



Rutland County Council

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Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Rutland County Museum, Catmos Street, Oakham on Tuesday, 24th August, 2021 at 7.00 pm

PRESENT:

Councillor E Baines (Chair)	Councillor N Begy (Vice-Chair)
Councillor D Blanksby	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor S Harvey	Councillor A MacCartney
Councillor M Oxley	Councillor K Payne

ABSENT:

Councillor W Cross	Councillor A Lowe
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OFFICERS PRESENT:

Justin Johnson	Development Manager
Robyn Green	Highways Engineer
Julie Smith	Interim Highways Engineer
Paul Milne	Planning Officer
Andrew Waskett-Burt	Planning Officer
Tom Delaney	Governance Officer

1 APOLOGIES

Apologies were received from Councillor W Cross and Councillor A Lowe.

2 MINUTES

Consideration was given to the minutes of the meetings held on 13 and 27 July 2021.

RESOLVED

That the minutes of the meetings held on 13 and 27 July be **APPROVED** as accurate records of the proceedings.

3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a pecuniary interest item in item 5 – Planning Applications, application 2021/0672/FUL as the applicant, and that he would leave the meeting when the Committee came to consider the application.

Councillor M Oxley declared a non-pecuniary interest in item 5 – Planning Applications, application 2021/0672/FUL as a friend and political group leader to Councillor Brown, and that he would leave the meeting when the Committee came to consider the application.

Councillor A MacCartney declared a non-pecuniary interest in item 5 – Planning Applications, application 2021/0672/FUL as Councillor Brown was a regular customer in her shop,

Councillor MacCartney confirmed she would remain in the meeting for consideration of the item.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received:

In relation to item 5 – Planning Applications, application 2019/1389/FUL, Kenneth Gilman would be speaking as a member of the public in objection to the recommendations, and Nick Grace would be speaking as the agent on behalf of the applicant.

5 PLANNING APPLICATIONS

Report No 103/2021 was received from the Strategic Director of Places.

Item 1 - 2019/1389/FUL- Land adjacent to Barleythorpe Hall, Main Road, Barleythorpe, 6 no. detached dwellings with garaging and associated site work.

(Parish: Barleythorpe; Ward: Barleythorpe)

Paul Milne, Planning Officer, addressed the Committee and gave an executive summary of the application, recommending delegation to the Chair for approval subject to the signing of a Section 106 Agreement and the conditions set out in the report and addendum. Officers also further recommended that condition 4 should be amended to replace 'development' with 'ground works, including archaeological works', an additional condition be added regarding the retaining of the existing wall in accordance with the masterplan, and a further condition requiring details of the proposed green screen boundary fence to be submitted before final approval.

Prior to debate, the Committee heard from Kenneth Gilman, a member of the public objecting to the recommendation, and Nick Grace the agent for the application. These speakers had the opportunity to take questions from Members of the Committee.

During debate, Members raised a number of points. Concern was expressed on the potential for the new development to overbear on existing properties and it was suggested that a site visit would assist Members in making a judgement. Robyn Green, Highways Engineer also set out the changes in highways access to the development compared to previous applications and how these had led to no highways objections.

Members also queried the process of deciding when a developer could provide a Commuted Sum in lieu of building affordable homes and queried how and when the proposed sum would be used in the future, Justin Johnson, Development Manager set out the national policies that determined the process and provided a brief overview of the processes then followed for the site in question by the Planning Policy and Housing team. It was also highlighted that there were often difficulties in finding registered providers willing to take on properties of the proposed sizes for use as affordable housing.

Councillor E Baines moved from the Chair that the application be deferred to allow a site visit to be arranged to assess the potential for overbearing on neighbouring properties, and for further information to be provided regarding the proposed Commuted Sum. This was seconded and with 10 votes in favour the motion was unanimously carried.

RESOLVED

That application 2019/1389/FUL be **DEFERRED** in order to allow a site visit to be arranged and further information provided regarding the proposed Commuted Sum.

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Councillors A Brown and M Oxley left the meeting at 8.14pm having declared interests in the remaining planning application for consideration.

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Item 2 - 2021/0672/FUL - Fairchild Lodge, Lyddington Road, Caldecott, LE16 8TE, Demolition of existing agricultural barn and the erection of 3 no. two-storey dwellings together with associated car parking and landscaping.

(Parish: Caldecott; Ward: Lyddington)

Andrew Waskett-Burt, Planning Officer, addressed the Committee and gave an executive summary of the application, recommending approval subject to the conditions set out in the report. There were no speakers for the application.

During debate several Members queried whether approving the application would set a precedent for amendments to other sites with Class Q Prior Approval. In response officers explained that a precedent would not be set by a decision on this application and each would be assessed on their own merits. Regarding the application before Members it was highlighted that proposal was a visual improvement on the current approval and was a smaller scheme than the current barn occupied.

In response to a suggestion that approval of the application could make the existing Class Q Prior Approval defunct, officers suggested that an additional condition could be imposed to require a Section 106 Agreement to prevent any further development at the site.

Councillor K Bool proposed that the application be approved subject to the conditions set out in the report and the signing of a Section 106 Agreement to prevent any further development at the site. This was seconded and with four votes in favour, two against and two abstentions the motion was carried.

RESOLVED

That application 2021/0672/FUL be **APPROVED** subject to the conditions set out in the report and the signing of a Section 106 Agreement to prevent any further Class Q developments.

The list of conditions can be found on the planning application page of the Council's website <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planning-applications-and-decisions/>

6 APPEALS REPORT

Justin Johnson, Development Manager, introduced Report No 104/2021 from the Strategic Director of Places. The purpose of the report was to list the appeals received since the last meeting of the Planning & Licensing Committee and summarise the decisions made.

RESOLVED

That the Committee **NOTE** the contents of the report.

7 ANY OTHER URGENT BUSINESS

There was no urgent business for consideration but it was suggested by Members that it would be beneficial to receive a briefing session from officers in Planning Policy regarding the processes around affordable housing provision and particularly the calculation of commuted sums.

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The Chairman declared the meeting closed at 8.51 pm.

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