concerns regarding the visual impact of the proposal or its consequent impact on the character of the countryside. Such potential impact is lessened by the proximity to existing stables and the distance from public viewpoints. The use of timber and a tiled roof is also acceptable within his context. Consequently, there is no need for a further condition to secure approval of the details of these external materials. For the same reason, and contrary to the views of the parish council, there is no justification for a landscaping condition.
24. The comments from a nearby resident regarding drainage are noted. However, no further action is required, given the limited additional development within the context of extensive areas of free draining soil within the wider site.
25. There are no other issues to consider, and no matters that dissuade from the recommendation.

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Rutland County Council

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Application:	2017/0436/FUL	ITEM 2	
Proposal:	Change of use from horticultural to glamping / camping. Construction of No. 6 Safari Tents for holiday use and Reception and the creation of a car parking area including footpaths and a drive.		
Address:	Land at Uppingham Road, Preston, Rutland		
Applicant:	Mr Anthony Woolley	Parish	AYSTON, PRESTON
Agent:	Mr Ross Thain Ross Thain Architects	Ward	Braunston and Belton
Reason for presenting to Committee:	Local objections, policy issues		
Date of Committee:	4 July 2017		

EXECUTIVE SUMMARY

The proposal is located in an unsustainable location where a previous scheme was refused on sustainability and visual grounds. The scheme has been reduced in scale and tents located in more screened positions which will screen them from views most of the time. The site is in an unsustainable location so is recommended for refusal.

RECOMMENDATION

REFUSAL, for the following reasons:

The site is located in open countryside in an unsustainable location, remote from any visitor attractions or other services or facilities. The scheme is therefore contrary to the advice in Paragraph 28 of the NPPF, Policy CS1 of the Rutland Core Strategy (2011) and Policies SP7 and SP25 of the Site Allocations and Policies DPD (2014).

Site & Surroundings

1. The site is located on the west side of the A6003, 700 metres to the south of Preston and was previously used in part as a vineyard. The site slopes north to south and there is a tree/hedge screen all around the site of varying height and density. There are various areas of tree planting within the site that provide internal screens and 'rooms'.
2. The site has an access, approximately 18 metres wide at the front, tapering to a double gate width of around 8 metres, the gates are set approximately 17 metres back from the carriageway.
3. The distance from the access to the A47 and Uppingham market place are approximately 1000 metres (0.6 mile) and 2000 metres (1.2 miles) respectively.

Proposal

4. The proposal is to use part of the overall site for the siting of 6 safari 'glamping' tents, one of which is a 'reception' tent. These would be 12 metres by 5 metres and have a 3 metre decking area at the front. The tents would be 3.6m high at the ridge. They would be located on the site in area's that are least visible from outside the site. The roof would be khaki green/grey and the side would be a sand colour.

5. A car parking area would be created behind the roadside boundary hedge providing parking for 11 cars.
6. The applicant has also confirmed that the proposed opening dates for the site are intended to be from the 1st of March until the 31st of October, electricity supply would be provided to the reception tent only, lighting will be provided by hand held lanterns & torches to ensure that no light pollution is caused within this area and pathways would be lit by low level, removable, solar powered LED lights.
7. The layout is shown in the **Appendix 1**.
8. The scheme is a revised submission following a refusal under delegated powers in January 2017 for the use of the whole site area for glamping (ref 2016/1163).

Relevant Planning History

Application	Description	Decision
2016/1163	Change of use of the entire site area from horticultural to glamping / camping. Construction of No. 11 Safari Tents for holiday use, No. 1 Reception Log Cabin and the creation of a car parking area including footpaths and a drive	Refused Jan 2017

9. The previous reason for refusal was as follows:
10. The site is located in open countryside, remote from any visitor attractions or other services or facilities. The site is on an exposed south facing slope which is prominent when approaching the site from the south. The appearance of the proposed tents in the landscape here would have a detrimental impact on the character of the open rolling landscape to the detriment of visual amenity. It is considered therefore that the scheme is contrary to the advice in Para 28 in particular of the NPPF, Policy CS15 of the Rutland Core Strategy (2011) and Policies SP7, SP15 and SP25 of the Site Allocations and Policies DPD (2014).

Planning Guidance and Policy

National Planning Policy Framework

The NPPF supports sustainable development.

Para 28 – support sustainable rural tourism and leisure that benefits businesses in rural areas, communities and visitors, and which respect the character of the countryside, including supporting the provision of tourist and visitor facilities in appropriate locations.

