



Rutland County Council

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

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held virtually on **Tuesday, 28th July, 2020** commencing at 6.00 pm when it is hoped you will be able to attend.

Please click the link to join the webinar: <https://zoom.us/j/96355699139>

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/my-council/have-your-say/

A G E N D A

1) APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on 10th March 2020.

3) APPOINTMENT OF VICE-CHAIRMAN OF COMMITTEE

4) 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.

5) PETITIONS, DEPUTATIONS AND QUESTIONS

Members of the public will be able to participate in virtual meetings in the following ways:

- i. Public statements, questions, deputations and petitions can be submitted in advance of the meeting in writing by no later than 12 noon on the second working day before the meeting is to take place;
- ii. Public statements, questions, deputations and the text of any petition will be made available to all members of the virtual meeting however members of the public will not be able to present their statements in the virtual meeting;
- iii. Public questions will receive a written response. No supplementary questions will be permitted;
- iv. Public petitions will be noted as being received by the chair of the meeting without debate and sent to the relevant executive member, committee or council officer for a response.

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

6) PLANNING APPLICATIONS

To receive Report No. 88/2020 from the Deputy Director for Places.
(Pages 5 - 36)

7) APPEALS REPORT

To receive Report No. 87/2020 from the Deputy Director for Places.
(Pages 37 - 42)

8) 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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TO: ELECTED MEMBERS OF THE PLANNING AND LICENSING COMMITTEE

Mr I Razzell (Chairman)

Mr P Ainsley

Mr W Cross

Mr E Baines
Mrs S Harvey
Mrs K Payne
Mr N Begy
Mr D Blanksby
Mr M Oxley
Miss M Jones
Mr A Brown
Ms A MacCartney

OTHER MEMBERS FOR INFORMATION

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Rutland County Council

Planning & Licensing Committee – Tuesday 28th July 2020

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2	2020/0435/FUL	Mr Richard Brett, 85 Main Street, Greetham, Rutland, LE15 7NJ Erection of canopy over front door of property.	Approval	31

Appeals

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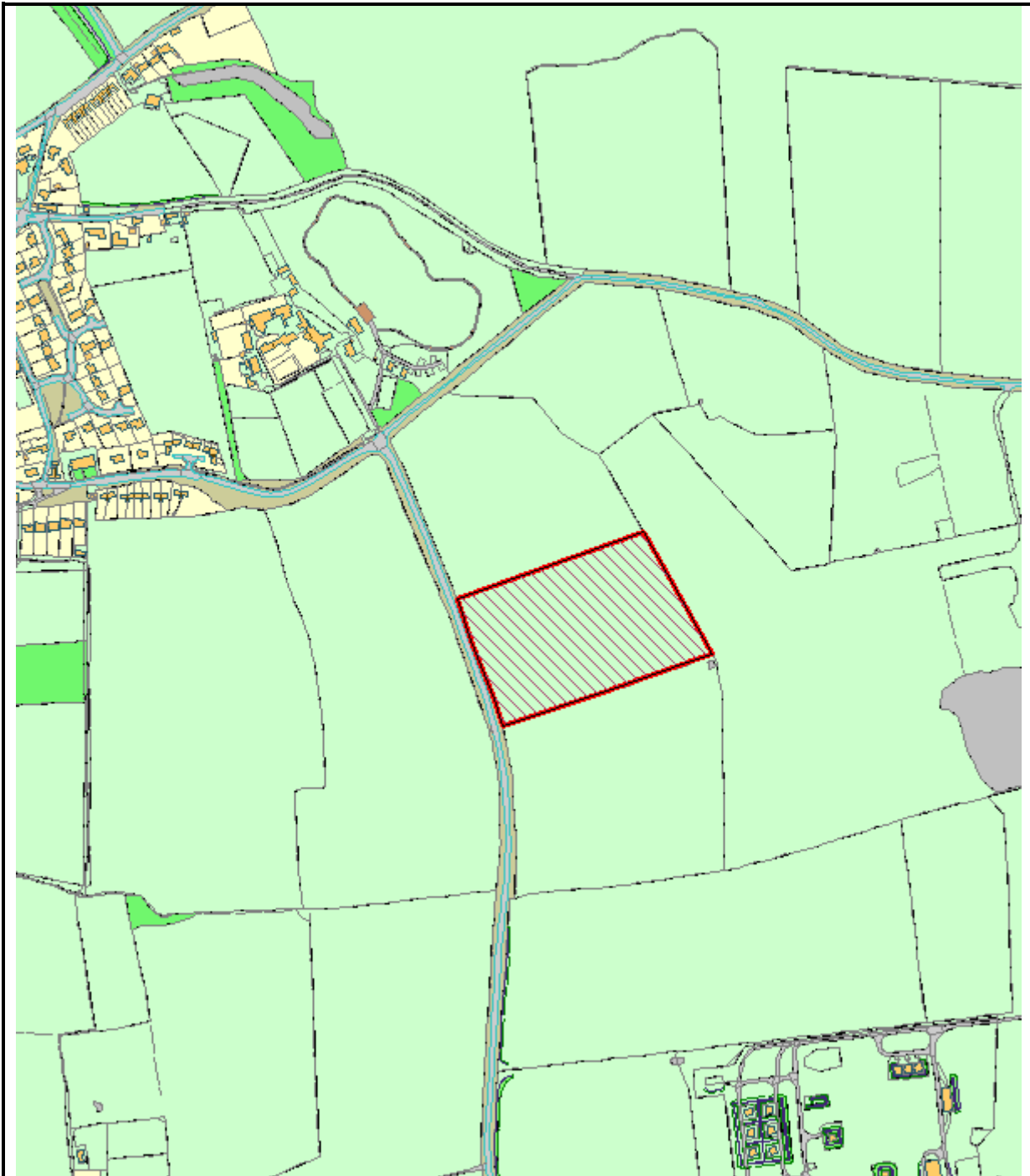
REPORT NO: 88/2020

PLANNING AND LICENSING COMMITTEE

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

**REPORT OF THE DEPUTY DIRECTOR OF PLACES
(ENVIRONMENT, PLANNING, TRANSPORT & HIGHWAYS)**

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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/0287/MAF	ITEM 1	
Proposal:	Erection of a poultry building for rearing free range hens (resubmission of 2019/0635/MAF)		
Address:	Land To The East Of Cottesmore Road Market Overton Rutland		
Applicant:	Mr P Hinch	Parish	Market Overton
Agent:	Ian Pick Associates	Ward	Cottesmore
Reason for presenting to Committee:	Local Objections		
Date of Committee:	28 July 2020		

EXECUTIVE SUMMARY

The proposal for a poultry shed has attracted objections from the local community on the grounds of potential pollution. The development is Schedule 1 EIA development. The Environmental Statement contains information to demonstrate that the operation of the unit will not cause pollution issues in the local area by virtue of the distance between the building and sensitive receptors and the controls that are in place through an Environment Agency Environmental Permit which controls the issues most worrying to the community. The use of land for an agricultural building is acceptable in principle and with landscaping proposals and the height of the building relative to the road it will not present an unduly prominent structure in the landscape. The scheme is therefore policy compliant and there are no sustainable reasons for withholding planning permission.

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 IP/PH/01, IP/PH/02, IP/PH/03, IP/PH/04, IP/PH/05, IP/PH/06, details of the below ground double skin Envirotank and the materials specified in the application.
Reason - For the avoidance of doubt and in the interests of visual amenity and proper planning.
3. The revisions to the access shown on Plan no: IP/PH/02 shall be completed and surfaced in a bound material before the building is first stocked with poultry
Reason: To ensure that the access is safe and adequate in dimensions for heavy goods vehicles.
4. Any gates shall be set back a minimum of 7 metres from the highway boundary (hedge-line at the rear of the verge) and shall be hung so as to open inwards only.
Reason: To enable vehicles to stand clear of the highway in the interests of highway safety.
5. Manure shall be managed in accordance with the submitted details. No manure shall be spread on the land between the proposed building and the nearest dwelling in Market Overton village.
Reason: In the interests of the amenities of local residents.

6. The development shall be carried out in accordance with the recommendations on pages 26 and 27 of the Preliminary Ecological Appraisal by Craig Emms and Dr Linda Barnett dated February 2020.
Reason: To ensure that any potential impact on protected species is minimised.
7. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a list of species of trees to be planted in the landscape belt to the north of the proposed building.
REASON: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.
8. All tree planting 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.
9. Following commencement of development, the hedge along the Cottesmore Road frontage shall be allowed to grow and shall be maintained at not less than 3 metres above the level of the carriageway.
Reason: To enable the building to be reasonably screened in the interests of visual amenity.
10. The lighting of the building shall only be as set out in the application documents and shall be positioned and/or shielded such that the light spill onto adjacent hedgerows does not exceed 1 lux.
Reason: In the interests of protecting the hedgerows from light pollution that could impact on protected species.

Note to Applicant:

You are advised to ensure that construction and longer term operations at the site do not result in deleterious materials being deposited on the highway and that surface water drainage at the access is contained within the site.

