



# Rutland County Council

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Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 18th April, 2023 at 6.00 pm

**PRESENT:**

Councillor E Baines (Chair)	Councillor P Browne (Vice-Chair)
Councillor N Begy	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor W Cross	Councillor J Dale
Councillor A MacCartney	Councillor R Payne

**ABSENT:**

Councillor R Wilson	Councillor D Blanksby
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**OFFICERS PRESENT:**

Justin Johnson	Development Manager
Nick Thrower	Principal Planning Officer
Sherrie Grant	Planning Solicitor
Robyn Green	Highways Engineer
David Ebbage	Governance Officer

**IN ATTENDANCE:**

Councillor S Harvey	Ward Member
Councillor D Wilby	Ward Member

## 1 APOLOGIES

Apologies were received from Councillor R Wilson.

## 2 MINUTES

Consideration was given to the minutes of the meeting held on 14<sup>th</sup> March 2023.

## RESOLVED

a) That the minutes of the meeting on 14<sup>th</sup> March 2023 be **APPROVED**.

## 3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a personal interest in item 6c – Planning Applications, application 2022/1236/FUL as he knew the applicants socially. Councillor Brown confirmed he would leave the meeting at that point.

Councillor P Browne declared 2021/1268/FUL as he had family involvement with the applicant. Councillor Browne confirmed he would leave the meeting at that point.

#### **4 PETITIONS, DEPUTATIONS AND QUESTIONS**

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received on item 6, Planning Applications:

In relation to 2022/0604/MAF, Tracey Chadwick spoke as a member of the public opposing the application, Chris Donovan spoke on behalf of Cottesmore Parish Council and Kirstie Clifton spoke as the agent.

In relation to 2021/1268/FUL, David Amies spoke on behalf of Ryhall and Belmesthorpe Parish Council and Lawrence Ball spoke as the applicant.

In relation to 2022/1236/FUL, Mrs J Hoult spoke as the applicant.

#### **5 NEW PREMISES LICENSING APPLICATION - KIOSK NEAR TO NORMANTON CHURCH, RUTLAND WATER**

The Chairman confirmed to Members that the Licensing Application for the Kiosk near to Rutland Water had been agreed to be deferred to a separate meeting.

#### **6 PLANNING APPLICATIONS**

Report No.64/2023 was received from the Strategic Director of Places.

Item 6a – 2022/0604/MAF – William Davis Limited  
Land at, Mill Lane, Cottesmore. Development of 93 No. dwellings including 30% affordable homes and associated access, drainage and green infrastructure

(Parish: Cottesmore; Ward: Cottesmore)

Item 6b – 2021/1268/FUL - Simon Boon Homes Limited, River Gwash Trout Farm, Belmesthorpe Lane, Ryhall. Residential Development of 11 dwellings

(Parish: Ryhall; Ward: Ryhall and Casterton)

Item 6c – 2022/1236/FUL - Mr and Mrs Hoult Land off, Holygate Road, Ridlington. Two storey house with detached garage.

(Parish: Ridlington; Ward: Braunston & Martinshorpe)

Item 6d – 2022/1407/FUL - Land adj to 20A Oakham Enterprise Park, Ashwell Road, Oakham.

Construction of a concrete base, pedestrian ramp and associated works for siting of an MRI scanner.

(Parish: Burley Parish Meeting; Ward: Exton)

Item 6e – 2022/0296/RES - Avant Homes Land South of Leicester Road, Uppingham. Reserved matters application in relation to 2019/0525/OUT (Housing development (up to 20 no. dwellings) with access) for appearance, landscaping (including open space areas), layout and scale.

(Parish: Uppingham; Ward: Uppingham)

**6a 2022/0604/MAF**

Nick Thrower, Principal Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Tracey Chadwick who spoke as the member of the public opposing the application, Chris Donovan who spoke as the representative from Cottesmore Parish Council and Kirstie Clifton who spoke as the agent. The Committee also had the opportunity to ask questions of these speakers.