Rutland Core Strategy (2011)

CS1 – Sustainable Development Principles

New development in Rutland will be expected to:

- a) minimise the impact on climate change and include measures to take account of future changes in the climate; (see Policy CS19 and 20)
- b) maintain and wherever possible enhance the county's environmental, cultural and heritage assets;(see Policies CS21 and 22)

- c) be located where it minimises the need to travel and wherever possible where services and facilities can be accessed safely on foot, by bicycle or public transport; (see Policy CS4 and CS18)
- d) make use of previously developed land or conversion or redevelopment of vacant and under-used land and buildings within settlements before development of new green field land;(see Policy CS4)
- e) respect and wherever possible enhance the character of the towns, villages and landscape; (see Policies CS19, 20, 21, 22)
- f) minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste; (see Policies CS19 and 20)
- g) avoid development of land at risk of flooding or where it would exacerbate the risk of flooding elsewhere (see Policy CS19);
- h) contribute towards creating a strong, stable and more diverse economy (see Policies CS13, 14, 15, 16, and 17)
- i) include provision, or contribute towards any services and infrastructure needed to support the development (see Policy CS8)

CS3 – Preston is classified as a Restraint village

CS4 – Location of Development – Countryside

Development in the countryside will be strictly limited to that which has an essential need to be located in the countryside, to support the rural economy.

CS15 – Tourism

- Allow provision for visitors which is appropriate in use and character to Rutland's countryside.
- Allow new tourism provision in,...the villages where these would benefit local communities and support the rural economy and development of an appropriate scale in the countryside'

Site Allocations and Policies DPD (2014)

SP7 – Non-residential Development in the Countryside

Sustainable development in the countryside will be supported where it is:

- Essential for visitor facilities, provided that:
 - Amount of new build kept to a minimum, the development would not by itself be detrimental to the character and appearance of the landscape, visual amenity or the character of open land
 - Would be in an accessible location and not generate an unacceptable increase in traffic movements including car travel.

SP15 – Design & Amenity

- c) amenity – light pollution

SP25 - Lodges, log cabins, chalets and similar forms of self-serviced holiday accommodation

This is particularly relevant here. It states that schemes such as this are acceptable provided they meet 6 criteria:

Outside of the Rutland Water and Eyebrook Reservoir Areas, Lodges, Log Cabins, Chalets and similar forms of self-serviced holiday accommodation will only be acceptable where:

- a) provision is made to minimise disruption and prevent pollution;
- b) they are well related to an existing tourism attraction or recreation facility;
- c) they are located with convenient access to supporting facilities;
- d) they would not result in an unacceptable increase in the amount of car travel;
- e) they are not detrimental to environmental, amenity and highway considerations; and
- f) they are not detrimental to visual amenity and the appearance of the landscape;

The Rutland Landscape Character Assessment (2003) was used as the evidence base for the preparation of the Development Plan. This identifies that the site is in area A(ii), Ridges and Valleys sub area of High Rutland.

The recommended Landscape Objectives for High Rutland - Ridges and Valleys are:

To sustain and restore the rural, mixed-agricultural, busy, colourful, diverse landscape with regular patterns, straight lines, frequent movement, many large and small historic, stonebuilt conservation villages that fit well with the landform, to protect the landscape setting and conserve and enhance the edges of villages, to increase the woodland cover and other semi-natural habitats whilst protecting historic features and panoramic views from the ridges.

Consultations

11. Ecology Unit

The ecology survey submitted in support of the application (Philip Irving, November 2016) found no evidence of protected species on site although it was considered that the site had potential to support protected species. Suitable working methods have been included in section 6 of the report to minimise any potential impact (for example by removing woody plants outside of the bird-breeding season) and we would recommend that these are forwarded to the applicant as a condition of the development if planning permission is granted. The survey was completed outside of the optimal survey season for habitat surveys and whilst it was noted that the grassland was of low biodiversity interest it is possible that some botanical species were overlooked. However, we do not consider that the proposed change of use of the site should significantly decrease the value of the grassland, provided that the existing grassland is retained and managed appropriately. The site should not be stripped and replaced with amenity grassland. Consideration should also be given to planting a wildflower mix around the edge of the tent area in order to increase biodiversity on site.

12. Preston Parish Meeting

Overall, there is unanimous agreement that the revised application must be rejected, on the following grounds:

Road Safety

The entrance is located on a hill where the speed limit is 60mph, and only visible at the last minute to traffic approaching. The ability of moving traffic to stop in time, should a vehicle be in the road awaiting entry to the site is a great concern. Vehicles regularly travel 'fast' on the downhill section, in advance of the steep climb back up the other side. Contrary to the Architects report (ref 6.2 in D&A statement), there is only a SINGLE lane access to the site – based on the 'dropped kerb', so there is a very real risk of traffic being stationary in the road. The fact that there hasn't been an accident caused by current access to the site is irrelevant, given that the site is barely used at present, and therefore receives little, if any, vehicular traffic.