Site & Surroundings

1. The site is a relatively flat arable field on the east side of Cottesmore Road on the southern edge of Market Overton, some 400 metres from the nearest buildings on the edge of the village. There is a hedge along the roadside and southern boundaries that would be retained.
2. There are three areas designated as Local Wildlife Sites (LWSs) that are within 2 km of the site of the proposed poultry house. There are also two Sites of Special Scientific Interest (SSSIs) that are within 5 km of the site and parts of the Rutland Water Special Protection Area (SPA) and Ramsar site are within 10 km. Further details of the SSSIs are provided below:
 - Cribb's Lodge Meadows SSSI - approximately 2.7 km to the north - species-rich neutral grasslands.
 - Greetham Meadows SSSI - approximately 3.8 km to the east - one of the best remaining 'ridge and furrow' hay meadow sites in the region.
 - Rutland Water SSSI/SPA/Ramsar - approximately 6.6 km to the south - a major wetland area which combines extensive areas of open water with a complex of

wetland and lakeside habitats, including: lagoons; islands; mudflats; reed-swamp; marsh; old meadows; pastures; scrub and mature woodland.

3. The site is close to some of the original dispersal areas of RAF Cottesmore and the larger buildings on that site (now Kendrew Barracks) are visible in the backdrop when viewing the site from the north west.

Background Information (Supplied by Agent)

4. The applicants operate an agricultural business in the locality which extends to 750 acres and is based on arable farming and free range egg production enterprises.
5. The applicants currently operate three free range egg laying units at Greetham, Stretton, and Ryhall and the scale of the whole free range egg production business extends to 215,500 free range hens across the three farms.
6. This development proposal seeks planning permission for the erection of a shed for the rearing of pullets from 1 day old to point of lay, to supply the applicants existing 3 free range egg laying units.
7. The proposed development will add to the sustainability of the existing farming business and point of lay pullets will be produced at this site by the applicants, rather than being purchased from rearing farms in Yorkshire and Scotland as currently occurs.
8. The proposed development will be controlled by the Environment Agency through the Environmental Permitting Regime which places the highest level of protection on the environment and amenity of neighbours. An application to the Environment Agency for an Environmental Permit has now been approved and a Permit issued.

Proposal

9. The proposed pullet rearing unit will consist of 1 No. purpose built poultry building. The proposed building extends to 130m x 28.65m with an eaves height of 2.823m and a ridge height of 6.865m. The proposed building would accommodate 80,000 birds, reared from day old chicks to point of lay at 16 weeks.
10. The proposal is Schedule 1 development for the purposes of the Town & Country Planning (Environmental Impact Assessment) Regs 2017, as it is for a poultry unit exceeding 60,000 birds. It automatically therefore requires an Environmental Statement.
11. The building would be clad in polyester coated profile metal sheeting, Juniper Green wall cladding with a slate blue roof.
12. An existing access would be improved with a 15 metre radii and a width of 7.3 metres, to provide access to the building and its surrounding hardstandings. The building would be set back approximately 70 metres from the hedge fronting the road.
13. The development includes additional infrastructure of 2 No. feed bins, gas tanks, backup generator, concrete aprons, hardstandings for access, parking and turning, an underground dirty water tank, and a roof water soakaway, both to the rear of the building and an access track to link the development to Cottesmore Road.
14. The only plant associated with the development will be extract fans, comprising:
 - 16 Roof mounted fans, arranged in two rows of 8 either side of the ridge
 - 5 Gable end fans, located on the east gable end (furthest from the road).

15. The ridge fans will typically provide the ventilation requirements on their own; the gable end fans are only needed if the ridge fans are not able to provide the required ventilation due to failure or during periods of high external temperatures.
16. At the end of each flock cycle, the building would be empty for 2 weeks and washed out and prepared for the next flock of birds. The site will operate with 3 flocks of birds per annum, producing an annual throughput of 240,000 birds per annum. The proposed pullet rearing unit will supply 100% of the laying hens required by the applicants free range egg units.
17. Internally, the building includes tiered perches, manure belts, automated chain feeders, non-drip nipple drinkers, and fan assisted ventilation.
18. The feeding system is based on a chain system, and transports feed from the proposed feed bins, to the bird areas. The feeding system is fully automated and control by computer system which will be located within the service area of the building.
19. The lighting within the building is on a time switch, providing the birds with 16 hours of light per day.
20. Ventilation within the buildings is automatic, thermostat controlled, with high velocity ridge mounted fans. The proposed development is designed with Best Available Techniques for the control of odour and ammonia from the building.
21. There will be a 1 direction flood light on the west elevation. On the east elevation of the building there will be a motion sensor controlled personnel light above the personnel doors.
22. Landscape impact mitigation would be by existing hedges to the north, south and east, native tree planting to the north of the building and maintaining the roadside hedgerow at a minimum height of 3m above the carriageway.
23. The construction phase of the proposed development would extend to approximately 30 weeks.
24. This phase involves the following elements.
 - Stripping of the topsoil and levelling of the subsoil to create a level development area using a tracked dozer.
 - Importation of stone, levelling and compacting to create a sub-base.
 - Preparation of concrete foundation pads for steelwork
 - Erection of steelwork and cladding
 - Concreting of the building floors and concrete aprons.
 - Fitting of the buildings and installation of equipment.
25. The construction materials will be delivered into the site using HGV vehicles. Stone will be delivered using 8 wheel rigid quarry lorries; Concrete using 6 wheel rigid ready mix concrete lorries; and steel framework and sheeting using articulated lorries with flatbed trailers.
26. The proposal is a permanent development and the estimated design life of the buildings is in excess of 50 years.
27. The floor level of the building is shown on a cross section as being 3.125m below the level of the carriageway of Cottesmore Road.
28. The application is accompanied by an Environmental Statement for the purposes of the 2017 Regulations, which includes specialist appraisals of the following issues:

- Environmental Protection (Noise, Odour, Dust, Insects, Manure Handling and Storage, water management and drainage).
- Highways and Transportation
- Surface Water Management
- Ecology and Ammonia Deposition
- Landscape and Visual Impact
- Assessment of Alternatives
- Non-technical Summary

29. The application has been considered taking into account all of the Environmental information.

30. See details of the proposal in the Appendix.

Relevant Planning History

Application	Description	Decision
2019/0635/MAF	Erection of Poultry Building	Withdrawn (EIA required)

Planning Guidance and Policy

National Planning Policy Framework

Chapter 2 – Achieving sustainable development
 Chapter 6 – Building a strong competitive economy
 Chapter 9 – Promoting sustainable transport

The Rutland Core Strategy (2011)

CS4 – Location of Development
 CS16 – The rural economy

Site Allocations and Policies DPD (2014)

SP7 – Non-residential development in the countryside
 SP13 – Agricultural ...development
 SP15 – Design & Amenity

Consultations

31. Highways

No objection

32. Environment Agency

We have no objection to the application.

We note the following:

- The applicant has explained that all foul water from washing down the inside of the sheds will be contained in underground double skinned tanks, which will meet SAFFO regulations. These will then be emptied appropriately.
- Appendix D shows there are foul drains on the concrete curtain which will collect any contaminated water that may escape from the inside of the shed.
- The surface water drainage and soakaway provisions are acceptable.

- There will be no toilet facilities on site.

Advice to the applicant

This proposal for the operation of the site will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016, from the Environment Agency.

33. Environmental Protection

We have reviewed and questioned the Environmental Assessments submitted by the applicant for this application in relation to noise, odour, flies and dust.

As we have previously discussed, the activity at this site is subject to an Environmental Permit issued and regulated by the Environment Agency, not Rutland County Council. The Permit issued under the Environmental Permitting (England and Wales) Regulations 2016 is intended to assess, prevent and minimise the environmental impacts identified.

The applicant has also provided an Appeal Decision (APP/C3105/W/17/3166498) for a similar but larger unit in Oxfordshire. The Planning Inspectorate's reasoning and decision indicates that the environmental assessment method used and subsequent controls imposed through the Environment Agency's Permitting regime are acceptable and chose to impose no further limits or requirements through the Planning Appeal Decision.

The Public Protection Section has assessed the application on air quality and potential statutory nuisance from the proposal namely in relation to malodour, noise, dust and insects.

We can see no grounds to object to this application on environmental grounds. The impacts would be minimal with limited potential for malodour and noise impacts that may affect sensitive residents. I would suggest that, if Planning Permission is granted no 'environmental' conditions are imposed, as this would only duplicate those imposed through the Environment Agency's Permitting regime and may cause difficulties in determining who is responsible for inspection, monitoring and potentially taking enforcement action.

An initial assessment of ammonia and PM10 was carried out during a pre-application request. The EA confirmed that both ammonia and PM10 were screened out during this stage, confirming that detailed dispersion modelling would not be required. Furthermore, the poultry farm will house 80,000 pullets and no relevant exposure (residential properties etc.) were identified within 100 metres as per the guidance in LAQM.TG(09). The applicant will also be required to use Best Available Technique for their dust control emissions. Therefore there is a constant review and improvement through the Permitting system as controls advance.

For permitting, a value of 3 ouE/m³ at 98th hourly percentile value has been judged by the guidance H4 from the Environment Agency as a level that gives reasonable protection from odour from intensive livestock production. This data will be used by the Agency to generate the permit conditions. From the modelling a predicted 0.431 ouE/m³ was predicted at The Lodge Trust. This value of roughly half a unit was described as barely perceptible at the 98th percentile for an hourly mean. This means this value would only be exceeded 2% of the time. For the majority of the time, 98%, the modelling suggests it would be below this level. The guidance would describe the impact as negligible.

The value of 1 ouE/m-3 is the unit of the perceived odour, though do remember odour units apply to the median. Some people may be more sensitive to certain odours.