Following Councillors MacCartney and Harvey speaking as Ward Members, the Chair opened the debate. During the debate the following points were raised:-

- Cottesmore residents accepted the need for growth and accepted they must have new developments within the village, however if the site was laid out differently with fewer dwellings, fewer objections may have been received.
- All members raised concerns with the development being outside the planned limits of development and being proposed in open countryside.
- The detailed plans made no reference to waste management and no bin storage details were present. No provisions had been made on site around the new legislation on recycling and food waste which was contrary to paragraph 40 in the National Policy Planning Framework (NPPF).

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At 7.00pm Councillor Jeff Dale joined the meeting and was advised he was not able to take part in this application.

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- Members struggled to see what the wider benefits of the development would be to the village. They felt the application would need to have fewer plots and a better layout for reconsideration. The school was already oversubscribed, and the local GP practices were also at full capacity.
- Officers highlighted to members that the wider benefits were around the affordability of some of the housing, the wider open spaces the public could enjoy and the additional element of off-street parking to address the current parking issues in that area currently.
- It was highlighted by the agent that the open space location would soften the approach into the village from the development. Members deemed the open space was inappropriately placed and an afterthought. It was also felt the entrance access was in the wrong location and would cause safety concerns with the school entrance opposite.
- Members pointed out that the tilted balance reference in the National Planning Policy Framework Paragraph 11d was not an argument on this application. With regards to the neighbourhood plan and the spatial strategies issue, the did plan did not allocate any sites so would not hold any significant weight.

- It was pointed out by officers that the scheme was reviewed by the in-house design officers who was reasonably happy with the approach and the design.
- COT H6 required speeding measures to take place and Members felt there was no evidence that had taken place and very little had been taken of that and wanted it to be noted.
- The policy team were reviewing the 5 year housing land supply but officers pointed out to Members that it was a rolling supply, it did not mean other developments wouldn't get considered, the Council had to make sure the supply was ongoing, this also gave the Council the ability to refuse sites which would be considered as completely inappropriate and to support the ones that were acceptable.
- It was clarified by officers that garages had been included as parking spaces.
- Members raised the materials proposed were ignoring design guides and not been fully addressed. Officers informed members that additional conditions could be added around materials and samples to be provided.
- Members agreed with the large number of dwellings proposed that it would cause significant issues around parking and congestion within the development.
- Concerns were raised around the houses on the development would be gas central heating and that no green energy production was proposed within the site.

It was moved by Councillor A MacCartney that the application be refused on the grounds of design and materials which were contrary to the design guide and issues around bin storage including the sustainability of the site. Impacts to the properties to the south of the site, location and safety issues around the LEAP, that it is outside the planned limits of development and that the Council has a 5 year housing land supply. The affordable housing in the neighbourhood plan policy. Safety issue around the children's play area and the impact on the view from Mill Lane. The lack of evidence on Cottesmore H6 on speed measurements. This was seconded and upon being put to a vote, the motion was unanimously carried.

**RESOLVED:**

That application 2022/0604/MAF be **REFUSED** on the following grounds:

- a) The grounds on design and materials which were contrary to the design guide also including bin storage and the sustainability of the site.
- b) Impacts to the properties to the south of the site, location and safety issues around the LEAP, it is outside the planned limits of development and that the Council has a 5-year housing land supply.
- c) The affordable housing in the neighbourhood plan policy. Safety issues around the children's play area and the impact on the view from Mill Lane and the lack of evidence on Cottesmore H6 on speed measurements.

The full list of reasons 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-planningapplications-and-decisions/>

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At 7.44pm Councillor A MacCartney and Councillor P Browne left the meeting

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**6b 2021/1268/FUL**

Justin Johnson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from David Amies spoke on behalf of Ryhall and Belmesthorpe Parish Council and Lawrence Ball spoke as the applicant. The Committee also had the opportunity to ask questions of these speakers.