Visibility

The Architect's report conveniently shows an 'impression' of the site in the height of summer when trees are in full leaf. However, that leaves the rest of the year when the trees are bare and the campsite will be in full view. This is still an unacceptable blot on the beautiful Rutland landscape

Local Facilities

The application makes much of its proximity to Rutland Water, however, this requires travel on the main A6003 hill between Preston and Manton, which doesn't benefit from a cyclepath/footpath, and other than being a great challenge for cycling groups, is certainly not realistic for the average tourist whether cycling or walking. Hence reference to accessing the public house at Manton is nonsense, unless they make a long detour via Wing. Ditto for access to the Wing pub, which is a restaurant rather than pub.

Planning Policy SP24 – Caravan and Camping sites policy.

While the creation of a footpath from Preston to Uppingham was very welcome by residents - who otherwise had to walk in the road, this can hardly be described as a 'pleasant walk' into the centre of Uppingham – with lorries racing by at 50-60mph, just 6 feet away. The footpath is used 'of necessity', but tourists at the Glamping site will inevitably resort to cars, adding to the traffic volume. It's alleged 'underuse' is somewhat bizarre given the volume of locals using it, but may also be to do with it stopping at Preston, rather than linking Uppingham to Oakham/Rutland Water which would make it much more strategically important.

Viability

While the revised proposal to reduce the number of tents down to 6, in order to make them less visible is noted, it raises the very real concern as to the viability of the business on that small number. Hence, how long would it be before the inevitable application to expand the site emerged; no doubt justified on 'protecting' whatever benefits the site was bringing to the area which would otherwise have to close. A fellow colleague, who lives on the A6003 has already commented about the level of noise from road traffic. This is made bearable by double glazing – but will be a major detriment to those occupying the tents, who will hear the lorries passing all through the night. Overall this is no improvement on the previous application, and brings nothing to the local environment

Neighbour Representations

13. There have been 7 letters of objection from local residents. These are on the following grounds:
 - does not address previous issues,
 - lack of recognition for Preston Conservation Area,
 - lack of local amenities,
 - busy road, speed of traffic,
 - disturbance to occupiers from traffic
 - footpath to Uppingham is not pleasant and will encourage use of cars
 - impact on rural landscape which must be preserved
 - permanent structures, visible all year, especially in winter
 - no water or sanitation info,
 - no evidence of compliance with SP25

14. There have been 2 letters of support from individuals further afield, stating that:
- this is a great idea,
 - away from Preston village,
 - much needed entrepreneurialism, enhances local economy/tourism,
 - well placed for Rutland Water and other attractions.

Planning Assessment

15. The main issues are the principle of development in this location, the visual impact and highway safety.

Policy/Principle

16. The main issue here is compliance with the accessibility/sustainable location elements of CS1, SP7 and SP25.
17. Policy CS1 sets the background for the sustainable development theme running through the development plan, reflecting the advice in the NPPF.
18. The policy contains several criteria set out above. The proposal does not comply with criteria a), c), d) and f). It would contribute to the cultural heritage of the County and would avoid developing land at risk of flooding, but in balancing the overall criteria, the proposal does not comply with CS1.
19. SP15 Design & Amenity seeks to prevent pollution, including from lighting. Lighting at night could be a potential problem here and would make the site visible at night if not well controlled. Other sites have self-limited the use of electric lighting and use hand held lanterns only.
20. Policy SP25 has 6 specific criteria. It is considered that criteria b), c) and d) are not met in this instance.
21. The scheme will generate journeys by car and there is little scope for other sustainable means of transport to be utilised here. The nearest bus stop is in Preston to the north, 830 metres uphill from the site entrance. There is a new footpath along this route. This is served by the Rutland Flyer 1 service between Oakham and Corby, which provides an hourly service Monday to Saturday from 0715 until 1830 at Preston. It is likely that occupiers of this site would use a private car both to arrive at the site and to visit the local area during their stay.
22. Preston itself has no facilities, in terms of shops or pubs. It is 9.5km from the site to the south shore of Rutland Water at Normanton, the nearest point of access for vehicles and a designated 'recreation area'. The nearest point of access on foot or cycle is 4km away at Sounding Bridge on the A6003 north of Manton (this involves a journey along a fast section of road over 2 significant hills with no cycle path between Preston and Manton).
23. The site is not therefore close to visitor attractions and is remote from public transport facilities.
24. Whilst there is a public footpath alongside the road to Uppingham, and into Preston, the traffic along the road is heavy and fast moving. This does not produce a desirable route for pedestrians especially when the weather is not conducive to walking/cycling. The likelihood is that visitors to the site will use their cars to visit Uppingham and other locations further afield.
25. The previous refusal was 2 pronged, policy and visual impact.