The noise assessment was in accordance with the British Standards guidance that we would recommend and shows there to be negligible impact on neighbours.

The removal of poultry manure by belt from the site every week will effectively control any insect nuisance.

I agree with a condition to stop the spreading of manure in the vicinity of the shed.

34. Market Overton Parish Council

Market Overton parish council has the following concerns regarding the application:

The potential odour effect on businesses for example, the caravan parks and the cabins plus the Lodge Café, the village pub and the village shop with loss of visitors to the village

- The potential effect of odour on the vulnerable residents of the Lodge trust.
- The potential effect of odour on village amenities for example, the play area, fishing lakes, Cricket Club and Bowls Club
- The possible effect of odour on residencies at the bottom of Main St and Spring Close
- The possible effect of odour on the proposed newbuilding houses to be situated on land north of main Street adjacent to Walker Close and the Lodge trust,
- The potential noise effect on nearby residences and residents of the Lodge Trust by continuous operation of the exhaust fans during the summer months at night when windows of residences are likely to be open.

The first 4 issues in our view contravene Policy SP 13 – Agricultural, Horticultural, Equestrianism and Forestry development which states:

“development comprising new agricultural, horticultural, equestrian and forestry buildings will only be acceptable where it will not have any undue adverse effect on residential amenity in terms of noise, dust, smell, or disturbance.”

Overall the Parish council was not convinced by the application in various key aspects such as environmental aspect assessment and waste management policy and felt that the various impact assessments and design statements whilst admitting that there will be odour continuously dilute the effect by taking average figures for the year rather than peak readings during weekly manure, carcass removal and the peak odour readings during the 16 week cycle cleaning process three times per year.

The wind rose is based on historical data and climate change may well distort the historical prevailing wind directions and wind force from SW to South or SE as has been shown in recent years.

The environmental study was carried out on one day in February and is, by its own admission, a very cursory inspection we are concerned about the potential for disturbance of red listed birds such as curlew, skylark and lapwing which nest close to or on the proposed site. Over 15 species of red listed birds have been observed in the area over the last two months. The inevitable noise of the chicks, along with the

vehicles coming and going and potentially rodents attracted to the site is highly likely to deter nesting in this location in the future. We therefore request the applicant to arrange for a wildlife survey to be conducted at a time of year more likely to produce evidence of wildlife and by an independent recognised wildlife protection organisation, such as Leicestershire and Rutland Wildlife trust.

35. Ecology

This application has been accompanied by an Ecological Appraisal (Craig Emms, February 2020) which identifies the application site as comprising an arable field surrounded by hedgerows. The hedgerows will not be impacted by the proposed development.

No evidence of protected species were recorded on site and the site was generally considered to have a low potential to support protected species. No further surveys of this site are therefore required but we would request that the recommendations in the report are followed as a condition of the development.

I am unclear from the application if lighting is proposed as part of this development. If it is, it will increase light levels in a currently 'dark' area. We would therefore recommend that an isolux plan is submitted in support of the application to demonstrate that the light spill onto adjacent hedgerows does not exceed 1 lux.

Further information on this can be found in the Bats and Lighting advice note at <https://www.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-and-rutland-environment-records-centre-lrerc>.

It is also not clear from the plans if additional landscaping is proposed. If new planting is required I would recommend that this comprises locally native species; the site is in a rural location and native species will be most appropriate. We would be pleased to view and comment on any proposed planting plans.

On revised plans

I note that the revised plans show a new landscaping belt proposed to be planted with native trees. This is acceptable, but we would request that the species to be used in this belt are submitted for approval; this could be done via condition if considered appropriate.

36. Archaeology

Having reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER), we do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets. We would therefore advise that the application warrants no further archaeological action (NPPF Section 16, para. 189-190).

37. BPA – Total Fina Pipeline

Thank you for your correspondence as listed above. We are not aware that any BPA maintained apparatus falls within the working area, as searched.

Neighbour Representations

38. Objections have been received from 38 local residents. These can be summarised as follows:
- Introduction of flies in the area
 - Dust and poor health as a result in the surrounding area.
 - The issue of manure handling and storage
 - Climate change and manure issues will lead to flies
 - Noise and lighting
 - Blight on the village – visual impact
 - Too close to other rearing facilities
 - Water management with drainage potentially being directed back through the village.
 - The additional traffic in a village already subjected to additional housing without proper infrastructure to deal with it.
 - Impact of flies and stench just outside the door of the proposed new houses.
 - The impact on the health of the elderly residents and those in poor health at the Lodge Trust site.
 - Impact on village play area adj Lodge Trust
 - Impact on village shop
 - Impact on local bird nesting population
 - Disposal of manure off site?
 - RAF intend to use Cottesmore runway for low level training of heavy aircraft so danger of bird strikes

Planning Assessment

39. The main issues are policy, environmental impact (smell, noise, dust, manure, flies), visual impact, residential amenity, ecology, highway safety and drainage.

Policy

40. Paragraph 80 of the NPPF states (inter alia)

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

41. The proposed development will create one full time job and one part time job and also supports more within the service sector.
42. NPPF Paragraph 83 (Supporting a prosperous rural economy) states
43. Planning policies and decisions should enable:
- b) the development and diversification of agricultural and other land-based rural businesses;
44. The proposal is supported by paragraphs 80 and 83.

45. Policy CS16 relates to the Rural Economy and confirms that the strategy for the rural economy is to encourage agricultural, horticultural and forestry enterprises and farm diversification projects, where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness.
46. Whilst the design of the building does not necessary contribute to local distinctiveness in the sense of the traditional built form of Rutland, it is consistent with the design of other similar functional utilitarian buildings in the locality on both the applicant's and other farmers land.
47. Policy SP7 – non-residential buildings in the countryside, states that sustainable development essential for the efficient operation of agriculture will be supported where it cannot be reasonably located in towns or villages, the building is kept to a minimum, protects nature interests, doesn't involve the coalescence of settlements and does not involve unsustainable highway impacts.
48. Whilst the amount of new build here is considerable in term of the size of the building, it is not unlike other buildings that have been permitted elsewhere in the countryside, both locally and beyond. There is an economy of scale with these enterprises such that small buildings do not work. The overall impact thereby has to be assessed.
49. Policy SP13 of the Site Allocations and Policies DPD states:
- Development comprising new agricultural, horticultural, equestrian and forestry buildings and structures will only be acceptable where:
- a) it is not unduly prominent, particularly on the skyline, and will not detract from the appearance of the street scene or the landscape;
 - b) wherever possible it is well integrated with existing buildings;
 - c) it will not lead to an increase in pollution, through for example, the disposal of effluent;
 - d) it will not have any undue adverse effect on residential amenity in terms of noise, dust, smell or disturbance;
 - e) no undue disturbance will arise from vehicular movements;
 - f) an adequate, safe and convenient access will be provided;
 - g) it will not be detrimental to environmental and highway considerations generally and;
 - h) it will have no adverse impact on biodiversity, habitats and species.
50. See also visual impact below.

Environmental Impact/Residential Amenity

51. As stated above, emissions from the unit would be controlled by an Environmental Permit from the Environment Agency. Para 183 (Ground conditions and pollution) of the NPPF states:
- 'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'*
52. A Permit was issued by the Environment Agency on 7 April 2020.
53. The Environment Agency confirms that they require Best Available Techniques (BAT) to be employed in the management of units such as this and that pigs and poultry units are especially closely monitored and controlled under the Permit scheme. Any complaints

are looked into quickly and the sites are actively monitored for compliance. The requirement of a Permit can be strengthened if required or Enforcement Action can be taken and the Permit can be ended if the site is not run in accordance with it.

54. On that basis the issues relating to noise, odour, dust and other emissions need not be controlled by the local planning authority, and as The Environmental Protection Officer points out, any duplication of controls leads to confusion over enforcement. This is backed up by advice in the NPPF. However, in view of the fact that these are the main concerns that have been raised by the Community, they are discussed here.
55. Expected residues and emissions from the site are limited to:
 - Airborne emissions in the form of dust, odour, ammonia and nitrogen
 - Noise emission from mechanical plant.
 - Production of waste in the form of poultry manure and dirty water.

Dust (particulates)

56. The Environmental Statement concludes:
57. The results of the DEFRA research project demonstrated that emissions from poultry units, in terms of particulate matter, reduced to background levels by 100m downwind of even the highest emitting poultry houses. The research shows that levels of particulate matter are sufficiently diluted over a short distance so as not to pose a risk to those living in the vicinity of poultry operations.
58. The application site is located approximately 460 metres from the Lodge Trust main building and the nearest private dwelling on the edge of the village. The results of DEFRA project AC0104 confirmed with research that dust was diluted over short distances of 100m to normal background levels and therefore the proposal does not pose a risk of public health issues in Market Overton due to dust.
59. The evidence shows that dust would not be a reason for refusing planning permission and is controlled by the EA permitting scheme.