It was confirmed to Members that it would be 3 properties that would be affordable housing within the development.

It was requested by Members for two additional conditions to the application, one for the buffer zone leading up to the quash to be maintained as non-residential land and the second for the details to be confirmed for the management and maintenance for the wildlife site. Officers confirmed this was possible.

It was proposed by Councillor W Cross and seconded that the application be approved subject to the conditions in the report and the additional conditions suggested by Members. Upon being put to the vote, the motion was unanimously carried.

**RESOLVED**

- a) That the application 2022/1268/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons 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-planningapplications-and-decisions/>

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At 8.03pm Councillor P Browne re-joined the meeting

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At 8.03pm Councillor A Brown left the meeting

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**6c 2022/1236/FUL**

Justin Johnson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Mrs J Hoult who spoke as the applicant. The Committee also had the opportunity to ask questions of the speaker.

Justin Johnson informed the Committee that he had received back comments from the ecologist officer, and they were happy for the proposal to be approved subject to a condition requiring investigative works to be carried out whilst development took place.

Officers confirmed that a construction traffic management plan would be added as an additional condition and an informative to be added about any reinstatement of any verge if damaged during building works and members also requested for a sample of material to be submitted to the planning officer. This was agreed by officers.

It was proposed by Councillor W Cross and seconded that the application be approved subject to the conditions in the report and the additional conditions suggested by Members. Upon being put to the vote, the motion was unanimously carried.

**RESOLVED**

- a) That the application 2022/1236/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons can be found on the planning application page of the Council's website

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**6d 2022/1407/FUL**

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At 8.20pm Councillor A Brown re-joined the meeting

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Justin Johnson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Members questioned whether the proposal was for temporary or permanent planning approval as suggestions elsewhere stated it was only on site for a temporary period. Officers confirmed it was for permanent planning approval.

It was agreed to defer condition 5 to the planning officer to confirm the wording of what was suggested within that condition with property services. The final wording would be agreed with the Chairman.

Members raised the question around the structure of the unit on the proposed site and felt it looked like a temporary unit and if it would last over 5 years. Officers responded by saying that it fitted in with the other building and units that were already on Council land.

It was proposed by Councillor W Cross and seconded that the application be approved subject to the conditions in the report and the additional conditions suggested by Members. Upon being put to the vote, the motion was unanimously carried.

## **RESOLVED**

- a) That the application 2022/1407/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons 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-planningapplications-and-decisions/>

## **6e 2022/0296/RES**

Justin Johnson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

This application only came to Committee due to the Councils Constitution not providing for Deed of Variation to a S106 to be signed off by a Director.

The DOV was requested by the applicant to alter finer details of the Affordable Housing scheme on site. This had been agreed with the Housing Strategy Officer and continued to provide the 30% required by the original S106.

Members requested an additional condition on the landscaping included the additional planting of trees and the details of the front boundary treatments. This was agreed by officers.

It was proposed by Councillor K Bool and seconded that the application be approved subject to the conditions in the report and the additional condition suggested by Members. Upon being put to the vote, the motion was unanimously carried.

## **RESOLVED**

- a) That the application 2022/0296/RES be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons 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-planningapplications-and-decisions/>

## 7 APPEALS REPORT

Report No. 46/2023 was received from the Strategic Director for Places. Justin Johnson, Development Manager, presented the report which listed for Members' information the appeals received since the last ordinary meeting of the Planning & Licensing Committee and summarised the decisions made.

### RESOLVED

a) That the contents of the report be **NOTED**.

## 13 ANY OTHER URGENT BUSINESS

The Chairman thanked the four Members of the Committee who would be standing down from this Committee from May, Councillors Bool, Cross, Dale and G Brown. He passed on his personal thanks to their contributions and experience they had given to this Committee.

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**The Chairman declared the meeting closed at 8.55pm.**

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