Visual Impact

26. The location of the 6 tents in their current locations is the optimum siting to maximise screening from hedges and trees on and around the site. The applicant has indicated that additional screen planting is possible if required. If approved this would need to be dealt with by a landscaping condition, an accurate tree survey and a Tree Preservation Order to ensure that all necessary trees on site, including new ones, were retained. Some of the proposed landscaping is with non-native species that could be transplanted from elsewhere within the site. A more appropriate native planting scheme could be secured by condition if the development was deemed to be acceptable.
27. Other glamping sites that have been approved elsewhere have been virtually invisible from outside the site and the public realm. They are generally close to at least some facilities. A prominent site on the edge of Whitwell was refused and dismissed on appeal (2009/1324). Screening has been particularly important where there are unusual structures such as the white domes at Brook Farm Greetham. In this case it is proposed to use more traditional safari tents with green/grey canvas roofs. These would minimise any longer views from the south during winter. If the site is closed for the winter there would not be any vehicles or other activity at the site in times of least screening. The tents would be screened by the vegetation that would remain after autumn and it is possible that they may be visible through the bare structural screen. The applicant has provided a landscape visual analysis which shows 4 photos from various locations to the south on the main road. These show that a 4 metre high flag is not visible in the location of the proposed tents at the time the photos were taken. However, there is no analysis of winter visibility so it has to be assumed the tents would be partially visible. Other sites have concluded that it is not practicable to remove the tents during the winter as there is so much heavy equipment provided inside, such as log burners, cooking range and bathroom.
28. Whilst it is desirable to screen the units as far as practicable. There is nothing to say that they should not be seen at all, under any circumstances, especially where a more conventional design of tent is used, it should just not be so prominent as to detract from amenity.
29. In this case it is concluded that the visual impact would be minimal and that this can no longer be sustained as a reason for refusal.

Highway Safety

30. The highway authority had some initial concerns about the previous proposal but the applicant cut back vegetation and the highway authority was satisfied that there was adequate visibility at the access, based on a plan which showed visibility splays. The previous refusal did not include a highway safety reason. The highway officer has visited the site again and was able to exit the site easily. Once the visibility splays have been cut and retained it will be easier for all motorists to see movements to and from the site.

Other Issues

31. The application states that foul drainage would be to a public sewer and surface water to soakaways. There does not appear to be a public sewer in this area so it would be necessary to use a package treatment plant. The applicant confirms that such a proposal would work on this site. The advice of the Councils Building Control and Environmental Protection Officers is that provided an electrical supply can be provided there is no reason why a package treatment plant would not work on this site, even if it closes down in winter.



Safari Tents
12.0 x 5.0m including
3.0m Decking Area

Car Parking Area

Footpath

Drive

Access from Uppingham Rd



View 1
showing the site from a south-east position on Uppingham Rd from the top of the hill



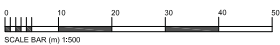
View 2
showing the site from a south-east position on Uppingham Rd half way down the hill



View 3
showing the site from a south-east position on Uppingham Rd from the bottom of the hill

Existing planting supplemented with laurel and spruce rows, transplanted by specialists to completely hide the site from the eastern aspect.

Existing Norwegian Spruce supplemented with additional Spruce, transplanted by specialists to completely hide the site from the south.



Proposed Block Plan

2017/0436/FUL
Rec'd 04/05/17

A	21.12.16	Visibility Study 215 m	BCK
Rev.	Date	Details	Drawn

RT Architects
Chartered Architects - Surveyors - Interior Design
20 Bolton Street, Stamford, PE9 2EF
Tel: 01780 482483 Fax: 01780 752281
www.rtsstham.co.uk

RIBA
Registered Architect

Job Title:
Preston Glamping
Uppingham Road
Preston
Oakham

Scale: 1:500@A1 Date: April 2017
Drawn: BCK
Drawing Title:
Proposed Block Plan
Drawing No:
1107-03 Revision: D

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PLANNING AND LICENSING COMMITTEE

4th July 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 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 Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 None

3. DECISIONS

- 3.1 **APP/A2470/D/17/3171061 – Ms Sue Johnson – 2016/1057/FUL**
 The Old Post Office, 30 Main Street, Greetham
 Retrospective application in relation to feather edged fence panels attached to my garden wall on left of house – as facing from Main Street.
 Delegated Decision
Appeal – Dismissed – 26/05/2017

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

- 4.1 **APP/A2470/C/17/3172568 – Abbey Developments Ltd – 2016/120/CMP**
Seven parcels of land at Harrier Close, Cottesmore.
Alleged unauthorised erection of 2m high fencing adjacent to a highway.

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.

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