Manure Handling

60. The proposed development will operate with a manure belt system for frequent removal of manure. The manure belts will be emptied twice weekly into a sealed trailer, which will then be sheeted and the manure removed from the site for disposal. No manure will be stored on the site as this represents a disease risk to the incoming flock of birds.
61. Disposal is currently to anaerobic digestion or power stations elsewhere. If spread on land, it would be controlled by DEFRA under cross compliance legislation, the Nitrate Vulnerable Zones regulations, and the DEFRA Code of Good Agricultural Practice - protecting our water, soil and air.¹
62. It is however considered reasonable to impose a planning condition to prevent manure being spread on the land between the building and the nearest dwelling in Market Overton. The applicant is content with this approach as such spreading would constitute a bio-security risk to the flock risk so would not happen anyway.
63. The shed would be pressure washed between flocks, approximately 3 times a year. Foul water is collected in an approved underground storage tank and transported off site.

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764890/Cross_Co_mpliance_2019_rules_v1.0.pdf

64. The Parish Council raised a Court judgement involving similar development where the Court of Appeal quashed the permission as the Officer Report did not make clear reference and comment on the disposal of manure on the applicants land and other nearby fields².
65. In this case this is not relevant as the manure is taken off site, and not spread on land, which, together with the imposing of the condition prohibiting spreading on the fields near to the village, is sufficient to differentiate this case from that one. Spreading of manure on land is not development requiring planning permission and is an acknowledged organic agricultural practice. If there are any controls in specific cases they will rest with the Environment Agency.

Ammonia

66. The modelling of Ammonia dispersion and deposition concludes that:
- The process contribution to the annual mean ammonia concentration would be below the Environment Agency's lower threshold percentage (100% for a LWS) of the precautionary Critical Level of 1.0 µg-NH₃/m³ at all of the LWSs considered.
 - The process contribution to the annual mean ammonia concentration and the nitrogen deposition rate would be below the Environment Agency's lower threshold percentage (20% for a SSSI) of the Critical Level and Critical Load at Cribb's Lodge Meadows SSSI and Greetham Meadows SSSI.
 - The process contribution to the annual mean ammonia concentration and the nitrogen deposition rate would be below the Environment Agency's lower threshold percentage (4% for a SPA) of the Critical Level and Critical Load at Rutland Water SAC/Ramsar site.
 - The process contribution to the annual mean ammonia concentration and the nitrogen deposition rate would be below 1% of Critical Level and Critical Load at all of the statutory wildlife sites considered.

Noise

67. A noise survey was carried out to establish background levels.
68. The nearest noise sensitive receptors, are approximately between 365m to 460m from the proposed development:
- Receptor A: The Lodge Trust caravan, camping and log cabin holiday accommodation site (nearest touring van pitch)
 - Receptor B: The Lodge Trust, which includes nursing and personal care accommodation
 - Receptor C: nearest private dwellings to the site
69. Background noise levels have been recorded at 2 locations in the field to the north of the building and shown to be:
Daytime – 31dB
Evening – 25dB
Night – 22dB
70. There will be an unobstructed noise path between Receptors A - C and the extract fan duct terminations on the roof. The gable end fans however will be fully acoustically shielded by the poultry unit itself as they face to the east. The roof fans would be the main source of ventilation.

² R (Squire) v Shropshire Council and another [2019] EWCA Civ 888

71. It has been demonstrated by calculation that the aggregate BS4142 noise impact of the extract fans will be low during the day, evening and night. The assessment indicates that, for day, evening and night time, the noise levels from the fans at the 3 main receptors on the edge of the village will be below the background level.
72. In addition, the absolute extract fan noise emissions have been established to be more than 10 decibels below BS8233's noise ingress limits for bedrooms (limit applicable for road traffic and continuous operating plant) during the night period.
73. On that basis noise would not be a reason for refusing planning permission.

Fly Issues

74. Fly infestation issues have essentially been designed out with modern poultry farms and the introduction of the manure belt systems for frequent removal of manure. Fly infestation with poultry units is generally associated with the older style units where the manure from the entire batch of poultry was retained within the shed for the life of the flock. It is only when this longer term stored manure becomes wet that flies tend to infest. The birds are housed within the building for only 16 weeks, following which the building is cleaned and power washed.
75. The frequent removal of the manure using the belt system, and the frequent washing of the building removes the potential for fly infestation.
76. The building will be inspected daily, and any casualty birds will be removed and stored in a sealed and locked carcass bin, prior to weekly collection by a licensed fallen stock operative.
77. Overall the development of the site for a poultry building is acceptable from a potential for pollution point of view, and hence its impact on residential amenity is similarly minimised. Members are reminded that these young birds, although destined for free range units elsewhere, will not be allowed outside the building in terms of this unit.

Visual Impact

78. A landscape visual impact assessment has been carried out to examine the potential wider visual impact of the shed. This states that 4 viewpoints were considered and of these one was considered to be subject to material visual impacts (viewpoint 1 that sits close to the site access). With the implementation of a successful mitigation strategy, the overall impact on the landscape is considered to have a minor overall effect on the surrounding landscape character and a moderate effect on the visual impact.
79. A mitigation strategy has been put forward which suggests:
 - Native tree planting to the north of the building.
 - Management and maintenance of existing surrounding hedgerow and trees;
 - The use of materials for the external envelope of the buildings which minimise potential visual intrusion and follow the local vernacular to aid visual blending, for example green metal sheeting and dark coloured roof.
80. Criteria e) to g) of SP13 are complied with. Although the building is large, the landscape visual impact demonstrates that the building would not be unduly prominent in the landscape, certainly no more so than the applicants other buildings in Stretton. The application states that this site has been chosen so that it is remote from other similar buildings to prevent the spread of disease hence the policy of siting together with existing buildings cannot be complied with.

81. The setting of the building at over 3 metres below the level of the Cottesmore Road carriageway together with new tree planting and letting the roadside hedge grow to a minimum of 3m in height will minimise its visual impact such that it would be acceptable by other similar buildings standards.

Ecology

82. Ecology confirms that no hedgerows will be impacted by the development and that the measures recommended in the Ecology Report be implemented. These are referred to in the conditions above.
83. Comments were made about lighting, which is proposed to be minimal on site, and native tree planting, which is what is proposed in the landscaping strategy.
84. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection to the proposed development.

Highway Safety

85. The proposed development is specified as generating the following commercial traffic.

Activity	Vehicle Type	Frequency Per Flock
Chick Delivery (1)	16.5m Articulated HGV	2
Feed Delivery (2)	Tractor and Trailer (15T)	32 (2 per week)
Manure Removal (3)	Tractor and Trailer (15T)	14
Bird Collection (4)	16.5m Articulated HGV	10
Wood Shavings Delivery	16.5m Articulated HGV	1
Gas Delivery	HGV Tanker	2
Dirty Water Removal	Tractor and Tanker	2
Casualty Bird Removal	7.5 tonne lorry	16
Total Per Flock per flock cycle		79 (158 movements)
Total per Annum (3 flocks)		237 (474 movements)

Based on:

- (1) Lorry Capacity = 75,000 chicks.
 (2) 5.85 kg per bird per flock = 468 tonnes.
 (3) 2.6 kg per bird per flock = 208 tonnes.
 (4) 180 crates of 45 birds per load = 8100 per load.

Pattern of Vehicle Movements

86. During the normal operation of the site, vehicle movements extend to 2 x feed delivery, 1 x manure removal and 1 x casualty bird removal per week (4 visits / 8 movements).
87. Peak traffic is essentially generated at the end of the flock cycle when the birds are removed from the site. This operation will generate 10 No. HGVs (20 movements) over the course of week 16 of the flock cycle.
88. The average traffic generation associated with the site amount to less than 1 commercial vehicle (2 movements) per day.

Routing of Vehicles

89. All commercial traffic associated with the development will be routed to/from the B668 at Cottesmore and will not pass through Market Overton village.
90. Chick Deliveries will access the site from the A1 following the B668 and Cottesmore Road.
91. Feed Deliveries will originate at Greetham House Farm where the applicant operates his own mill and mix unit and will be routed following the B668 and Cottesmore Road.
92. Point of Lay Pullets Reared at the proposed development will be moved to the applicants laying farms as replacement laying hens. These farms are located at Greetham, Stretton and Ryhall. The bird collection lorries will be routed along Cottesmore Road to the B668, then follow the B668 to the Greetham and Stretton Farms. Bird deliveries to the Ryhall Farm will join the A1 southbound at Stretton.

Staff and Visitors

93. The proposed development will be run by one full time staff member and one part time staff member to provide cover 7 days per week. Staff movements will be limited to 2 - 4 movements per day. Visitors in the form of Vets and Inspectors will visit the farm every 3 months.
94. On the basis of this low frequency of movements, the fact that the access is on straight section of road with good visibility, the scheme complies with policy SP15 on highway safety.

Drainage

95. At the end of each flock cycle, the building will be washed with high pressure hoses in preparation for the next batch of chicks. The inside of the building will be drained into a sealed 2000 litre dirty water containment tank. The tank must conform with the Water Resources (Control of Pollution) (Silage Slurry and Agricultural Fuel Oils) Regulations 2010. At the end of each cleanout period, the tank will be emptied by a contractor for appropriate disposal away from the site.

Surface Water Drainage

96. The surface water management design proposes SuDS in the form of a soakaway which will be located to the east of the poultry units. The use of infiltration prevents surges during high rainfall and provides benefits in terms of downstream flooding consequences.
97. The design of the sustainable drainage system includes design provisions for climate change by increasing the design rainfall by 40%.
98. Foul and surface water drainage on the site will be separated to prevent discharge of dirty water to watercourses. The inside of the proposed building will be sealed and drained to a sealed underground dirty water containment tank. The proposed dirty water tank will collect contaminated water produced in the washing out process. The separate drainage systems are a requirement for the Environmental Permit.
99. The site is in Flood Zone 1 (lowest) so is not at risk from flooding. The use of soakaways will prevent surface water flooding elsewhere. The building is well back from the highway anyway so discharges to open farmland.

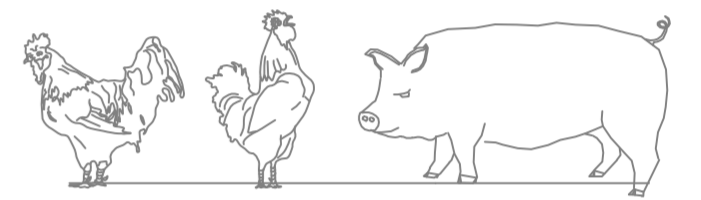
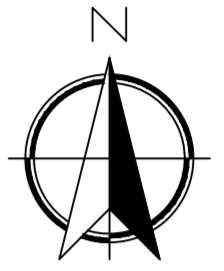
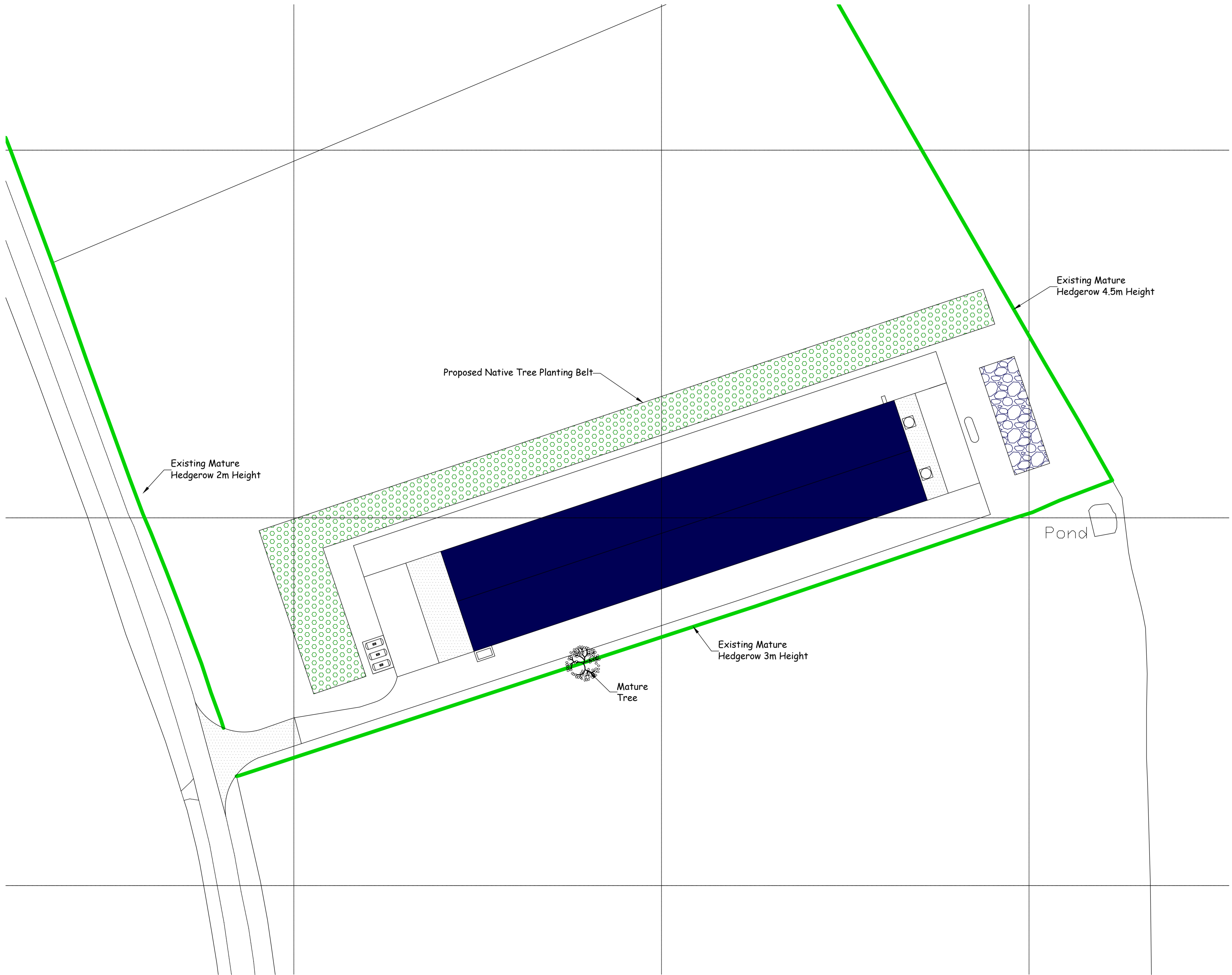
Consideration of alternative locations

100. The location of the development was identified as it is away from the applicant's and other poultry units for disease precautions, it has good access to the highway network and sufficient separation from neighbouring residents to protect their amenity.
101. By comparison, there are already several large free range poultry units on the applicants 3 other sites, where mature birds have access to the adjacent land during the day. The sheds at Ryhall are a minimum of 250 metres to the west of the nearest dwellings and in Greetham 475 metres south of dwellings. The similar sheds at Stretton are approximately 500 metres from the nearest houses in the village but with A1 in between.
102. The agent points to an almost identical pullet rearing shed that has recently been built adjacent to the A606 south west of Ab Kettleby in Melton Borough. The planning permission there has no environmental controls because it too is controlled by an EA Permit.
103. The Environmental Statement has made it clear that with the proposals for operation of the unit, together with the Environment Agency's Permitting regime, will not have an undue impact on residential amenity. An occasional smell from clearing out the shed when the wind is in the 'wrong' direction is not considered to be an undue impact that would warrant refusal.

Conclusion

104. Whilst there has been a substantial amount of local objection to this proposal, most of these are on the ground of environmental impact that is controlled by the EA Permit (per Para 183 NPPF) and which has also been assessed by the Council Environmental Protection team as being acceptable.
105. Planning and land use controls are therefore limited to consideration of the visual impact and the suitability in policy terms of the use of the land.
106. The use of the land for agricultural development is supported by the relevant policies set out above.
107. The building will have a visual impact as the field is currently vacant and used for arable production. However, the appearance of a large poultry unit in the countryside is not unusual. The area has no special designations in terms of landscape quality and the site has a backdrop from the north west of Kendrew Barracks. The landscape mitigation measures are acceptable.

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CLIENT
Mr P Hinch
3 Shepherds Lane
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Rutland
LE15 7NX

JOB TITLE
Proposed Pullet Rearing Unit at
Market Overton

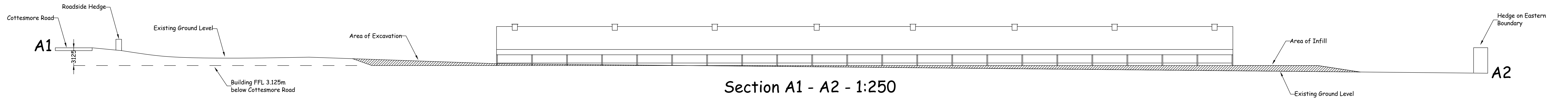
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Landscaping Proposals A1

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DRN IP

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IP/PH/06

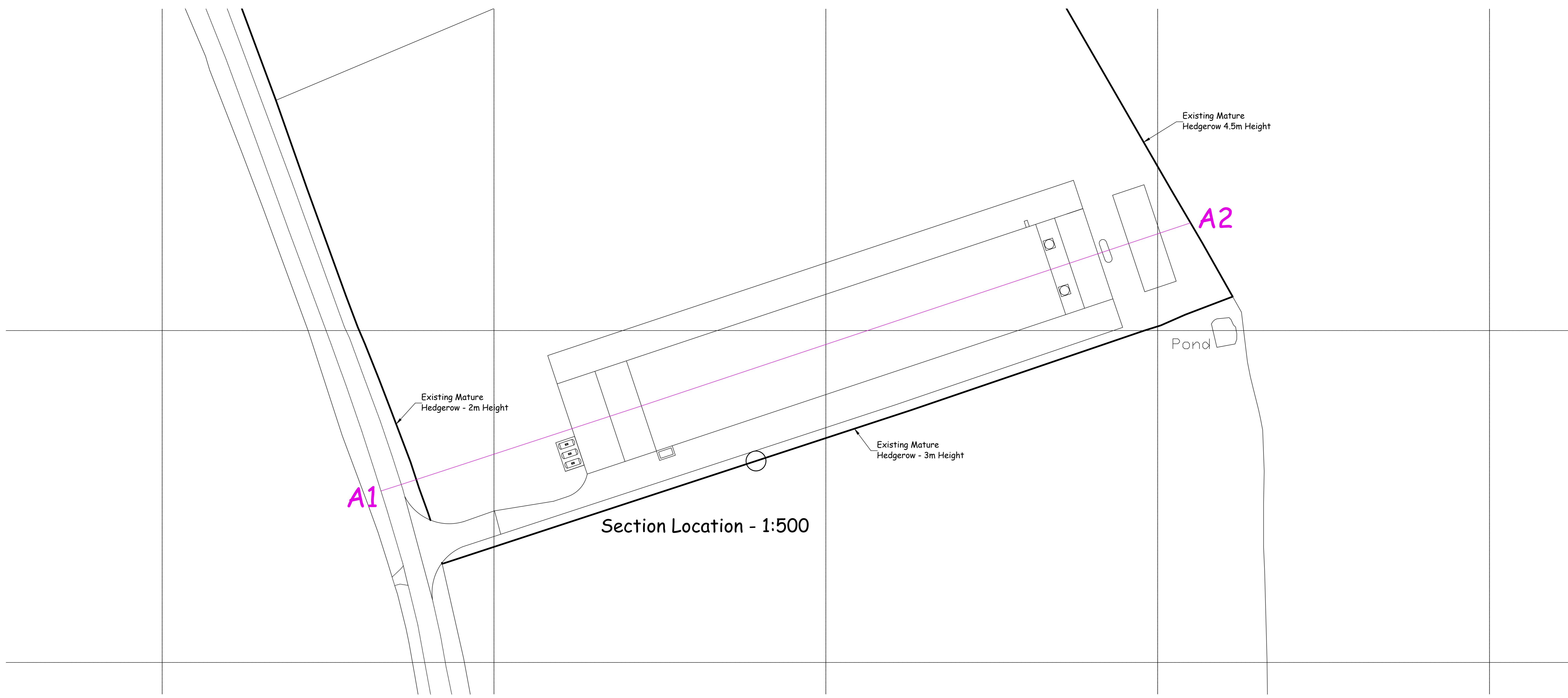
DATE April 20
REV -

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Section A1 - A2 - 1:250

29



Section Location - 1:500



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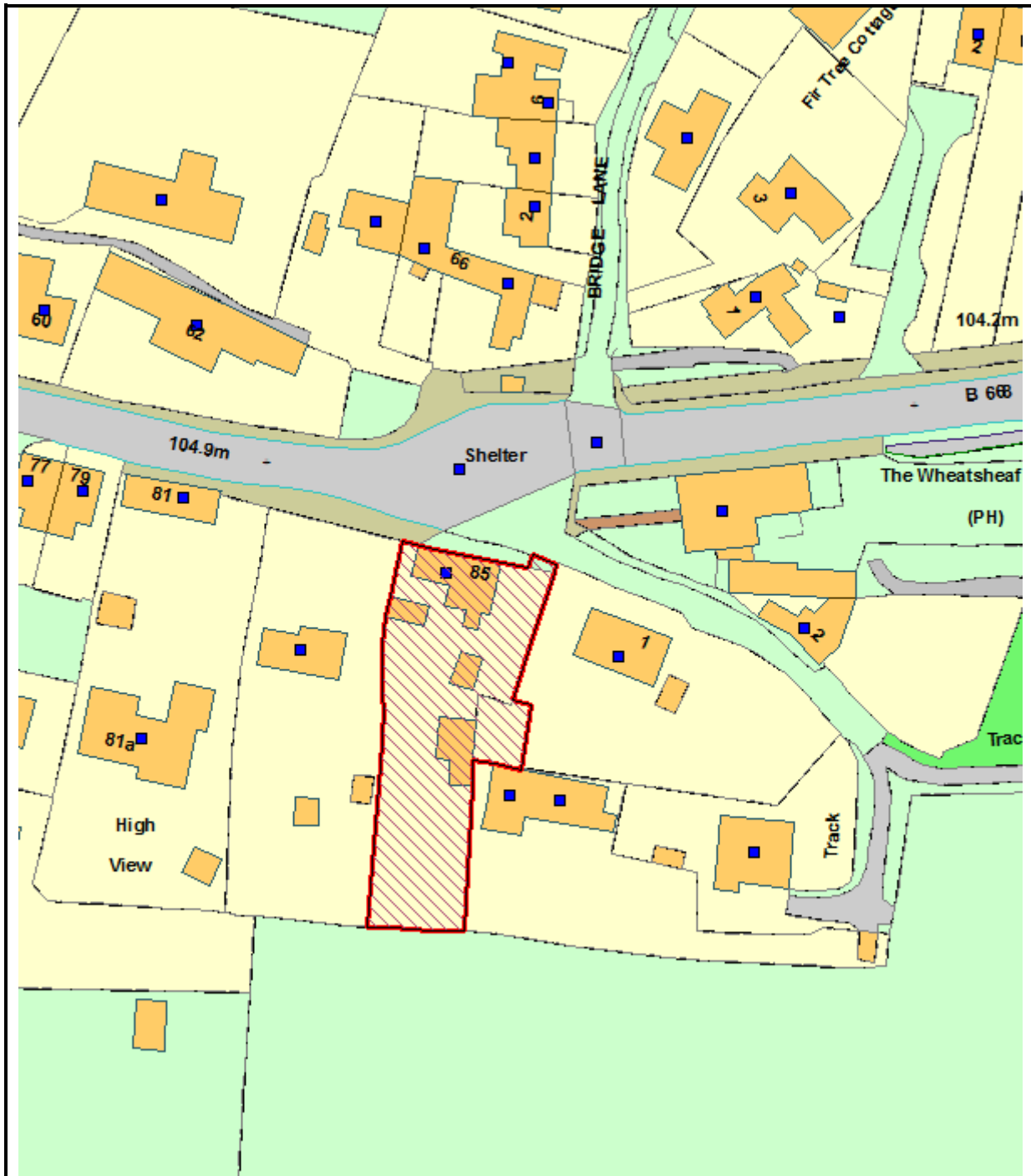
JOB TITLE
 Pullet Rearing Unit at Market Overton
 DWG. TITLE
 Sections A0

SCALE
 As Annotated
 DRN
 IP

DWG. NUMBER
 IP/PH/05

DATE
 April 20
 REV
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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/0435/FUL	ITEM 2	
Proposal:	Erection of canopy over front door of property.		
Address:	85 Main Street, Greetham, Rutland, LE15 7NJ		
Applicant:	Mr Richard Brett	Parish	Greetham
Agent:	N/A	Ward	Greetham
Reason for presenting to Committee:	Relation to RCC Employee		
Date of Committee:	28th July 2020		

EXECUTIVE SUMMARY

The design of the canopy porch as revised would not have a detrimental impact upon the character or appearance of Greetham Conservation Area, or the setting of adjacent listed buildings.

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, as revised, numbered; 876/20/1B, and the materials specified in the application.

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

Site & Surroundings

1. The application relates to an unlisted, traditional stone cottage in the Greetham Conservation Area. The adjacent public house is a listed building, as is a property across the road. A Public Right of Way runs past the house.

Proposal

2. Permission is sought to install a canopy above the front entrance door where there has been a refusal and dismissal on appeal in 2016 for an enclosed porch. It would be 1.8m (approx.) wide, 0.5m deep, and its eaves would be over 2m above ground level (which is a raised bank next to the highway). It would have a slate roof on a timber frame.
3. The plans are attached as an appendix.

Relevant Planning History

Application	Description	Decision
2016/1043/FUL	Enclosed Porch	Refused (Appeal Dismissed)

Planning Guidance and Policy

National Planning Policy Framework (2019)

Conserving and enhancing the historic environment

The Rutland Core Strategy (2011)

CS19 – Promoting good design

CS22 – The historic and cultural environment

Site Allocations and Policies DPD (2014)

SP15 – Design & Amenity

SP20 – The historic environment

Consultations

4. **Greetham Parish Council**
Support

5. **Public Rights of Way Officer**
No comments or objections

6. **Conservation Advisor**
Whilst I can see no objection to the installation of a canopy I question the appropriateness of the hipped roof design in this instance and suggest therefore that design be reconsidered with a view to the roof having either an apex or pent roof rather than the somewhat incongruous hipped as currently proposed.

I have re-read the 2016 appeal decision and cannot see anything in the Inspector's report that suggests a canopy would not be appropriate.

(Following submission of revised plans showing mono-pitched porch) – No objection.

Neighbour Representations

7. None

Planning Assessment

8. At the Statutory level, Sections 16 (2) and 66 (1) of The The Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990 require the decision maker to have special regard to the desirability of preserving the setting of listed buildings, or any features of special architectural or historic interest which they possesses.

9. As the site also lies within a conservation area, there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72 (1) of The Act.

10. The main issues are the impact of the proposal upon the conservation area, and the setting of the adjacent listed buildings.

11. The application originally proposed a hipped roof canopy porch. Following concerns from the Conservation Officer on the design of the hipped roof being an incongruous feature, the plans were revised to a mono-pitched (pent) roof. While there has previously been a

refusal and dismissed appeal here for an enclosed porch, the Inspector did not preclude a canopy porch here, and there are some examples of canopy porches within the village. The canopy itself is small in scale, away from the highway/public footpath, and does not raise the same issues that led to the enclosed porch being resisted.

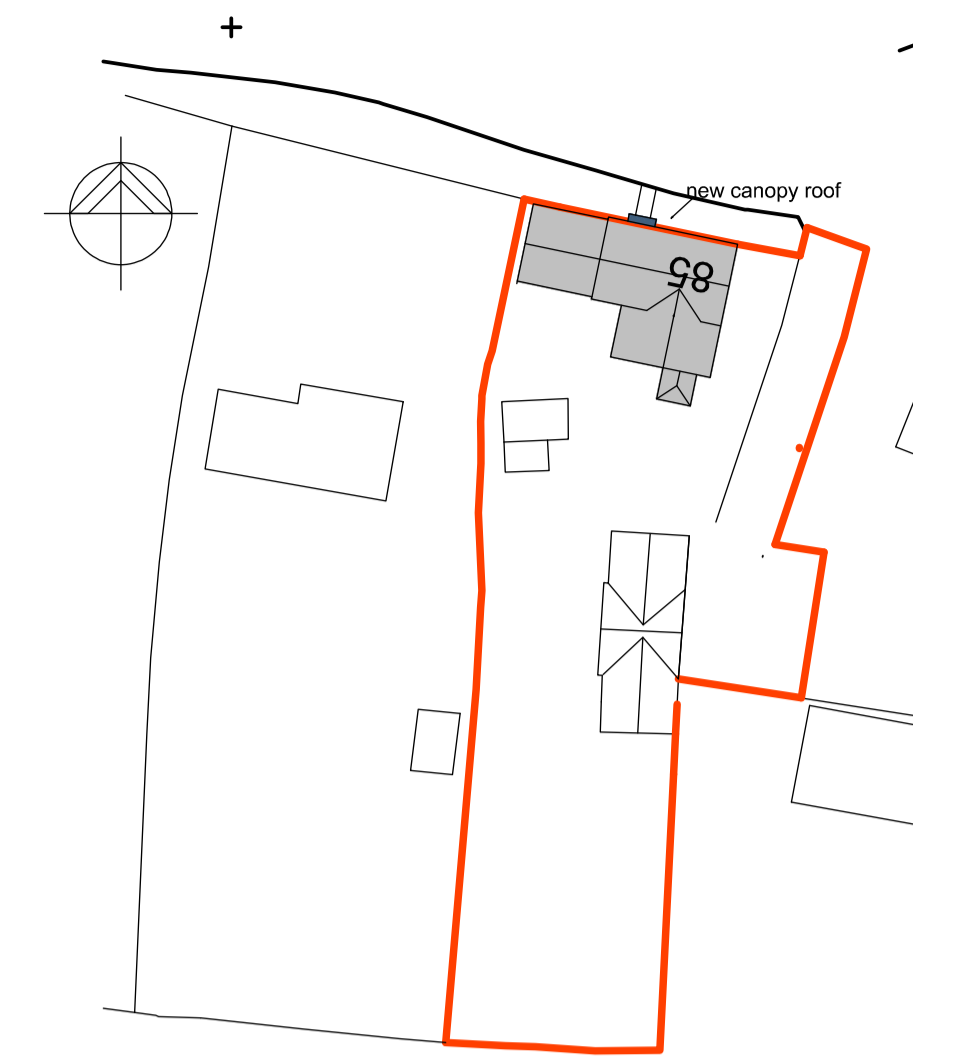
12. The proposal as revised would not have a detrimental impact upon the character or appearance of Greetham Conservation Area, or the setting of the adjacent listed buildings. By virtue of the design, scale and materials to be used, the proposal as revised would not cause harm to the character or appearance of Greetham Conservation Area, or the setting of the adjacent listed buildings, in accordance with Sections 12 and Section 16 of the NPPF (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014).



proposed east elevation



proposed north elevation

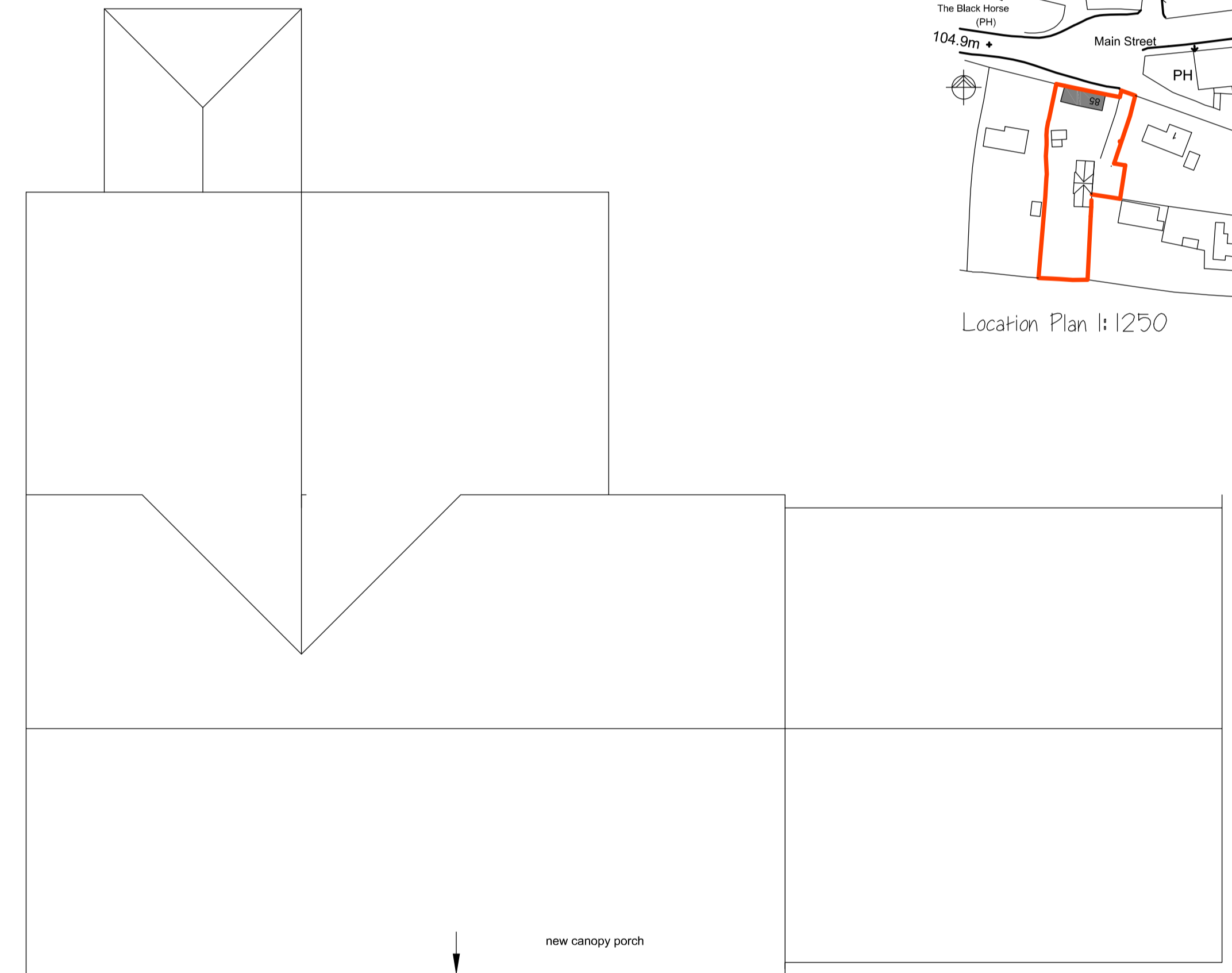


Location Plan I: 500

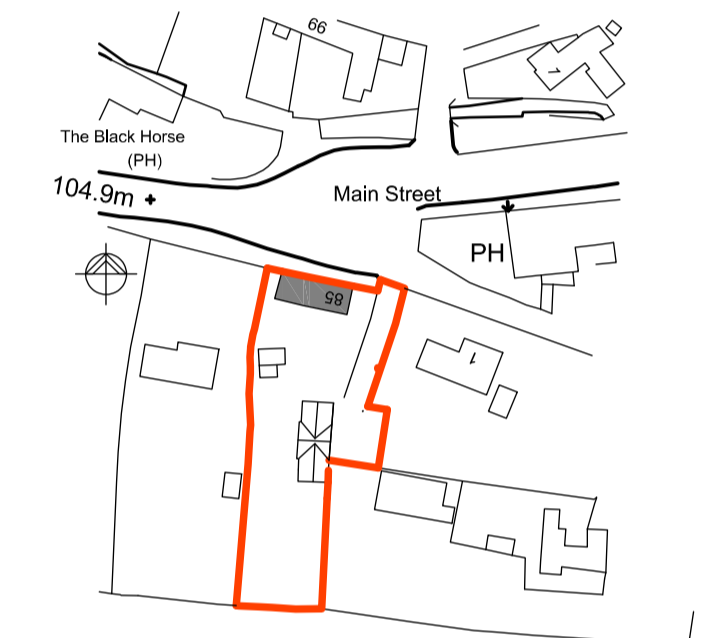
slate canopy roof
with lead roll hips
on timber support frame



proposed west elevation



roof plan



Location Plan I: 1250



east elevation



north elevation



west elevation

Revision B: canopy roof amended
© McCombie Smith Architects

MS.
McCombie Smith Architects
12 Church Lane . Greetham . Rutland . LE15 7NF
Tel 01572 812808 Fax 01572 812466

Canopy porch
85 Main Street
Greetham,
For Mr & Mrs Brett
Plans & Elevations

SCALE 1:50, 1:100 on A1
DATE June 2020
DRAWN KM

876/20/1B

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PLANNING AND LICENSING COMMITTEE

28th July 2020

APPEALS

Report of the Deputy Director of Places

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Gordon Brown - Deputy Leader; Portfolio Holder for Planning Policy & Planning Operations	
Contact Officer(s):	Penny Sharp, Deputy Director of Places (Environment, Planning & Transport & Highways)	Tel: 01572 758160 psharp@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

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

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/W/20/3250414 – Mr Wilfred Bothwell – 2019/0909/OUT**
 Millwell Farm, Stocken Hall Road, Stretton, Rutland, LE15 7RW
 Proposed permanent agricultural dwelling
Delegated Decision - The settlement hierarchy in Rutland has been adopted to ensure that new development is located in a sustainable way, where local services

will be available and the need to travel is reduced. The application site is located in an isolated 'open countryside' location outside the Planned Limits of Development of any nearby settlement. Existing policies only allows for the conversion and re-use of appropriately and suitably constructed rural buildings for residential use in the countryside and do not apply to new build unless it is to meet an essential operational need for a dwelling to be located in the countryside or to meet an identified affordable housing need as set out in Core Strategy Policy CS11. The information submitted with the application has not identified that the business is currently financially viable to justify permanent accommodation on the site. In addition the proposed site of the new dwelling is not well related to the existing farm buildings or access into the holding and as a consequence the site of the dwelling would provide little or no security for the farm buildings which can be accessed before the site. As such the development would be contrary to Policies CS3 (The settlement hierarchy), Policy CS4 (The location of development), of the Adopted Core Strategy and Policies SP6 (Housing in the Countryside), SP23 (Landscape character in the countryside), of the Site Allocations Development Plan Document 2014 and paragraphs 79, of the NPPF (2019) and Planning Practice Guidance 'Housing needs of different groups' published July 2019.

2.2 **APP/A2470/W/20/3253613 – Mr Paul Holt - 2020/0179/FUL**

Hall Cottage, 17 Main Street, Ayston, LE15 9AE

Extend gravelled area on driveway by approximately 6 x 2 metres wide

Delegated Decision - It is considered that the proposal to increase the loose gravelled, off-street parking area adjacent a bend in the approach road to the village of Ayston from the north, would have an harmful visual impact on the entry to the village and street scene and will not preserve or enhance the appearance of the Ayston Article 4 Conservation Area and the setting of the Grade II Listed Hall Cottage. The resultant change in character of the application site would be detrimental not only to the setting of Hall Cottage and, to a lesser extent, the neighbouring Grade II Listed Ayston Hall, but also the street scene on this entry to the village as existing trees and root systems are likely to be adversely affected. In addition the use of loose gravel would result in an increased highway danger and is contrary to adopted Highway standards that require any new accesses to be constructed out of a hard bound material for the first 5m behind the highway boundary. The access width is too narrow and would need to be extended to 2.4m rather than 2m which is likely to have a further adverse impact on the existing mature trees and their roots. The proposal is therefore considered to be contrary to the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS19 (Promoting good design), CS22 (The historic and cultural environment Policies), SP5 (Built development in town and villages), SP15 (Design and amenity), SP20 (The historic environment) of the Site Allocations and Policies (Adopted October 2014) and Section 12 and 16 of the National Planning Policy Framework.

The application proposes works of alteration and extension to of an existing parking area with the Ayston Article 4 Conservation Area. Paragraph 189 of the National Planning Policy Framework (2019) requires the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. As a minimum the relevant historic environment record should have been consulted and the heritage assessed using appropriate expertise where necessary. The requirements of paragraph 189 of the NPPF and Policy CS22 (The historic and cultural environment) of the adopted Core Strategy (2011) and Policy SP20 (The historic environment) of the adopted Site Allocations and Policies Development Plan Document (2014) have not in this instance been

complied with and so an informed decision as to the impact of the proposed works on the Article 4 Conservation Area cannot be arrived at.

2.3 APP/A2470/W/20/3250854 - Mrs Clare Walker – 2020/0119/FUL

The Rockies, Geeston Road, Ketton, Rutland, PE9 3RH
Loft conversion with dormer windows to the front and rear.

Delegated Decision - The proposed rear dormer (Plan no. CW/01A/PLANNING/2020), by virtue of its scale, size and design, would appear as an incongruous and out of proportion feature within the roof slope. Revised plan no. CW/01B/PLANNING/2020 has been received during the lifetime of the application that shows two rear dormer windows of a different design. The revised dormer(s) shown are oversized and do not relate to the fenestration of the rear elevation (in contrast to the symmetry of the front dormers in relation to the front elevation windows). One being bigger than the other adds to their incongruity. As such both plans would be contrary to Policy CS19 of the Council's Adopted Core Strategy (2011), Policy SP15 of the Site Allocations and Development Plan Document (2014), the Council's Supplementary Planning Document (SPD) on Extensions to Dwellings (2015), and Section 12 of the National Planning Policy Framework (2019).

2.4 APP/A2470/W/20/3245832 – Mr Kevin Weston – 2019/1104/FUL

7 The Green, Caldecott, Rutland, LE16 8RR
Change of use from dwelling in multiple use classes C1 and C3 to 2 separate dwellings: nos 6 and 7 The Green.

Delegated Decision - The scheme proposes one parking space for property No.6, between No.6 and No.7. The visibility out of this parking bay to the west is very limited due to how close the property is to the edge of the highway. Additionally the visibility of the access for vehicles approaching from the west is obstructed by the dwelling. Vehicles exiting the site and vehicles approaching the site will not be able to see the access until they are directly adjacent to it being detrimental to highway safety.

The applicants have also offered a scheme where no parking would be provided on the site. The public transport options through Caldecott are very limited, and therefore parking would be required at this site. If parking is not provided a vehicle will park somewhere on the adopted highway along narrow roads which would be detrimental to highway safety.

The proposal would therefore be contrary to Policy SP15 and Appendix 2 of the Site Allocations and Policies Development Plan Document (2014) and Section 9 of the NPPF.

2.5 APP/A2470/D/20/3253517 – Mr Kevin Williams – 2020/0342/FUL

9 Main Street, Barrow, Rutland, LE15 7PE
Proposed installation of glazed privacy panels on East and South elevations, on West elevation increase height of parapet wall by 500mm with clear glass panels. Modifications in order to allow occasional recreational use of existing flat roof on single storey rear extension.

Delegated Decision - The use of the flat roof as a balcony / sitting out/recreational area, even with the proposed obscure glass, would result in an unacceptable loss of residential amenity for the occupiers of no. 8 Main Street, Barrow, and both a perceived and actual loss of privacy. In this respect the proposal would have a similar impact that was considered unacceptable by the Planning Inspectorate when considering the removal of condition 3 of Planning

Permission 2019/1134/FUL (Appeal decision reference APP/A2470/W/19/3243021). The proposal is therefore contrary to Policy CS19 of the Rutland Core Strategy (2011) Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

2.6 APP/A2470/W/20/3254410 – Mr & Mrs R Needham – 2019/1375/MAF

Use of land as touring caravan site and for angling purposes, creation of fishing lake, formation of roads and hardstanding and erection of amenity block.

Delegated Decision - The proposal is considered to be an unsustainable form of tourism / leisure development where insufficient evidence has been submitted that the development meets local business or community needs. The scheme is in an unsustainable location which is not physically well related to existing settlements and due to the lack of genuine transport choice will lead to the dependence on car based travel by future occupants of the four holiday chalets.

Therefore, it is considered that the development is contrary to Policies SP7 and SP25 of the Rutland Site Allocations and Policies Development Plan Document, Rutland Core Strategy Policies CS1(c), CS4 and CS15 and Paragraphs 83 and 84 of the National Planning Policy Framework (Feb 2019).

It is considered that beyond the proximity to the immediately adjacent facilities, the submitted evidence does not adequately demonstrate that it would be essential for the caravan pitches and fishing lake to be located at the site. The Local Authority consider on balance that the perceived benefit would not outweigh the loss of this area of quality agricultural land and as such is contrary to paragraph 170 of the NPPF.

Insufficient information regarding the provision of an acceptable means of foul drainage has been submitted at the time of determining the application to satisfactorily overcome the objection from the Environment Agency. As such it is considered that the application is contrary to Section 14 of the NPPF.

3. DECISIONS

3.1 APP/A2470/D/20/3247287 – Mr Trevor Jones – 2019/1224/FUL

The Old Pump House, Manton Road, Edith Weston, Rutland, LE15 8HB
First floor and side extensions to dwelling house

Delegated Decision - The existing size of the building has a volume of approximately 90.63 cubic meters. The proposed extensions when combined have an approximate volume of 90.99 cubic meters making the volume of the extended dwelling total approximately 181.62 cubic metres. The proposed increase is approximately 100.39% and is thereby greater than 50%, leading to a development which is not modest in scale and which threatens the character and appearance of the area contrary to paragraph 5.31, Policy SP6 of the Site Allocations and Policies Development Plan Document Adopted October 2014 and Policies EW3 - The Environment and EW4 - Countryside and Open Space of the Edith Weston Neighbourhood Plan (2012-2026).

The development increases the height of the original building from 3.1m to 4.2m. The first floor extension can be viewed from a wider context over the hedgerow that runs along Manton Road and impacts on views towards Rutland Water. Due to the height and appearance it is considered that the first floor extension would result in an incongruous development in a rural area with the backdrop of Rutland Water beyond. As such the proposal is considered contrary to Policy CS19 - Promoting Good Design and CS24 - Rutland Water of the Rutland Core Strategy, Policy SP15 - (Design and amenity) of the Site Allocations and Policies DPD and Policies EW3 - The Environment and EW4 - Countryside and Open Space of the Edith Weston Neighbourhood Plan (2012-2026).

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

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

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

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

10. EQUALITY IMPACT ASSESSMENT

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

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

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

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

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